

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, Master in Equity

Case No. 2015-CP-46-03068

Appellate Case No. 2016-002161

RECEIVED
JAN 16 2018
SC Court of Appeals

Bank of New York Mellon
fka
The Bank of New York as
Trustee (CWALT 2004-
2CB)

Respondent(s),

v.

Tara B. Barfield,

Appellant.

**OPPOSITION TO RESPONDENT'S MOTION FOR INVOLUNTARY
DISMISSAL OF APPEAL**

Respondent served a Motion for Involuntary Dismissal of Appeal on December 27, 2017. This Motion asks for a complete dismissal of the Appeal in this case because of the delay in receiving the additional transcript from the hearing in this matter that occurred on April 20, 2016.

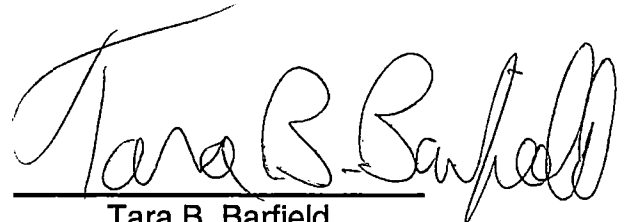
Good cause exists for this delay because the Court Reporter for this hearing, Veritext Legal Solutions has informed me that the transcript is

unavailable because the file has somehow become corrupted and the file is now irretrievable. Since this circumstance seems highly irregular: I have mailed the attached letter to Veritext to find out if there is any possible way to retrieve the transcript, how the corruption occurred, when the corruption was discovered, how many other files were affected and how many other times data corruption has occurred in this manner resulting in the unavailability of transcripts that are relevant to appeals and other cases.

Therefore, Appellant respectfully requests that the Respondent's Motion should be denied for the reasons stated above and since this delay does not change the viability of my other arguments in this case. Also we need to ascertain the reasons why this transcript, that I believe has information relevant to the appeal, is now claimed to be unavailable by the Court Reporting Agency, Veritext Legal Solutions.

Respectfully submitted,

January 11, 2018



Tara B. Barfield
5088 Mariana Court
Tega Cay, South Carolina 29708
(704) 293-0132
Appellant Pro Se

January 11, 2018

VERITEXT LEGAL SOLUTIONS, INC.
290 West Mount Pleasant Avenue
Suite 3200
Livingston, NJ, 07039

RECEIVED
JAN 16 2018
SC Court of Appeals

RE: The Bank of New York (Respondent) v. Tara B. Barfield (Appellant)

South Carolina Court of Appeals: Appellate Case No. 2016-002161

Or a/k/a:

RE: The Bank of New York Mellon fka The Bank of New York as Trustee (CWALT 2004-2CB), Respondent, v. Tara B. Barfield a/k/a Tara Burdiss Barfield (Appellant), Samuel C. Barfield, SouthTrust Bank, N.A., Beneficial Finance I Inc., CACH, LLC, and The South Carolina Department of Revenue, Case No. 2015-CP-46-03068

Veritext Reference Number: 2279426

Dear Client Services:

On April 20, 2016, a hearing for Partial Summary Judgement in the above case was tried before the Honorable S. Jackson Kimball, Master in Equity, in York County South Carolina. The attorney for the Bank of New York was Demetri (Jim) Koutrakos of the law firm Callison Tighe (Columbia, SC). My records indicate that you were the court reporter for this case.

I requested that you provide me with a transcript of the proceedings as provided by Rule 607, SCACR.

Subsequently you informed me that "we are unable to provide the transcript relating to this matter due to the files being corrupt, resulting in an inability to transcribe said proceedings."

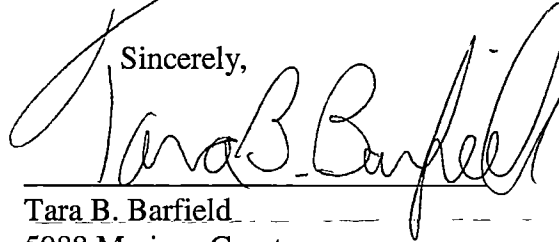
Since this circumstance seems highly irregular: I have sent a copy of this letter to both the South Carolina Court of Appeals and Respondent's Counsel.

