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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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JUN 14 2016

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

SC Court of Appeals

Diane S. Goodstein, Circuit Court Judge

Appellate Case No. 2015-001543

The Bank of New York Mellon Trust Company, N.A,
not in its individual capacity but solely as trustee on behalf of the
FDIC 2013-N1 Asset Trust,

Respondent,

v.

Cornell Riley,

Appellant.

RESPONDENT'S MOTION TO FILE SUPPLEMENTAL RECORD

Undersigned counsel for Respondent The Bank of New York Mellon Trust Company, N.A, not in its individual capacity but solely as trustee on behalf of the FDIC 2013-N1 Asset Trust, respectfully moves before the Court pursuant to Rule 240, SCACR and Rule 212, SCACR for Respondent to file a Supplemental Record. The basis for this Motion is that the Proposed Record submitted by Appellant omits the Order Granting Respondent's Motion for Summary Judgment, which is the subject of this appeal, and does not include the exhibits attached to Respondent's Affidavit in Support of Summary Judgment. Appellant has not responded to Respondent's Motion to supplement the record so that it is in conformity with Rule 210(c), SCACR and Rule 267, SCACR.

Respondent has been required to submit its Final Brief within ten (10) days of the June 1, 2016 Order granting Appellant's Motion to allow the late filing of the Record on Appeal. Prior to this ruling, Respondent had previously filed a Motion to require Appellant to supplement the Proposed Record on Appeal to include all documents referenced in the Designation of Matter in their entirety. No ruling has been issued on Respondent's Motion. As a result and out of an abundance of caution, Respondent moves for leave to file a Supplemental Record to include those omitted items from Appellant's Proposed Record. Respondent's (proposed) Supplemental Record is enclosed herewith, and is numbered beginning at page 168 to immediately follow the last page of Appellant's Proposed Record numbered 167. Respondent has cited to the enclosed Supplemental Record in its Final Respondent Brief, served simultaneously herewith.

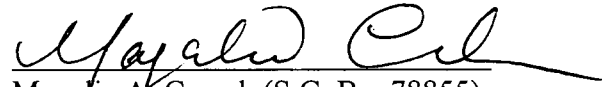
For these reasons, Respondent prays that this Court grant it leave to file a Supplemental Record and to allow the references thereto as included in Respondent's Final Brief.

(SIGNATURE PAGE FOLLOWS)

Bank of New York Mellon Trust v. Cornell Riley
Appeal from Dorchester County Court of Common Pleas
Appellate Case No. 2015-001543

Respectfully submitted,

FINKEL LAW FIRM LLC



Magalie A. Creech (S.C. Bar 78855)

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Attorneys for Respondent

June 10, 2016

CC:
Cornell Riley
100 Madison Ave.
Ladson, South Carolina 29456

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Appellate Case No. 2015-001543

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not in its individual capacity but solely as trustee on behalf of the
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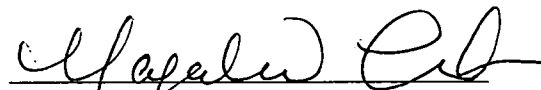
v.

Cornell Riley,

Appellant.

PROOF OF SERVICE

I certify that I have served the *Respondent's Motion to File Supplemental Record* by depositing a copy of same in the United States Mail, postage prepaid, on June 10, 2016, addressed to Appellant of record, Cornell Riley, 100 Madison Ave., Ladson, South Carolina 29456.



Magalie A. Creech (SC Bar #78855)
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June 10, 2016

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MAGALIE A. CREECH
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June 10, 2016

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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REPUBLIC OF SOUTH CAROLINA
CHARLESTON LITIGATION

JUN 14 2016
SC Court of Appeals

RE: The Bank of New York Mellon Trust Company, N.A., not in its individual capacity but solely as trustee on behalf of the FDIC 2013-N1 Asset Trust v. Cornell Riley
Appellate Case No.: 2015-001543
Our File No.: 65050.48466

Dear Ms. Kitchings:

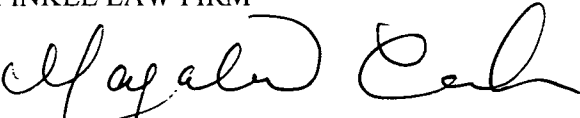
Enclosed for filing is the *Respondent's Motion to File Supplemental Record* and related *Proof of Service* in the above-referenced case, along with six (6) copies, which we kindly ask you to file and return in the attached, self-addressed, stamped envelope. Enclosed also is check number 60996 in the amount of \$25.00 for the filing fee.

Should you have any questions concerning this matter, please do not hesitate to contact our office at your earliest convenience.

With kind personal regards, we are

Yours very truly,

FINKEL LAW FIRM



Magalie A. Creech

CC: Cornell Riley

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