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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

RECEIVED

NOV 13 2017

APPELLATE CASE NUMBER 2017-000834

SC Court of Appeals

Foreclosure of Judgment Lien Sale
Dorchester County
Trial Court Case N. 2009CP1802200

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 DISMISS

Respondent, Rene McMasters Ronaghan, hereby moves before the Court for an Order Dismissing the Appeal filed September 1, 2017 which appealed the "foreclosure of a judgment lien".

The grounds for this motion is that the Appellant failed to serve the Notice of Appeal on counsel for the Respondent as required by Rule 203(b) SCACR and Rule 262(b)SCACR and appellant failed to file the notice of appeal with the clerk of the lower court as required by Rule 203(d)(1)(A)SCACR.

This motion is 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 9th day of November, 2017

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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 and is the attorney of record for the Respondent in the lower court.
2. That he has not been served with the Appellant's Notice of Appeal filed on September 1, 2017 in the Court of Appeals. The Appellant has also not filed the notice of appeal with the clerk of the lower court as shown by a copy of the public index from Dorchester County which is attached.
3. That Respondent's attorney first found out about this appeal on November 6, 2017 from the clerk's office in Dorchester County which found the appeal on the Court of Appeals web site and forwarded it to me.

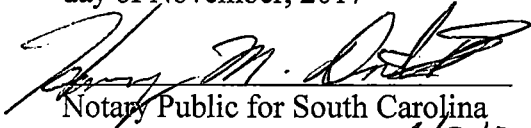
FURTHER THE DEPONENT SAYETH NOT!



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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 9th
day of November, 2017



Notary Public for South Carolina
My Commission Expires: 6/30/2027



Dorchester County First Judicial Circuit Public Index



Dorchester County Home Page [South Carolina Judicial Department Home Page](#) [SC.GOV Home Page](#)

Switch View

Rene McMasters VS H Wayne Charpia , defendant, et al

Case Number:	2009CP1802200	Court Agency:	Common Pleas	Filed Date:	08/10/2009
Case Type:	Common Pleas	Case Sub Type:	Foreclosure 420	File Type:	Non-Jury
Status:	Appeal	Assigned Judge:	Early, Doyet A. III		
Disposition:	Judgment	Disposition Date:	11/27/2012	Disposition Judge:	Dickson, Edgar W.
Original Source Doc:		Original Case #:			
Judgment Number:		Court Roster:			

Case Parties Judgments Tax Map Information Associated Cases Actions Financials

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Mcmasters, Rene	Order/Appt'g Judge Keelsey Exclusive Jurisdiction	Order		10/27/2017-14:17		
Charpia, H Wayne	Motion/Change Venue **FILING FEE CONTESTED	Motion		10/10/2017-15:59		
Mcmasters, Rene	Certificate of Service by Mail on Defendants	Filing		10/04/2017-14:49		
Finance of America Reverse LLC	Order (Motion to Intervene Granted)	Order		09/26/2017-15:50	09/26/2017-15:50	
Mcmasters, Rene	Amended Notice of Hearing/Certificate of Service by Mail	Filing		08/30/2017-14:06		
Mcmasters, Rene	Notice of Hearing/Certificate of Service by Mail	Filing		08/28/2017-13:46		
Finance of America Reverse LLC	Motion/Petition for Deposited Funds	Motion		08/16/2017-16:44	08/28/2017-16:44	
Finance of America Reverse LLC	Motion/Intervene	Motion		08/16/2017-16:31	08/28/2017-16:31	
Mcmasters, Rene	Affidavit Of Service on H Wayne Charpia	Filing		08/16/2017-11:53		
Mcmasters, Rene	Order/Writ of Assistance	Motion		08/10/2017-14:29	08/10/2017-14:29	
Charpia, H Wayne	Petition to Disburse Homestead Exemption Funds	Motion		08/03/2017-09:00		
Mcmasters, Rene	Affidavit of Henry Broughton	Filing		08/01/2017-12:25		
Mcmasters, Rene	Assignment of Bid	Filing		08/01/2017-12:14		
Mcmasters, Rene	Affidavit of Publication	Filing		08/01/2017-10:26		

