

THE SOUTH CAROLINA COURT OF APPEAL

Aracely Sanchez, Respondent,

v.

Vanessa M. Sumpter, Appellant,

IN RE:

Pennington Place Home Owners Association
of York, Inc., Plaintiff,

v.

Vanessa M. Sumpter, Appellant

Appellate Case No. 2023-000044

The Honorable Teasa Kay Weaver
York County
Trial Court Case No. 2019CP4601766

MOTION TO DISMISS APPEAL

The Respondent, Aracely Sanchez, hereby moves this Court to dismiss this appeal in its entirety.

The Appellant has failed to comply with Rule 207(a)(1) and Rule 207(a)(7), SCACR.

The Appellant filed her Notice of Appeal on January 13, 2023. The appeal was dismissed by Order dated February 16, 2023 for failure to remit the filing fee. The appeal was reinstated by Order dated February 17, 2023, after it was determined that the filing fee had been received by the Court on January 26, 2023.

The Appellant furnished copies of written communication with Court Reporters dated April 28, 2023 and received by Respondent on May 1, 2023.

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SC Court of Appeals

The Respondent has received no copies of any correspondence between the Appellant and the Court Reporter subsequent to the letter of April 28, 2023. The Respondent has not received any correspondence from the Court Reporter subsequent to April 28, 2023, which the Court Reporter is required to acknowledge receipt of the request within five (5) business days.

Appellant has failed to take any action to obtain any transcripts other than the one letter of April 28, 2023.


On July 27, 2023, the Respondent received an email from the Appellant stating: "I have a communication from Shirly [sic] Gerrald that all-transcripts except the 10/13/2020 arguments have been secured, but that the 10/13/2020 argument which you will recall was the ejection is either corrupt, or it did not record."

Rule 207(a)(2), SCACR, requires the Court Reporter to transcribe and deliver the transcript to Appellant no later than sixty (60) days after the date of request. The sixty (60) day time period expired on June 27, 2023. The Appellant has taken no action to determine why the Court Reporter has failed to comply with Rule 207(a)(2), SCACR.

CONCLUSION

Given the Appellant's failure to comply with the Appellant Court Rules throughout the pendency of this appeal, warrants this Court's dismissal of this appeal in its entirety.

Respectfully Submitted,



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Attorney for Respondent, Aracely Sanchez

Rock Hill, SC
July 27, 2023

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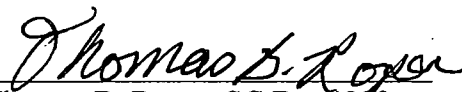
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PROOF OF SERVICE

I, hereby certify that I have served the Motion to Dismiss Appeal upon the Appellant, Vanessa M. Sumpter by depositing a copy of it in the United States Mail, postage prepaid, on July 27, 2023, addressed to her attorney of record, J. Cameron Halford, at his office located at 4609 Charlotte Highway, Suite 3, Lake Wylie, South Carolina 29710.



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Attorney for Respondent, Aracely Sanchez

Rock Hill, SC
July 27, 2023

THOMAS B. ROPER

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SC Court of Appeals

Catherine S. Harrison
Deputy Clerk
South Carolina Court of Appeal
Post Office Box 11629
Columbia, South Carolina 29211

RE: Aracely Sanchez v. Vanesa M. Sumpter
Appellate Case No. 2023-000044

Dear Ms. Harrison:

Enclosed for filing please find the original and one copy of the Motion to Dismiss Appeal together with my Attorney Escrow Check for the \$50.00 filing fee. I would appreciate you filing the original and returning the clocked copy to me.

Thank you for your assistance in this matter, and should you have any questions please do not hesitate contacting me.

Sincerely,



Thomas. B. Roper

TBR/eb
Enclosures
cc: Client
J. Cameron Halford

Thomas B. Roper, Attorney at Law
1721 Ebenezer Road, Suite 295
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