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Jan 24 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge

Case No. 2019-001565

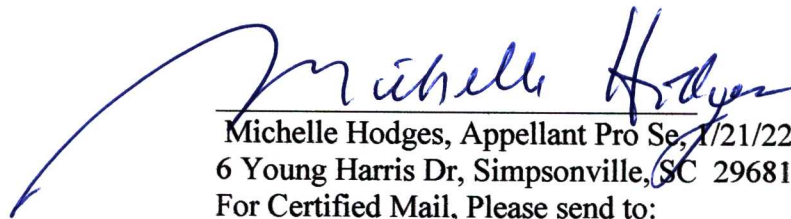
Wells Fargo Bank, N. A. Plaintiff – Respondent

v.

Michelle Hodges, Individually and as Personal Representative
of the Estate of Ruth Ladson Witherspoon; Stanley Witherspoon;
SC Housing Corp.; and Twin Creeks Homeowners Association,
Inc. Defendants,

Of Whom Michelle Hodges, in her Individual capacity,
is the Appellant.

NOTICE AND MOTION FOR LEAVE TO AMEND NOTICE OF APPEAL



Michelle Hodges, Appellant Pro Se, 1/21/22
6 Young Harris Dr, Simpsonville, SC 29681
For Certified Mail, Please send to:
PO Box 95
Mauldin, SC 29662
Michellehodges938@gmail.com
864-714-5263

1075

SUPPORTING AFFIDAVIT

Pursuant to the South Carolina Appellate Court rules: Rules 240 and 267 SCACR, governing motions and S. C. Code Ann. § 18-1-100; which provides in relevant part ...”the court may permit an amendment on such terms as may be just.” I am seeking leave from the Court to amend my Notice of Appeal, which will only include the Order dated August 7, 2019, from Judge Perry.

Respectfully submitted,

Michelle Hodges

Michelle Hodges, Pro Se Appellant
6 Young Harris DR
Simpsonville, SC 29681
864-714-5263
Certified mail to: PO Box 95
Mauldin, SC 29662

I hereby certify that the above statements are true and correct, under the penalty of perjury.

Sworn/affirmed before me this 21 day of Jan 2021
Penny Phillips
(Notary Public/Clerk of Courts)
my commission expires: 09-10-29



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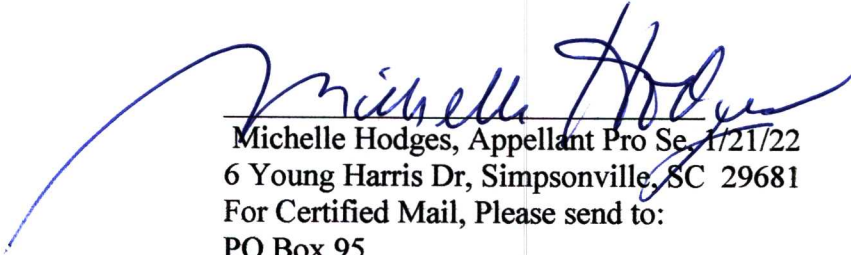
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of the Estate of Ruth Ladson Witherspoon; Stanley Witherspoon;
SC Housing Corp.; and Twin Creeks Homeowners Association,
Inc. Defendants,

Of Whom Michelle Hodges, in her Individual capacity,
is the Appellant.

AMENDED NOTICE OF APPEAL



Michelle Hodges, Appellant Pro Se 1/21/22
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GRIEVANCES AND GROUNDS FOR APPEAL

1. The Circuit court erred in ruling that there was no genuine issue of material fact concerning Wells Fargo's standing to initiate this foreclosure, because the ruling appears to be against the preponderance of the evidence, because I have not been able to locate any evidence that Wells Fargo, met its burden under the South Carolina Rules of Civil Procedure, Rule 56 by showing that its lien survived the passing away of my Mother, Ruth Ladson Witherspoon. And therefore I have the following questions of law :

In South Carolina Does a Creditor's lien survive the death of a joint tenant mortgagor?

If not did Wells Fargo fail to invoke the Circuit Court's subject matter jurisdiction in this particular case, making the Order voidable?

2. The Circuit court erred in ruling that there was no genuine issue of material fact concerning, a deceptive business practice, because the ruling appears to be against the preponderance of the evidence, because I have not been able to locate any evidence that Well Fargo, met it burden under the South Carolina Rules of civil Procedure, Rule 56, by showing that I could not prove that Wells Fargo 1) engaged in an unfair or decetive act in the conduct of trade or commerce, 2)the unfair or deceptive act affected public interest and 3) that I suffered monetary loss as a result of def endants acts.

3. The Circuit Court erred in accepting only the Note to prove Wells Fargo's standing without more, because this violated my due process right to cross examine witnesses and appears to make the order void.

405

I hereby certify the above statements are true and correct.

Sworn/affirmed before me this 21 day of

Jan, 2022

Penny Phillips
(Notary Public/Clerk of Courts)

my commission expires: 9-10-29

Michelle Hodges
Michelle Hodges, Pro Se Appellant

6 Young Harris DR

Simpsonville, SC 29681

864-714-5263

Mailing Address

PO Box 95

Mauldin, SC 29662



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