

# The South Carolina Court of Appeals

Deutsche Bank National Trust Company, as Trustee for  
NovaStar Mortgage Funding Trust, Series 2006-5  
NovaStar Home Equity Loan Asset-Backed Certificates,  
Series 2006-5, Respondent,

v.

Terry Lennette Grant, Appellant.

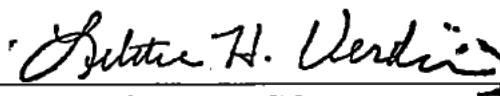
Appellate Case No. 2023-001394

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## ORDER

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On February 9, 2024, this court ordered Appellant to file and serve an amended initial brief and designation of matter within ten days. Appellant filed and served an amended initial brief and designation of matter on February 26, 2024. Respondent filed a motion to dismiss this appeal because Appellant failed to comply with this court's order by failing to file her amended initial brief and designation of matter within the time prescribed. Appellant filed a return, arguing she timely filed her amended initial brief and designation of matter. Respondent filed a reply, reiterating its arguments regarding untimeliness and adding that Appellant's filings did not comply with the appellate court rules. Appellant filed a motion to file sur-reply and conditionally filed a sur-reply. After careful consideration, we grant Appellant's motion to file sur-reply and we accept her sur-reply as filed. Further, we grant Respondent's motion to dismiss because Appellant failed to file her amended brief and designation of matter timely. *See* Rule 263(a), SCACR (explaining how time periods are computed for matters in the appellate courts); Rule 260(a), SCACR (allowing for dismissal when an appellant fails to comply with an order of the appellate court). Remittitur will issue in accordance with Rule 221(b), SCACR.



FOR THE COURT

Columbia, South Carolina

cc:

Terry Lennette Grant

Chad Wilson Burgess, Esquire

Brook Dangerfield, Esquire

Caroline Richardson Glenn, Esquire

Genevieve Speese Johnson, Esquire

Mary R. Powers, Esquire

William Price Stork, Esquire

Kenneth Gregory Wooten, III, Esquire

**FILED**  
**Mar 28 2024**