

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
FEB 09 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.

**APPELLANT'S RETURN TO RESPONDENT'S REPLY TO
APPELLANT'S RETURN TO RESPONDENT'S MOTION TO DISMISS**

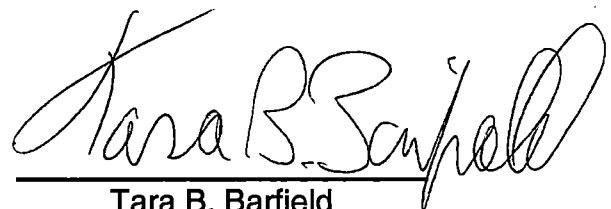
Respondent served a **Reply to Appellant's Return to Respondent's Motion to Dismiss** on January 23, 2018. This Reply also asks for a complete dismissal of the Appeal in this case because of the delay in receiving the additional transcript from the hearing in this matter that occurred on April 20, 2016.

Good cause exists for this delay (in addition to the reasons set forth in my Return to the Respondent's Motion to Dismiss in this matter) because there are several inconsistencies between the actual events surrounding this matter and the statements in the letter from Veritext (dated January 18, 2018 and filed with the Court on January 26, 2018) that was in response to my previous letter to them concerning this situation. Because of this discrepancy, I have mailed the enclosed letter to Veritext that requests clarification of these issues.

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 still 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,

February 6, 2018



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

February 6, 2018

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

ATTN: Judith L. Kunreuther, Esq.
General Counsel

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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 Ms. Kunreuther:

I am in receipt of your letter dated January 18, 2018 (and filed with The South Carolina Court of Appeals on January 26, 2018) that was in response to my previous letter that inquired about the corruption of the data file for the additional transcript that I requested from your company and the purported inability of your company to provide a copy of the transcript to me (and to the South Carolina Court of Appeals); and I have some questions about your response.

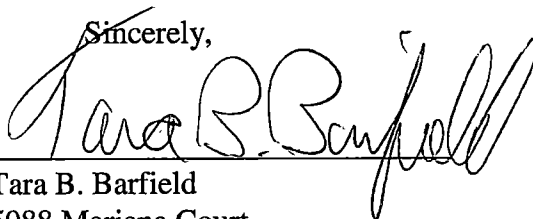
Since this occurrence seems highly unusual and there are several inconsistencies between the actual events surrounding this matter and the statements in your letter, please explain the following items:

TBB 5/7

- 1) Why you apparently do not realize that the matter in question was a “Motion Hearing” and not a “Deposition” as you state in your letter.
- 2) Why you apparently do not realize that the matter in question did “go forward” and that an order was entered.
- 3) If there is any possible way to retrieve the transcript. If not; then please explain why not. And how you can be certain of this.
- 4) How, exactly, did the corruption occur? What virus infected the computer in question? How was this determined?
- 5) When was the corruption discovered and how many other files were affected?
- 6) Was the file that I requested the only file lost due to the purported corruption or were other files were affected? (if so, approximately how many other times has data corruption occurred in this manner resulting in the unavailability of transcripts that are relevant to appeals and other cases?)

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.

Sincerely,



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

TBS 6/7

Cc:

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

Riley Pope & Laney
Post Office Box 11412
Columbia, South Carolina 29211

TBR 7/7

THE STATE OF SOUTH CAROLINA
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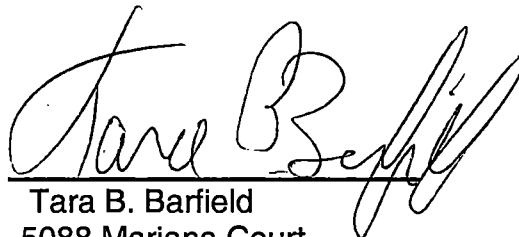
Tara B. Barfield,

Appellant.

**CERTIFICATE OF SERVICE – APPELLANT’S
RETURN TO RESPONDENT’S REPLY TO APPELLANT’S
RETURN TO RESPONDENT’S MOTION TO DISMISS**

I do hereby certify that I have served the **CERTIFICATE OF SERVICE – APPELLANT’S RETURN TO RESPONDENT’S REPLY TO APPELLANT’S RETURN TO RESPONDENT’S MOTION TO DISMISS** and the **Reply to the Court Reporter Veritext Legal Solutions’ Response to my previous letter to Veritext**: 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
February 6, 2018

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February 6, 2018

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

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SC Court of Appeals

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

Appellate Case No. 2016-002161

Or a/k/a:

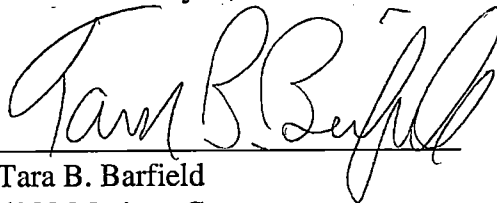
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Dear Ms. Kitchings:

Enclosed please find the Appellant's **CERTIFICATE OF SERVICE – APPELLANT'S RETURN TO RESPONDENT'S REPLY TO APPELLANT'S RETURN TO RESPONDENT'S MOTION TO DISMISS: the Reply to the Court Reporter Veritext Legal Solutions' Response to my previous letter to Veritext**; and the Certificate of Service for the same document(s) 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,



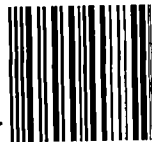
Tara B. Barfield
5088 Mariana Court
Tega Cay, South Carolina 29708
(704) 293-0132
Appellant Pro Se

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Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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