

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

APPELLATE CASE NUMBER 2017-000834

The Honorable Carmen T. Mullen
Dorchester County
Trial Court Case N. 2009CP1802200

RECEIVED
OCT 10 2017
SC Court of Appeals

Rene McMasters now known as Rene McMasters Ronaghan, Respondent

vs.

H. Wayne Charpia a/k/a Howard W. Charpia and Jody E. Charpia, Defendants

of whom H. Wayne Charpia a/k/a Howard W. Charpia is the Appellant

MOTION TO REQUIRE THE APPELLANT TO SERVE APPELLANT'S INITIAL BRIEF
AND DESIGNATION OF MATTER ON RESPONDENT'S ATTORNEY

Respondent, Rene McMasters Ronaghan, hereby moves before the Court for an Order requiring the Appellant to serve Appellant's Initial Brief and Designation of Matter on Respondent's counsel and further that this Court allow the Respondent thirty (30) days after service of Appellant's Initial Brief and Designation of Matter to serve a copy of her Initial Brief and Designation of Matter and to file Respondent's Initial Brief and Designation of Matter with the Clerk of the Appellant Court.

The ground for this motion is that the Appellant has failed to serve Appellant's Initial Brief and Designation of Matter on Respondent's Counsel as required by Rule 208, SCACR and Rule 209, SCACR as a result the Respondent is unable to prepare Respondent's Initial Brief and Designation of Matter.

This motion supported by the Affidavit of Counsel which is attached hereto.

CISA & DODDS, LLP



Frank M. Cisa
858 Lowcountry Blvd., Suite 101
Mt. Pleasant, SC 29464
Phone: (843) 881-6530
Fax: (843) 881-5433
E-mail: frank@cisadodds.com

Attorneys for the Respondent,
Renee McMasters Ronaghan

This 6th day of October, 2017

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vs.

H. Wayne Charpia a/k/a Howard W. Charpia and Jody E. Charpia.....Defendant

of whom H. Wayne Charpia a/k/a Howard W. Charpia is the Appellant

AFFIDAVIT OF FRANK M. CISA

PERSONALLY, appeared before, Frank M. Cisa, who being duly sworn, deposes and says as follows:

1. That he is the attorney for the Respondent relative to the above appeal.
2. That he has not been served with the Appellant's's Initial Brief and Designation of Matter to Be Included In the Record on Appeal.
3. That Respondent's attorney has not been served or received a received a copy of the Appellants Initial Brief or designation of Matter and is therefore unable to serve and file Respondent's Initial Brief and Designation of Matter.

FURTHER THE DEPONENT SAYETH NOT!

FM. Cisa

Frank M. Cisa
858 Lowcountry Blvd., Suite 101
Mt. Pleasant, SC 29464
Phone: (843) 881-6530
Fax: (843) 881-5433
E-mail: frank@cisadodds.com

Attorney for the Respondent

SWORN to before me this 6th
day of October, 2017

Henry M. Dodd
Notary Public for South Carolina
My Commission Expires: 6/30/2027

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vs.

H. Wayne Charpia a/k/a Howard W. Charpia and Jody E. Charpia..... Defendants

of whom H. Wayne Charpia a/k/a Howard W. Charpia is the Appellant

PROOF OF SERVICE

I certify that I have served a copy of Respondent's Motion to Require the Appellant to Serve Appellant's Initial Brief and Designation of Matter on Respondent's Attorney, by United States mail, postage prepaid, on October 6, 2017, addressed to H. Wayne Charpia at 717 Old Trolley Road, Suite 6+360, Summerville, S.C., 29485.



Frank M. Cisa
Cisa & Dodds, LLP

858 Lowcountry Blvd., Suite 101
Mt. Pleasant, SC 29464
Phone: (843) 881-6530
Fax:(843) 881-5433
E-mail: frank@cisadodds.com

Attorney for the Respondent,
Renee McMasters Ronaghan

This ____ day of October, 2017

CISA & DODDS, LLP
ATTORNEYS AND COUNSELORS AT LAW

858 Lowcountry Boulevard, Suite 101
Mt. Pleasant, South Carolina 29464
Telephone (843) 881-6530 Fax (843) 881-5433

FRANK M. CISA
JOHN J. DODDS, III

frank@cisadodds.com
john@cisadodds.com

October 6, 2017

V. Claire Allen, Deputy Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: RE: Rene' McMasters, now known as Rene McMasters Ronaghan.v. H. Wayne
Charpia,et.al

Our file: 09-084/Third Appeal
Appellant Case No.: 2017-000834

Dear Ms. Allen:

I am in receipt of your letter dated October 2, 2017 concerning the Respondent's initial brief and designation of matter. The reason I have not served the Respondent's initial brief and designation of matter is because the Appellant has not served me with his initial brief and designation of matter.

Enclosed is the original and seven (7) copies of the Respondent's Motion to Require the Appellant to Serve Appellant's initial Brief and Designation of Matter on Respondent's Attorney together with my firm check payable to the Clerk's office in the amount of \$25.00 and my Proof of Service. I would appreciate you returning one (1) filed copy of each document to me in the self-addressed stamped envelope provided.

With kindest regards, I am

Very truly yours,

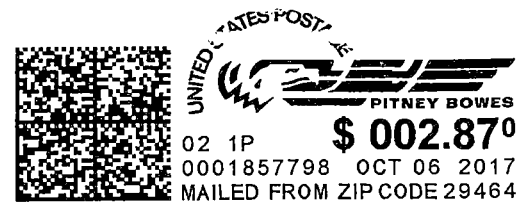
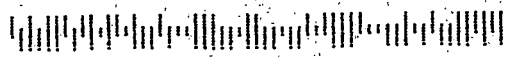


Frank M. Cisa

FMC/alp

cc: H. Wayne Charpia (w/enc.)

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MT. PLEASANT, SOUTH CAROLINA 29464

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