

67995

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Master in Equity

Mikell R. Scarborough, Master in Equity, Charleston County

Case No.: 2005-CP-10-1224

Green Tree Servicing LLC, as servicer for Bankers Trust
Company of California, N.A. Respondents

vs.

Isaiah Ulmer, Deborah J. Ulmer, et al, Appellants

NOTICE OF APPEAL

Isaiah Ulmer and Deborah J. Ulmer appeal the Order Dismissing Motion to Set Aside Sale dated January 28, 2013, and filed February 13, 2013, of the Honorable Mikell R. Scarborough, and Master's Order of Sale and Disbursement dated July 13, 2012, and filed July 18, 2012, of the Honorable Mikell R. Scarborough, which allowed a public auction on July 3, 2012 of the Appellants home and property by virtue of a Master's Order and Judgment of Foreclosure ad Sale dated November 13, 2007, and filed on November 14, 2007.

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SC Court of Appeals

Appellants and Appellants' counsel *never* received written notice of the execution and filing of the February 13, 2013 Order Dismissing Motion to Set Aside Sale. The *only* "notice" of the February 13, 2013 Order Dismissing Motion to Set Aside Sale being executed and filed occurred when the Charleston County Sheriff's Department appeared at Appellant's home on March 19, 2013, with a copy of the Master's Order of Sale and Disbursement dated July 13, 2012, with a sticker attached thereto directing them to Vacate and Remove All Personal Property no later than Wednesday, April 10, 2013.

April 9, 2013



Brian N. Davis
Beth Branham Davis
DAVIS & DAVIS, LLC
1723 Savannah Highway
P.O. Box 31839
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Attorneys for Appellants
(843)852-5585

Other Counsel of Record:
Theodore Von Keller
Crawford & Von Keller, LLC
PO Box 4216
Columbia, SC 29240
Attorney for Respondents
(803)

DAVIS & DAVIS, LLC
ATTORNEYS AND COUNSELLORS AT LAW
1723 SAVANNAH HIGHWAY
CHARLESTON, SOUTH CAROLINA 29407

REPLY TO:
POST OFFICE BOX 31839
CHARLESTON, SOUTH CAROLINA 29417

BRIAN N. DAVIS
BETH BRANHAM DAVIS

April 9, 2013

(843) 852-5585
FACSIMILE (843) 852-5586

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

Re: Green Tree Servicing, LLC, as servicer for Bankers Trust Company of California
v. Isaiah Ulmer, Deborah J. Ulmer et al.
Appeal of Charleston County Case No. 2005-CP-10-1224

Dear Ms. Kitchings:

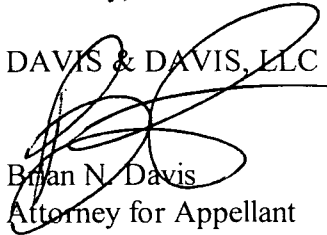
Enclosed for filing please find the original and two copies of the items listed below, along with a return envelope for return of the filed copies to our courier hand-delivering the documents:

- (1) Notice of Appeal
- (2) Proof of Service of the Notice of Appeal;
- (3) A copy of the Order Dismissing Motion to Set Aside Sale dated January 28, 2013, and filed February 13, 2013;
- (4) A copy of the Master's Order of Sale and Disbursement dated July 13, 2012, and filed July 18, 2012 with the underlying Master's Order and Judgment of Foreclosure and Sale dated November 13, 2007, and filed on November 14, 2007; and
- (5) the required filing fee of \$100.00.

Should you have any questions or concerns, please contact my office.

Sincerely,

DAVIS & DAVIS, LLC


Brian N. Davis
Attorney for Appellant

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cc: Theodore Von Keller, Esquire
Crawford & Von Keller, LLC

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vs.

Isaiah Ulmer, Deborah J. Ulmer, et al, Appellants

PROOF OF SERVICE

I certify that I have served the Notice of Appeal for the above-referenced case by depositing a copy of it in the United States Mail, postage prepaid, on April 9, 2013, addressed to the Respondent's attorney of record below.

Theodore Von Keller, Esquire
Crawford & Von Keller, LLC
PO Box 4216
Columbia, SC 29240
Attorney for Respondents

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SC Court of Appeals

Brian N. Davis
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Attorney for Appellants

This 9th Day of April, 2013