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STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF RICHLAND )  
 )  
 NATIONSTAR MORTGAGE, LLC )  
 d/b/a MR. COOPER, )  
 )  
 RESPONDENT, )  
 )  
 vs. )  
 )  
 BARBARA A. GIBBS, MELVIN E. )  
 GIBBS, and WESTBROOK PHASE IV )  
 HOMEOWNERS' ASSOCIATION, )  
 )  
 APPELLANTS. )  
 \_\_\_\_\_ )

IN THE COURT OF APPEALS OF SOUTH CAROLINA

**RECEIVED**

OCT 25 2021

SC Court of Appeals

CASE No: 2019-000486

APPELLANTS' MOTION FOR RECONSIDERATION

***TAKE NOTICE:*** On or about the 10<sup>th</sup> day of November 2020, Appellants notified this Court: without leave of this Court, H. Guyton Murrell, Esq., disappeared from the record and Brian A. Calub, Esq., mysteriously appeared as attorney of record; AND, Respondent having filed a Proof of Claim (POC) in the bankruptcy court based on the contract between Barbara A. Gibbs and Bank of America (Nationstar) – voided the circuit court judgment: a party may not file the same claim in state and federal court!

**COMES NOW**, the above named Appellants and move this Court to reconsider [i]ts ORDER dated the 18<sup>th</sup> day of October 2021. Respondent's current attorneys are not properly before this Court; and SANCTION RESPONDENT AND THEIR ATTORNEYS. The reasons for this motion are set forth below:

Part and partial to Respondent's criminal enterprise: Respondent's attorney, Brian A. Calub, Esq., ***without*** leave of this Court or NOTICE to Appellants: substituted their representation for that of H. Guyton Murrell, Esq. Pursuant to the US

Constitution and South Carolina Constitution: McGuire Woods must not be permitted to *seize* the authority of this court....

Appellants aver and incorporate by reference each and every paragraph of their 2<sup>nd</sup> Opposition to Appellee's Substitution of Counsel as if each paragraph was set forth verbatim.

## I. PRELIMINARY STATEMENT

### RESPECT IS EARNED – NOT DEMANDED!

Courts have become so consumed with protecting [i]ts own; generating \$\$\$ [B]illion in campaign contributions; protecting corporate criminal conduct; incarcerating people to feed the prison complex; 5 Star lodging accommodation, European vacations and private jets:

Courts have forgotten the noble principles of RIGHT and JUSTICE!

During the housing crisis, which continues, 10,000 Americans have committed suicide due solely to their mortgage crisis. But for – Judges like Hagenau and Pryor – the majority of those suicides were preventable.

Each day 3,500 Americans are victims of criminal violence; while this “complaint” is being read – 15 Americans will be victims of criminal violence. Corporate “greed” fed at any cost and protected by courts, form the foundation of societal *malaise* upon which criminal violence thrives.

Bank of America made two (2) of the worse corporate decisions in history: purchase of Merrill Lynch (\$1.8 [T]rillion in TROUBLED ASSETS), and the purchase of Countrywide (wrote \$50 [B]illion a year in bad mortgages: these acquisitions caused Bank of America to face a potential \$2 [B]illion BANKRUPTCY.

THANKS!!! ...to this Court and the circuit court – Bank of America has assets of \$4 [T]rillion...this case concerns Bank of America being allowed to defraud Gibbs, 10 million Homeowners (similarly situated), the Treasury, Fannie Mae and Freddie Mac out of \$3 [T]rillion....

From the year 1492 until 1980, there were less than 10 billionaires in this country. From 1980 to 2021 we have 2,000 billionaires. Not because, all of a sudden people became brilliant, corporations discovered ways to buy the courts – thus destroying our democratic society!

## **II. STATEMENT OF FACTS**

The trappings of Mahogany and Marble cannot hide the fact this Court is no more than a continuing criminal enterprise: existing to ensure those who give \$\$\$ millions in political contributions – escape “paying” for [t]heir crimes.

Gibbs properly notified this Court of Bank of America’s \$3 trillion theft from the federal government in violation of the False Claims Act – based on evidence discovered during the appeal....

### III. STATEMENT

Having practiced law at the highest level, I am aware of the elements for Civil and Criminal NEGLIGENCE. The actions of this Court and the circuit court fit within both! As a Black litigant, I cannot allow “personal” tragedy, although caused by judges, to affect my “legal” presentation....

