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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from the Court of Common Pleads Richland County, South Carolina,
Honorable Ben N. Miller, III Special Referee for Richland County

Case No. 2010-CP-40-1571

Appellant Case No. 2016-000969

CitiMortgage, Inc.,.....Respondent,

vs.

Bruce W. Gardner and First Citizens Bank and Trust Company, Inc.,Defendants,
Of Whom Bruce W. Gardner is the.....Appellant.

RETURN TO MOTION FOR INVOLUNTARY DISMISSAL OF APPEAL

Appellant, Bruce W. Gardner, respectfully responds to the Respondent's Motion for Involuntary Dismissal of Appeal. Rule 210(b) automatically stays time limits for a Motion to dismiss an appeal.

Appellant hereby requests this Honorable Court to deny the Respondent's Motion for Involuntary Dismissal of Appeal be dismissed. Respondent has stated no credible grounds for the dismissal of the Appellant's appeal.

Appellant has file all documents required by the SCRAP and appellant is not delinquent on any filing at this time. If any of the required filed document are defective or does not contain the exact information needed, appellant request to

be given time to make any needed corrections.

Respondent contends the Appellant's motion did not state any grounds for allowance of the filing of the record outside of the applicant's deadline. The request for the extension is all that is required.

Appellant is a Pro Se and a dismissal would be a hard remedy. The remedy could simply be filing a corrected Record on Appeal.

Bruce W. Gardner LS
Bruce W. Gardner, pro se, Appellant.
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(803) 391-5951

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Bruce W. Gardner and First Citizens Bank and Trust Company, Inc.,.....Defendants

Of Whom Bruce W. Gardner is theAppellant.

CERTIFICATE OF COMPLIANCE

The undersigned certify that this Reply to Motion for Involuntary Dismissal of Appeal of Appellant complies with the South Carolina Court's Order.

Bruce W. Gardner LS

Bruce W. Gardner Pro Se, Appellant
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Lexington, South Carolina 29073
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Of Whom Bruce W. Gardner is theAppellant.

PROOF OF SERVICE

I, Bruce W. Gardner certify that I served the following individuals a copy of the Return to Motion for Involuntary Dismissal of Appeal by depositing a copy of the same in the United States Mail, postage prepaid, addressed as follows on March 6, 2017: Riley Pope & Laney, LLC, Atty. Peter M. Balthazor, 2838 Devine Street, Post Office Box 11412 (29211) Columbia, South Carolina 29205 and Atty. Elizabeth S. Moore, Finkel Law Firm, LLC, 1201 Main Street, #1800, Columbia, SC 29201.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Return to Respondent's Motion for for Involuntary Dismissal of Appeal complies with Rule 240, SCACR.

Bruce W. Gardner LS

Bruce W. Gardner, pro se, Appellant
237 YMCA Road
Lexington, South Carolina 29073
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March 6, 2017
Columbia, South Carolina