Please explain the following items: if there is any possible way to retrieve the

TBS 5/6

transcript (if not; then explain why not), how the corruption occurred, when the corruption was discovered, how many other files were affected and how many other times data corruption has occurred in this manner resulting in the unavailability of transcripts that are relevant to appeals and other cases.

Sincerely,



Tara B. Barfield
5088 Mariana Court
Tega Cay, South Carolina 29708
(704) 293-0132
Appellant Pro Se

Cc:

South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Riley Pope & Laney
Post Office Box 12265
Columbia, South Carolina 29211

TBB 6/6

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, Master in Equity

Case No. 2015-CP-46-03068

Appellate Case No. 2016-002161

RECEIVED
JAN 16 2018
SC Court of Appeals

Bank of New York Mellon
fka
The Bank of New York as
Trustee (CWALT 2004-
2CB)

Respondent(s),

v.

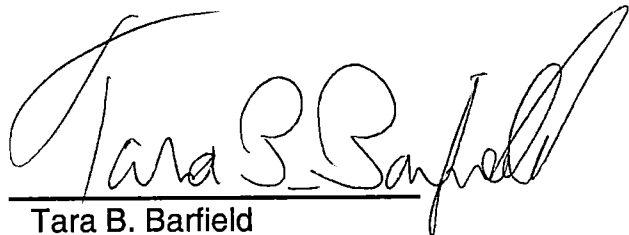
Tara B. Barfield,

Appellant.

**CERTIFICATE OF SERVICE – MOTION FOR
EXTENSION OF TIME**

I do hereby certify that I have served the **CERTIFICATE OF SERVICE – OPPOSITION TO RESPONDENT’S MOTION FOR INVOLUNTARY DISMISSAL OF APPEAL** and the letter to the Court Reporter Veritext Legal Solutions upon the Respondent’s attorney below by depositing a copy of the same, on this date, in the U.S. Mail, first class postage prepaid and addressed to the following:

Riley Pope & Laney (via USPS)
Post Office Box 11412
Columbia, South Carolina 29211



Tara B. Barfield
5088 Mariana Court
Tega Cay, South Carolina 29708
(704) 293-0132
Appellant Pro Se
January 11, 2018

TBB 2/6

January 11, 2018

RECEIVED
JAN 16 2018
SC Court of Appeals

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

RE: The Bank of New York (Respondent) v. Tara B. Barfield (Appellant)

Appellate Case No. 2016-002161

Or a/k/a:

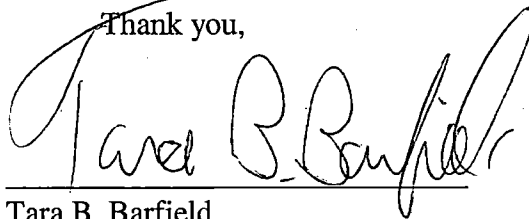
RE: The Bank of New York Mellon fka The Bank of New York as Trustee (CWALT 2004-2CB), Respondent, v. Tara B. Barfield a/k/a Tara Burdiss Barfield (Appellant), Samuel C. Barfield, SouthTrust Bank, N.A., Beneficial Finance I Inc., CACH, LLC, and The South Carolina Department of Revenue, Case No. 2015-CP-46-03068

Dear Ms. Kitchings:

Enclosed please find the Appellant's **OPPOSITION TO RESPONDENT'S MOTION FOR INVOLUNTARY DISMISSAL OF APPEAL** which was filed on December 27, 2017, the letter to the Court Reporter Veritext Legal Solutions; and the Certificate of Service for the same document for the Court Reporter of Record.

Please file these documents in the usual and customary place. First via fax to 803-734-1839 and the originals will be mailed today as well.

Thank you,



Tara B. Barfield
5088 Mariana Court
Tega Cay, South Carolina 29708
(704) 293-0132
Appellant Pro Se

TBS 1/6

SO88/Martana Court
Tega Cay SC 29708

RECEIVED

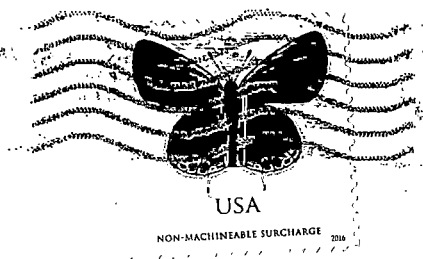
JAN 16 2018

SC Court of Appeals

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

CHARLOTTE NC 282

11 JAN 2018 PM 3 1



29211-162929

