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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Honorable Joseph M. Strickland, Master in Equity

RECEIVED  
JAN 11 2018  
SC Court of Appeals

Case No. 2015-CP-40-07210

Appellate Case No. 2017-002149

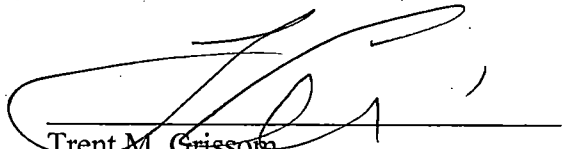
Nationstar Mortgage, LLC.....Respondent

v.

Marcus L. Hall and Rosa C.Hall.....Appellants

RESPONDENT NATIONSTAR MORTGAGE LLC'S MOTION TO DISMISS APPEAL

Respondent, Nationstar Mortgage LLC, now moves this Court to dismiss Appellant's Appeal for failure to timely file an initial brief and failure to file a designation of matter for the record on appeal.



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*Attorney for Respondent Nationstar  
Mortgage LLC*

Date: January 9, 2018

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, Respondent Nationstar Mortgage LLC (“Nationstar”) hereby moves to Dismiss this Appeal. Respondent, in support of this Motion, shows as follows:

1. On December 2, 2015, Respondent filed its Summons and Complaint, bearing case number 2015-CP-40-07210 in the Court of Common Pleas, Richland County, South Carolina, seeking foreclosure.

2. On June 17, 2016, Judge Joseph Strickland, Master in Equity for Richland County, issued a Master’s Order and Judgment of Foreclosure.

3. The Order from June 17, 2016 was later vacated upon Respondent’s Motion. A second Master’s Order and Judgment of Foreclosure was entered on October 4, 2016.

4. The property was sold, but Appellants did not vacate the home after it was conveyed to the highest bidder.

5. Respondent filed a Petition to Show Cause and requested a Writ of Assistance on July 21, 2017.

6. The lower court issued the Writ of Assistance on September 15, 2017, ordering that the Appellants be removed from the property on November 6, 2017.

7. According to Appellants’ Initial Brief, they have been removed from the property.

8. Appellant filed a Notice of Appeal on October 16, 2017, challenging the issuance of the Writ of Assistance.

9. Appellant did not file his initial brief until December 15, 2017, beyond the thirty (30) day deadline provided for in South Carolina Appellate Court Rule 208(a)(1).

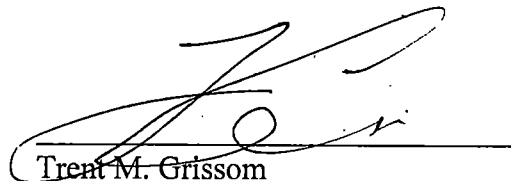
10. In addition to being untimely, Appellants' Initial Brief is defective in that Respondent was served with a Designation of Matter to be Included in the Record on Appeal as provided for in South Carolina Appellate Court Rule 209.

For the reasons stated, Respondent hereby objects to any further extensions of time for Appellant to file his initial brief and respectfully requests that this Court DISMISS Appellant's Appeal for failure to timely file his initial brief and for failure to serve a Designation of Matter to be Included in the Record on Appeal.

The request is made in good faith and not for purpose of delay.

WHEREFORE, Respondent respectfully requests that this Court grant Respondent's Motion to Dismiss Appeal.

This 9<sup>th</sup> day of January, 2018.



Trent M. Grissom

S.C. Bar No. 77718

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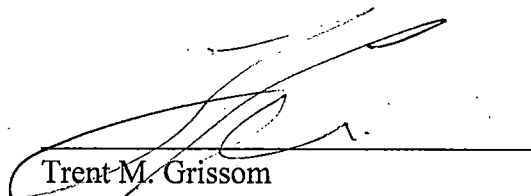
**CERTIFICATE OF SERVICE**

The undersigned certifies that *Respondent's Motion to Dismiss Appeal* was served on Pro Se Appellant and other counsel by depositing a copy thereof in the United States Mail, first class, postage prepaid, addressed to:

Marcus L. Hall  
147 Staley Drive  
Wagener, SC 29164

Thomas Shook  
Finkel Law Firm LLC  
4000 Faber Place Drive, Suite 450  
North Charleston, SC 29405

This the 9<sup>th</sup> day of January, 2018.

  
Trent M. Grissom

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January 9, 2018

Jenny Abbott Kitchings  
SC Court of Appeals Clerk of Court  
1220 Senate Street  
Columbia, SC 29201

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**Re: Nationstar Mortgage LLC v. Marcus L. Hall, Rosa C. Hall and Deer Lake Homeowners Association, Inc.  
Court of Appeals No. 2017-002149  
Court of Common Pleas No. 2015-CP-40-07210**

Dear Ms. Kitchings:

Enclosed for filing are Respondent Nationstar Mortgage LLC's Motion to Dismiss Appeal and Motion to Extend Time to File Initial Brief and Designation of Matter to be Included in the Record on Appeal. We have enclosed two checks in the amount of \$25.00 each to cover the filing fees.

Lastly, enclosed is one copy of each document that we would ask you to file-stamp and return to us in the enclosed self-addressed stamped envelope.

Thank you for your kind assistance in this matter. If you have any questions, please do not hesitate to contact us.

Sincerely,

MCGUIREWOODS, LLP



Elizabeth P. Hedges  
Practice Assistant

:eph  
Enclosures

cc: Marcus L. Hall  
Rosa C. Hall  
Thomas Shook, Esq.

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From: Trent Grissom

**McGUIREWOODS**

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To: Jenny Abbott Kitchings  
SC Court of Appeals Clerk of Court  
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