

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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JAN 20 2016
SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity

Case No. 2015-001869

The Bank of New York Mellon FKA The Bank of New York, as Trustee for the
Certificateholders of CWALT, Inc., Alternative Loan Trust 2006-OA16, Mortgage Pass-Through
Certificates, Series 2006 OA16.....Respondent

v.

Hiltrud Steimel a/k/a Hiltraud Steimel, individually; Hiltrud Steimel a/k/a Hiltraud Steimel as
Trustee of the Steimel Family Trust a/k/a Steimel Family Irrevocable Trust; Andrew K. Bell as
successor trustee of the Steimel Family Trust a/k/a Steimel Family Irrevocable Trust; Dianne K.
Bell as successor trustee of the Steimel Family Trust a/k/a Steimel Family Irrevocable Trust;
Any unknown trustees of the Steimel Family Trust a/k/a Steimel Family Irrevocable Trust;
Beaufort County Clerk of Court; Sun City Hilton Head Community Association,
Inc.....Defendants

Hiltrud SteimelAppellant

RESPONDENT'S MOTION TO DISMISS

Pursuant to Rule 240(a), SCACR, Respondent The Bank of New York Mellon FKA The
Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan
Trust 2006-OA16, Mortgage Pass-Through Certificates, Series 2006 OA16 moves to dismiss the
above-captioned appeal in its entirety. The basis for this motion is that Appellant Hiltrud
Steimel has failed to timely submit the Designation of Matter in violation of Rule 209, SCACR.
By Order of the Court, entered on December 21, 2015, Appellant was granted an extension of
time to file the Designation of Matter, requiring it to be filed by December 28, 2015. To date,

Appellant has failed to file the Designation of Matter. Accordingly, Appellant has failed to comply with her obligations.

Appellant has also failed to make arrangements *in writing* with the court reporter for furnishing the transcript, and if she has made such arrangements in writing, has failed to furnish the undersigned or any other counsel of record with a copy of that correspondence, as required by Rule 207, SCACR. Thus, Respondent respectfully requests that this Court dismiss the appeal.



Erica G. Lybrand (SC Bar # 79052)
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ATTORNEYS FOR RESPONDENT
Rogers Townsend & Thomas, PC and its staff are debt collectors.

January 19, 2016

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Any unknown trustees of the Steimel Family Trust a/k/a Steimel Family Irrevocable Trust;
Beaufort County Clerk of Court; Sun City Hilton Head Community Association,
Inc.....Defendants

Hiltrud SteimelAppellant

PROOF OF SERVICE

I certify that I have served the **Respondent's Motion to Dismiss** on Hiltrud Steimel by
depositing a copy of it in the United States Mail, postage prepaid, on January 19, 2016,
addressed to Appellant Hiltrud Steimel at 563 Argent Way. Bluffton, SC 29909.



Erica G. Lybrand (SC Bar # 79052)

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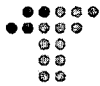
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Paralegal for Erica G. Lybrand

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SC Court of Appeals



ROGERS TOWNSEND
ATTORNEYS AT LAW

January 19, 2016

The Honorable Jenny Abbott Kitchings
The South Carolina Court of Appeals Clerk of Court
1015 Sumter Street
Columbia, SC 29201

RE: *The Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2006-OA16, Mortgage Pass-Through Certificates, Series 2006-OA16; v. Hiltrud Steimel a/k/a Hiltraud Steimel, individually; Hiltrud Steimel a/k/a Hiltraud Steimel as Trustee of the Steimel Family Trust a/k/a Steimel Family Irrevocable Trust; Andrew K. Bell as successor trustee of the Steimel Family Trust a/k/a Steimel Family Irrevocable Trust; Dianne K. Bell as successor trustee of the Steimel Family Trust a/k/a Steimel Family Irrevocable Trust; Any unknown trustees of the Steimel Family Trust a/k/a Steimel Family Irrevocable Trust; Beaufort County Clerk of Court; Sun City Hilton Head Community Association, Inc.; Appellate Case No. 2015-001869
RTT File # 513044.00036*

Dear Ms. Kitchings:

Enclosed are an original and one copy of Respondent's Motion to Dismiss and Proof of Service in the above referenced matter. Please file the original document, and return the clocked copy to me in the envelope provided for the Court's convenience.

With kind regards, I remain

Cordially yours,

Karissa Richardson
Paralegal for Erica G. Lybrand

Enclosures

cc:

Hiltrud Steimel
563 Argent Way
Bluffton, SC 29909



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