

The South Carolina Court of Appeals

Laura Toney, Appellant,

v.

Deutsche Bank National Trust Company, as Trustee for the Holders of New Century Home Equity Loan Trust, Series 2005-A, Asset Backed Pass-through Certificates; LaSalle Bank National Association, Trustee for Lehman Brothers Structured Asset Investment Loan Trust Sail 2005-2: All persons unknown, claiming any legal or equitable right, title, estate, lien, or interest in the property described in the complaint, adverse to Plaintiff's title thereto; referred to as Doe, Respondents.

Appellate Case No. 2013-001414

ORDER

Appellant served the notice of appeal in this case on June 24, 2013. Respondent Deutsche Bank National Trust Company filed a motion to dismiss on August 15, 2013, due to Appellant's failure to timely order the transcript as required by Rule 207(a), of the South Carolina Appellate Court Rules. In response, Appellant filed a return and a copy of her correspondence with the court reporter. This court denied the motion to dismiss and directed Appellant to notify the court of the date of receipt of the transcript.

In January 2014, because Appellant failed to secure the transcript during the seven months the appeal was pending, Respondents ordered the transcript from the court reporter and provided this court with proof they received the transcript and forwarded the transcript to Appellant. By letter of March 19, 2014, this court directed Appellant to serve and file her initial brief and designation of matter within ten days. To date, Appellant has failed to comply with our directive.

Respondent LaSalle Bank National Association has filed a motion to dismiss this appeal due to Appellant's failure to timely serve and file her initial brief and designation of matter. Appellant filed a return, contending she never received the transcript.

Because this appeal has been pending for almost eleven months, Respondent provided proof that Appellant has received the transcript, and Appellant has failed to timely serve and file her initial brief and designation of matter as required by Rules 240 and 208(a), SCACR, this appeal is dismissed.



FOR THE COURT

Columbia, South Carolina

cc:

Laura T. Toney

Henry Guyton Murrell, Esquire

Michael J. Anzelmo, Esquire

Christopher Stephen Truluck, Esquire

FILED
5/19/14