

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

74724

APPEAL FROM SPARTANBURG COUNTY
Gordon G. Cooper, Master in Equity Judge

Case No.: 2013-002811

Bayview Loan Servicing, LLC,

Respondent,

v.

Scott A. Schledwitz, Roxanne J. Schledwitz a/k/a Roxanne Johnson Schledwitz,
Mortgage Electronic Registration Systems, Inc. (MERS) as nominee for Tylor, Bean
& Whitaker Mortgage Corp., The United States of America, by and through its
agency, the Internal Revenue Service, and the South Carolina Department of
Revenue,

Defendants,

of whom Schott A. Schledwitz is the

Appellant.

RESPONDENT'S SECOND MOTION TO DISMISS

RILEY POPE & LANEY, LLC

Damon C. Wlodarczyk, Esquire
Riley, Pope & Laney, LLC
2838 Devine Street
Post Office Box 11412 (29211)
Columbia, South Carolina 29205
Telephone: (803)799-9993
Facsimile: (803) 239-1414

Attorneys for Respondent

RECEIVED

JAN 09 2015

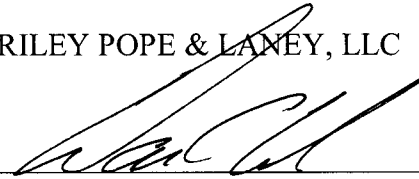
SC Court of Appeals

By letter from this Court dated October 29, 2014, the Court notified Appellant concerning deficiencies in the Record on Appeal. To date, there is no evidence that the deficiencies have been corrected or that the corrected, final bound Record on Appeal has been filed. Additionally, the undersigned has not received a corrected bound copy of the Record on Appeal in order to create Respondent's Final Brief.

This appeal has been pending since December 27, 2013, and due to Appellants' numerous deficiencies and untimely filings, more than one (1) year later the case cannot be considered as the Appellants have failed to perfect the appeal.

Therefore, Respondent respectfully requests that the appeal be dismissed as allowed by Rule 260, SCACR, due to Appellants failure to comply with the South Carolina Appellate Court Rules.

RILEY POPE & LANEY, LLC



Damon C. Wlodarczyk, Esquire
Riley, Pope & Laney, LLC
2838 Devine Street
Post Office Box 11412 (29211)
Columbia, South Carolina 29205
Telephone: (803)799-9993
Facsimile: (803) 239-1414

Attorneys for Respondent

Columbia, South Carolina

January 8, 2015

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Gordon G. Cooper, Master in Equity Judge

Case No.: 2013-002811

Bayview Loan Servicing, LLC,

Respondent,

v.

Scott A. Schledwitz, Roxanne J. Schledwitz a/k/a Roxanne Johnson Schledwitz,
Mortgage Electronic Registration Systems, Inc. (MERS) as nominee for Tylor, Bean
& Whitaker Mortgage Corp., The United States of America, by and through its
agency, the Internal Revenue Service, and the South Carolina Department of
Revenue,

Defendants,


of whom Schott A. Schledwitz is the

Appellant.

CERTIFICATE OF SERVICE

I do hereby certify that I served the Respondent's Second Motion to Dismiss upon
the parties below herein by depositing a copy of same, this date, in the U.S. Mail, first class
postage prepaid, and addressed as follows:

Scott Allen Schledwitz
13118 Sunkiss Loop
Windermere, FL 34786


Damon C. Wlodarczyk

Columbia, SC
January 8, 2015

RECEIVED

JAN 09 2015

SC Court of Appeals

RILEY POPE & LANEY, LLC
ATTORNEYS AND COUNSELORS AT LAW

2838 DEVINE STREET
POST OFFICE BOX 11412 (29211)
COLUMBIA, SOUTH CAROLINA 29205

TELEPHONE
(803) 799-9993

FACSIMILE
(803) 239-1414

January 8, 2015


Ms. Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Bayview Loan Servicing, LLC, Respondent,
vs.
Scott A. Schledwitz, Roxanne J. Schledwitz aka Roxanne Johnson Schledwitz, Mortgage Electronic Registration Systems, Inc. (MERS) as nominee for Taylor, Bean & Whitaker Mortgage Corp., The United States of America, by and through its agency, the Internal Revenue Service, and The South Carolina Department of Revenue, Defendants
Of whom
Scott A. Schledwitz is the Appellant
Appeal No.: 2013-002811
Our File No. 4028.02911

Dear Ms. Kitchings:

Enclosed please find an original and seven (7) copies of the Respondent's Second Motion to Dismiss and proof of service along with my firm's check in the amount of \$25.00 to cover the filing fee. Please file the enclosed documents and return the clocked copy to me in the self-addressed, postage paid envelope I have included for your convenience.

Sincerely,



Damon C. Wlodarczyk

DCW/
Enclosures

RECEIVED

JAN 09 2015

SC Court of Appeals

Riley Pope
& Laney, LLC | ATTORNEYS AND COUNSELORS AT LAW

POST OFFICE BOX 11412
COLUMBIA, SOUTH CAROLINA 29211

TO:

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
JAN 9 9 2015
SC COURT OF APPEALS