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RECEIVED

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SC Court of Appeals

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Via Email Only

Jenny Abbot Kitchings, Clerk
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

Re: *Ditech Financial, LLC v. Snyder*, 2019-000575

Dear Ms. Kitchings:

I am in receipt of the Respondent's attorney's January 18, 2022 letter. While Appellant has no objection to this Court considering the Master-in-Equity's November 10, 2021, order in the action below, Appellant believes this order would be more properly considered as a supplement to the Record on Appeal, or as a judicially noticed document. *See* Rule 212, SCACR (supplemental record); *Masters v. Rodgers Dev. Group*, 283 S.C. 251, 321 S.E.2d 194 (Ct. App. 1984) (appellate judicial notice).

The January 18, 2022 letter also advances a (new) mootness argument, in violation of Rule 208(b)(7), SCACR. While Appellant will address mootness at the February 10, 2022, oral arguments, please allow the following to serve as an informal response:

The Master-in-Equity's November 10, 2021, order proves the feasibility, not the mootness, of the alternative relief requested in Argument I of Appellant's brief (p. 12). According to this order, the proceeds of the sale of Appellant's home were provided to the law firm of Scott & Corley. If this Court finds the Respondent was not entitled to accrued interest and fees, then this Court can modify the Master-in-Equity's order and Scott & Corley can release proceeds to the Appellant. *See* Rule 220(a), SCACR (Court can modify order below).

Please do not hesitate to contact me with any questions.

With Highest Regards,

/s/ *Jason Scott Luck*

/JSL