*I will take time to mourn the deaths of my daughter and grandson – the day I meet with AG Merrick Garland!!! ...they would be alive, but for the incompetent and corrupt acts of judges who cared more about participating in Bank of America’s criminal enterprise to obtain \$\$\$ hundreds of millions for Republican political campaigns – than the lives of American Citizens.*

The deliberately misstated facts of [t]his case are designed to protect Bank of America’s (Big 5 Banks) \$\$\$ million in political contributions: paid to protect Bank of America’s \$\$\$ hundreds of [b]illion defrauded from Gibbs, 10 million Homeowners, the Treasury Department, Fannie Mae and Freddie Mac and the pedophiles and rapists involved in “the” theft of \$50 billion of Black Art.

**DO NOT DEFUND THE POLICE!!! ...DEFUND THE COURTS!!!**

Bank of America’s business records [t]hey submitted in this case proves BEYOND A REASONABLE DOUBT – Bank of America and their attorneys committed PERJURY, SUBORNATION OF PERJURY AND FRAUD ON THE

COURTS: aided by Judge Hagenau.

**Jail able** crimes: Perjury, or Subornation of Perjury or Fraud on the Court: the Trifecta of things to avoid at any cost for attorneys. Yet, You and Judge Hagenau will destroy me to protect political campaign contribution: You have allowed McGuire Woods to turn this Court into an legally impotent WHOREHOUSE. And as I say this, I must reach out and extend an apology to every WHORE who seed to earn an honest living....

#### **IV. STATEMENT OF THE CASE**

This case exists to conceal Respondent's PERJURY, SUBORNAITON OF PERJURY and FRAUD ON THE COURTS....

#### **V. ARGUMENT**

This Court does not have the option of protecting: H. Guyton Murrell, Esq., having disappeared from the record and Brian A. Calub, Esq., mysteriously appeared as attorney of record and filing multiple pleadings – ***WITHOUT AN ORDER OF THIS COURT OR NOTICE TO APPELLANTS.***

This Court seeks to protect Respondent's criminal conduct. Yet, this Court dismissed Gibbs' 1<sup>st</sup> Appeal on or about February 2016; because Gibbs failed to sign [h]is \$25 check and the Court's notification did not reach Gibbs within the 10 days set

for the missing signature to be corrected, *See, p. 8.*

But for the criminal enterprise of Bank of America – joined by the South Carolina Courts by and for South Carolina politicians – Gibbs’ daughter and grandson would be alive today.

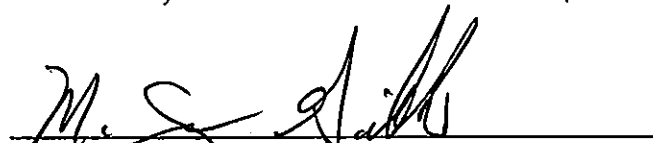
This Court is fully and completely aware: given 10,000 suicides and 3,500 acts of violence each day, illegally maintaining this foreclosure for eight (8) years – deaths are not only foreseeable – but expected!

## VI. CONCLUSION

Gibbs will die before Gibbs allows judges to hide their illegal and/or improper conduct in **CODE: THE DUMB IGNORANT “NIGGER” DOESN’T KNOW THE LAW!!!**

**Judges must not be allow to use: “DUMB IGNORANT ‘NIGGER’” as a thin line to hide – White Privilege, Corruption and Judicial Incompetence.**

Submitted,



M. Eugene Gibbs, Esq., Pro-se  
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October 22, 2021  
Buford, GA

Gibbs will not be memorialized in law – as in song and literature:

'Oh Susanna' by, Stephen Foster:

I jumped aboard the telegraph and traveled down the river,  
Electric fluid magnified, and killed five hundred Nigger.  
The bullgine bust, the horse ran off, I really thought I'd die;  
I shut my eyes to hold my breath—Susanna, don't you cry.

"Jim Baker's Blue Jay Yarn," by Mark Twain:

Jim Baker elaborates on his high opinion of jays, offering the opinion that they are “just as much a human as you be,” and concluding that “a jay will lie, a jay will steal, a jay will deceive, a jay will betray; and four times out of five, a jay will go back on his solemnest promise.”

...“And with that, away he went. You never see a bird work so since you was born. He laid into his work like a nigger, and the way he hove acorns into that hole for about two hours and a half was one of the most exciting and astonishing spectacles I ever struck.

Bank of America Advantage

MELVIN E. GIBBS 04-05  
BARBARA A. GIBBS  
4257 MONTEREY DRIVE  
FLORENCE, SC 29501-6951  
(843) 407-5297

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67-448 539 SC  
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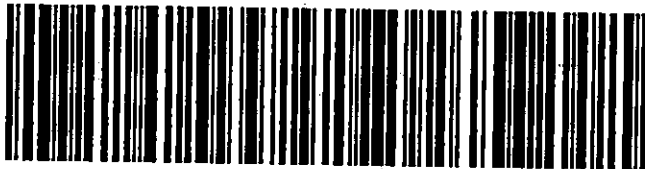
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