

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

RECEIVED
APR 09 2018
SC Court of Appeals

APPELLATE CASE NUMBER 2017-000834

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 REQUIRE THE APPELLANT TO COMPLY WITH RULE 211 SCARC
AND TO SERVE THE AMENDED RECORD ON APPEAL ON RESPONDENT'S
ATTORNEY

Respondent, Rene McMasters Ronaghan, hereby moves before the Court for an Order to require the Appellant to serve and file his final brief in accordance with Rule 211 SCARC and to serve the amended record on appeal on the Respondent's attorney.

The grounds for this motion are that the Appellant's final brief is not identical to his initial brief. Appellant has materially changed the Statement of the Case; has changed the Statement of the Facts; and has changed the Argument.

The Appellant was directed by the Clerk of the Court of Appeals by letters dated February 28, 2018 and March 7, 2018 to file an amended record on appeal, copies of which are attached. Appellant was also directed by the Clerk of the Court of Appeals by letter dated March 13, 2018 to serve and file a proof of service of the amended record on appeal, a copy of which is attached. The undersigned counsel for the Respondent has not been served with the amended record on

appeal or the proof of service.

Respondent requests that the Appellant be ordered to comply with Rule 211 SCARC and ordered to serve the Respondent's counsel with the amended record on appeal.

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 5th day of April, 2018



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
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February 28, 2018

H. Wayne Charpia
717 Old Trolley Road
Suite 6 #630
Summerville, S.C. 29485

Re: Rene McMasters Ronaghan v. H. Wayne Charpia (2)
Appellate Case No. 2017-000834

Dear Mr. Charpia:

Upon reviewing your record on appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- The caption/title does not comply with Rule 267(a), SCACR. Specifically, the caption should read as follows:

Rene McMasters, now known as Rene McMasters Ronaghan, Respondent,

v.

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.

- The record on appeal does not contain the index. You must file an amended record on appeal that contains an index.

Very truly yours,

V. Clair Allen, Deputy

CLERK

cc: H. Wayne Charpia
Frank M. Cisa, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY-CLERK

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March 07, 2018

H. Wayne Charpia
717 Old Trolley Road
Suite 6 #630
Summerville SC 29485

Re: Rene McMasters Ronaghan v. H. Wayne Charpia (2)
Appellate Case No. 2017-000834

Dear Mr. Charpia:

Upon further reviewing your record on appeal, the following deficiency has also been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- The record on appeal is not paginated. You must serve and file a record on appeal that is correctly paginated.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jenny A. Kitchings".

CLERK

cc: Frank M. Cisa, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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March 13, 2018

H. Wayne Charpia
717 Old Trolley Road
Suite 6 #630
Summerville SC 29485

Re: Rene McMasters Ronaghan v. H. Wayne Charpia (2)
Appellate Case No. 2017-000834

Dear Mr. Charpia:

Upon reviewing your amended record on appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The document is not accompanied by the required certificate of counsel.
- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Frank M. Cisa, Esquire

THE STATE OF SOUTH CAROLINA
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of whom H. Wayne Charpia a/k/a Howard W. Charpia is the Appellant

PROOF OF SERVICE

I certify that I have served a copy of Respondent's Motion to require the Appellant to comply with Rule 211 SCARC and to serve the amended record on appeal on Respondent's attorney, by United States mail, postage prepaid, on April 5, 2018, addressed to Appellant, 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 5th day of April, 2018

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

April 5, 2018

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

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

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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed is the original and seven (7) copies of the Respondent's Motion to require the Appellant to comply with Rule 211 SCARC and to serve the amended record on appeal on Respondents counsel, 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

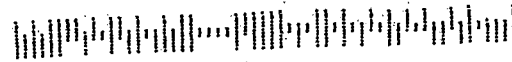
FMC/alp

Enclosures

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



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CISA & DODDS, LLP
ATTORNEYS AND COUNSELORS AT LAW
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