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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

DEC 29 2017

SC Court of Appeals

The Honorable Carmen T. Mullen  
Fourteenth Judicial Circuit

Appellate Case No.: 2017-000685

Barbara Aimar Goodwin.....Appellant,

v.

Ronald A. Rossetti, Individually, and as Trustee of the Ronald L. Rossetti  
Trust – 1989, Linda A. Rossetti, as Trustee of the Ronald L. Rossetti Trust,  
the Ronald L. Rossetti Trust, Christopher T. Godley, and  
Jade Godley.....Respondents.

**RESPONDENTS' MOTION TO DISMISS**

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

Respondents Ronald A. Rossetti, Individually, and as Trustee of the Ronald L. Rossetti  
Trust – 1989, Linda A. Rossetti, as Trustee of the Ronald L. Rossetti Trust, and the Ronald L.  
Rossetti Trust (“Rossetti Respondents”) respectfully move this Court for an Order dismissing the  
present appeal for Appellant’s failure to file an initial brief within the time prescribed by the  
Court.

On March 13, 2017, Appellant served a Notice of Appeal. Appellant subsequently filed a  
Motion for Extension, which was granted on April 19, 2017. Thereafter, Appellant filed second  
and third motions for extensions on July 21, 2017 and September 22, 2017, respectively. Both of

these motions were granted by the Court. The order granting Appellant's third motion extended Appellant's deadline to file the initial brief and designation of matter to October 23, 2017.

On October 24, 2017, the day after the extended deadline, Appellant filed a Designation of Matter as well as a motion requesting a fourth extension or, alternatively, to permit the late filing of the initial brief. According to Appellant, "the completion of the brief will require until next Monday, October 30, 2017." Respondents opposed Appellant's request for a further extension.

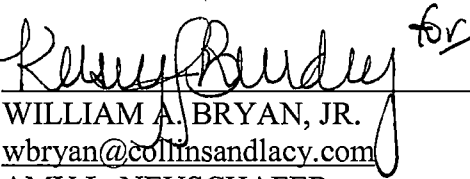
On December 8, 2017, this Court entered an Order granting Appellant's fourth request for an extension and ordering Appellant's initial brief be served within seven days. The Order further provided that Appellant's failure to comply may result in dismissal of the appeal. To date, Appellant has not served or filed an initial brief.

Rule 208(a)(4) of the South Carolina Appellate Court Rules provides the clerk of court shall sign an order dismissing the appeal if appellant fails to file and serve an initial brief within the time prescribed by the Court. This appeal has been pending since March 13, 2017. The original deadline for Appellant's initial brief was May 12, 2017. Since then, Appellant's deadline for serving and filing the initial brief has been extended on four occasions, allowing Appellant an additional seven months to complete her initial brief. Moreover, the December 8, 2017 Order warned the appeal may be subject to dismissal if Appellant failed to file within the time prescribed. Therefore, pursuant to Rule 208(a)(4) of the South Carolina Appellate Court Rules and supporting case law, Respondents respectfully request the present appeal be dismissed in its entirety.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,

COLLINS & LACY, P.C.

By:  \_\_\_\_\_  
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ATTORNEYS FOR RESPONDENTS  
RONALD A. ROSSETTI, INDIVIDUALLY, AND  
AS TRUSTEE OF THE RONALD L. ROSSETTI  
TRUST – 1989, LINDA A. ROSSETTI, AS  
TRUSTEE OF THE RONALD L. ROSSETTI  
TRUST, THE RONALD L. ROSSETTI TRUST

**RESPONDENTS' MOTION TO DISMISS**

Murrells Inlet, South Carolina  
December 29, 2017

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
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The Honorable Carmen T. Mullen  
Fourteenth Judicial Circuit

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Barbara Aimar Goodwin, f/k/a Barbara A. Gilley.....Appellant,

v.

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Trust – 1989, Linda A. Rossetti, as Trustee of the Ronald L. Rossetti Trust,  
the Ronald L. Rossetti Trust, Christopher T. Godley, and  
Jade Godley.....Respondents.

PROOF OF SERVICE

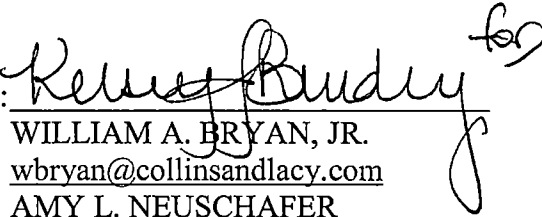
I certify that I have served Respondents' Motion to Dismiss, by depositing a copy in the United States Mail, first class postage prepaid, on December 29, 2017, addressed to the attorneys of record as follows:

Robert V. Mathison, Jr., Esquire  
Mathison & Mathison  
PO Box 5271  
Hilton Head Island, SC 29938  
*Attorney for Appellant*

George H. O'Kelley, Jr.  
Attorney at Law  
715 Bay Street  
PO Box 1072  
Beaufort, SC 29901  
*Attorney for Respondents Christopher T. Godley and Jade Godley*

Respectfully submitted,

COLLINS & LACY, P.C.

By:  <sup>for</sup>  
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AS TRUSTEE OF THE RONALD L. ROSSETTI

TRUST – 1989, LINDA A. ROSSETTI, AS

TRUSTEE OF THE RONALD L. ROSSETTI

TRUST, THE RONALD L. ROSSETTI TRUST



William A. Bryan, Jr. | 843.353.2330 | wbryan@collinsandlacy.com

December 29, 2017

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SC Court of Appeals

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

Re: Barbara Aimar Goodwin, Appellant v. Ronald L. Rossetti, Individually, and as Trustee of the Ronald L. Rossetti Trust - 1989, Linda A. Rossetti, as Trustee of the Ronald L. Rossetti Trust, The Ronald L. Rossetti Trust, Christopher T. Godley and Jade Godley, Respondents  
Appellate Case No.: 2017-000685  
C&L File No.: 1-2234

Dear Ms. Kitchings:

Please find enclosed the original and seven (7) copies of Respondents' Motion to Dismiss with the Proof of Service for filing. Please return a filed copy of same in the self-addressed stamped envelope provided.

By copy of this letter to counsel of record, I hereby serve each with a copy of Respondents' Motion to Dismiss.

With kind regards,

Sincerely,

*William A. Bryan, Jr.* <sup>for</sup>

William A. Bryan, Jr.

WABJR/ljc

Enclosures

cc: George H. O'Kelley, Jr., Esquire  
Robert V. Mathison, Jr., Esquire



1330 Lady Street, Sixth Floor (29201) Post Office Box 12487 | Columbia, SC 29211

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

1-2234

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