

The South Carolina Court of Appeals

Deutsche Bank National Trust Company, as Trustee of Ameriquest Mortgages Securities, Inc., Asset Backed Pass Through Certificates, Series 2005-R4CGM under the pooling and Serving Agreement dates as May 01, 2005 without recourse, Respondents,

v.

Vandora M. Huggins-Edwards a/k/a Vandora H. Edwards; Sylvia Anne Lawrence a/k/a Sylviatte Anne Lawrence; Glenn M. Huggins; Michael Huggins; Donnell Huggins, Samuel Huggins; Ira Huggins a/k/a Ira S. Huggins; Derwin Huggins; Andrean Huggins Cotton a/k/a Adrienne Huggins Cotton; Sharon H. Smack, Dewayne Dixon; Kimberly Nelms; Timothy Nelms; Jennifer Nelms; Michael A. Brown; Demetrius Huggins Nelms, a minor, Darius Simmons, a minor; Dondre Simmons, a minor; Reginald Huggins; Joseph Huggins; Heather Huggins; Barbara Huggins; any other Heirs-at-Law or Devisees of Ricky Henry Huggins, Deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them; any other Heirs-at-Law or Devisees of Henry Buster Huggins, Jr., Deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them; any other Heirs-at-Law or Devisees of Michelle Huggins, Deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them; any other Heirs-at-Law or Devisees of Buster Huggins, Sr., Deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them; all unknown persons with any right, title or interest in the real estate described herein; also any persons who may be in the military service of the

United States of America, being a class designated as John Doe; and any unknown minors or persons under a disability being a class designated as Richard Roe; South Carolina Department of Revenue; Safeway Finance; Ford Motor Credit Company; General Motors Acceptance Corporation; White Directory Holdings Carolina, Inc. d/b/a The Talking Phone Book; Monogram Credit Card Bank of Georgia; Michael Twitty; Deborah Twitty; the United States of America, by and through its agency, the Internal Revenue Service; and John C. Bigler, Defendants,

Of Whom Vandora M. Huggins-Edwards a/k/a Vandora H. Edwards is the Appellant.

Appellate Case No. 2012-212524

ORDER

On December 17, 2013, this Court ordered Appellant to file and serve a second amended record on appeal within thirty days. On January 16, 2014, Appellant served and filed a proposed second amended record on appeal.

Respondent has now filed a motion to dismiss the appeal, arguing the second amended record on appeal still: (1) omits documents that were designated in Respondent's designation of matter; (2) includes matter not presented to the lower court; and (3) fails to comply with the South Carolina Appellate Court Rules. Appellant has filed a return, and Respondent has filed a reply.

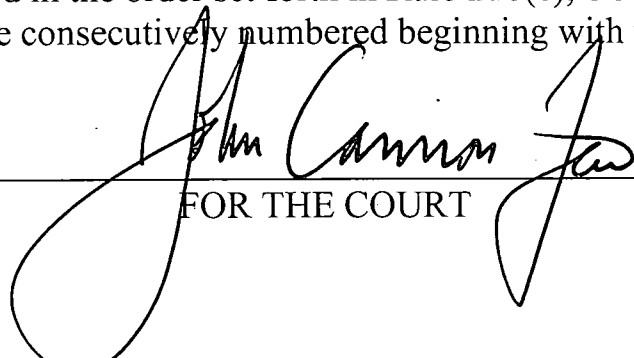
After careful consideration, Respondent's motion is denied. However, within thirty days, Appellant shall serve and file a third amended record on appeal. The amended record shall include all matters designated by the parties, including all of the following documents:

- (1) Complaint filed July 24, 2006;
- (2) First Amended Lis Pendens, Summons, & Complaint filed September 10, 2008;

- (3) Plaintiff's Notice of Motion and Motion for Partial Summary Judgment filed January 5, 2012, including the last page;
- (4) Filed copies of Plaintiff's Notice of Motion and Motion for Partial Summary Judgment filed January 5, 2012;
- (5) Clean copy of transcript from February 28, 2012 trial; and
- (6) Copies of all exhibits admitted into evidence at trial.

Furthermore, the record shall not include any matters not presented to the lower court. *See* Rule 210(c), SCACR. Appellant shall specifically exclude all documents listed on pages six and seven of Respondent's motion to dismiss.

Finally, the record shall be arranged in the order set forth in Rule 210(c), SCACR, and the pages of the record must be consecutively numbered beginning with the index.


FOR THE COURT

Columbia, South Carolina

cc:
Vandora M. Huggins-Edwards
Sean Matthew Foerster, Esquire
John Bigler

FILED
4/10/14