Charpia, H Wayne	Affidavit	Filing	08/01/2017-10:26		
Mcmasters, Rene	Order/Plaintiff's Motion to Prohibit Defendant from Bidding	Order	07/31/2017-14:39	07/31/2017-14:39	
Mcmasters, Rene	Motion/Prohibit Defendant from Bidding at Sale	Motion	07/12/2017-15:23	07/12/2017-15:23	
Mcmasters, Rene	Affidavit/Affidavit of Henry Broughton	Filing	07/06/2017-09:54		
Charpia, Howard W	Affidavit	Filing	07/05/2017-10:40		
Charpia, Howard W	Letter of Written Undertaking	Filing	07/05/2017-10:39		
Mcmasters, Rene	Affidavit/Publication	Filing	07/05/2017-10:39		
Charpia, H Wayne	Order/Denying Motion to Compel Settlement	Order	07/05/2017-09:45	07/05/2017-09:45	
Charpia, H Wayne	Order/Denying Motion to Stay and All Other Pending Motions	Order	07/05/2017-09:35	07/05/2017-09:35	
Charpia, Jody E (indexed 8-20-09)	Verification: Motion reentered under Jody Charpia	Filing	07/03/2017-16:44		
Mcmasters, Rene	Order from Court of Appeals (with attachments)	Order	07/03/2017-11:39	07/03/2017-11:39	
Charpia, Jody E (indexed 8-20-09)	Motion to Assert Homestead Exemption (15-41-30 A 1)	Motion	07/03/2017-10:15		
Charpia, H Wayne	Motion to Stop Sale and Motion to Stay Proceedings	Motion	06/14/2017-16:38	06/14/2017-16:38	
Charpia, H Wayne	Affidavit of Howard W. Charpia	Filing	06/14/2017-16:34		
Charpia, H Wayne	Affidavit of Claude Soles Jr.	Filing	06/14/2017-16:33		
Charpia, H Wayne	Notice/Appeal from 5/19/17 Order	Filing	06/09/2017-10:11		
Charpia, H Wayne	Appeal/Notice of Appeal to Court of Appeals	Action	06/09/2017-10:00		
Mcmasters, Rene	Notice of Sale	Filing	06/05/2017-14:33		
Charpia, H Wayne	Motion to Dispute Amount on Form 4 and to Vacate Order	Motion	06/05/2017-14:23	06/14/2017-14:23	
Mcmasters, Rene	Accounting	Filing	06/05/2017-12:49	06/05/2017-12:49	
Mcmasters, Rene	Form 4 Order	Order	05/19/2017-16:48	05/19/2017-16:48	
Charpia, H Wayne	Letter from Supreme Court re remittitur sent 2/14/17.	Filing	05/18/2017-14:32		
Charpia, H Wayne	Letter dated May 5, 2017; Oath of Fiduciary	Filing	05/11/2017-14:09		
Soles, Claude L Jr	Withdraw of Bid	Filing	05/09/2017-11:41		
Charpia, H Wayne	Motion to Vacate Sale	Motion	05/02/2017-12:41	06/14/2017-12:41	
Charpia, H Wayne	Petition for Disbursement of Homestead Exemption Funds	Filing	04/17/2017-12:28		
Charpia, H Wayne	Order on Motion for Declaratory Judgment (Exemption)	Order	04/10/2017-14:02	04/10/2017-14:02	
Mcmasters, Rene	Affidavit of Henry Broughton	Filing	04/04/2017-14:43		
Mcmasters, Rene	Affidavit of Publication	Filing	04/04/2017-10:39		

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PROOF OF SERVICE

I certify that I have served a copy of Respondent's Motion Dismiss Appeal, by United States mail, postage prepaid, on November 9th, 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 9th day of November, 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

November 9, 2017

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

RECEIVED
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SC Court of Appeals

RE: H. Wayne Charpia V. Rene McMasters Ronagham
Case No.: 2015-CP-18-1869
Appellant No.: 2017-000834
Our file: 09-084

Dear Ms. Kitchings:

Enclosed is the original and seven (7) copies of the Respondent's Motion to Dismiss Appeal together with my Proof of Service and my firm check payable to the Clerk's office in the amount of \$25.00. I would appreciate you filing the original and returning one (1) filed copy to me in the self-addressed stamped envelope provided.

With kindest regards, I am

Very truly yours,



Frank M. Cisa

FMC/alp

Enclosures

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



CISA & DODDS, LLP
ATTORNEYS AND COUNSELORS AT LAW
858 LOWCOUNTRY BOULEVARD, SUITE 101
MT. PLEASANT, SOUTH CAROLINA 29464

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