

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Lde 7460

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Maite D. Murphy, Master-in-Equity

Appellate Case No. 2012-212727

RECEIVED

JAN 03 2013

SC Court of Appeals

JPMorgan Chase Bank, National Association,Respondent,

v.

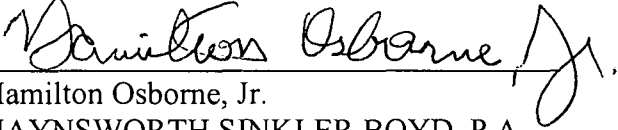
R. Duncan Jaenicke,Appellant.

MOTION TO DISMISS AND FOR OTHER RELIEF

Respondent JPMorgan Chase Bank, National Association moves to dismiss this appeal for the following reasons set forth in the accompanying Affidavit of Respondent's Attorney:

1. Appellant served his initial brief on December 17, 2012, but failed to file his initial brief with this Court; and
2. Appellant has failed to serve or file his Designation of Matter to Be Included in the Record on Appeal.

If this appeal is not dismissed, Respondent moves to extend the time for Respondent to serve and file its Initial Brief until 30 days after Appellant serves his Designation of Matter to Be Included in the Record on Appeal.



Hamilton Osborne, Jr.
HAYNSWORTH SINKLER BOYD, P.A.
1201 Main Street, 22nd Floor
Columbia, SC 29201-3226
(803) 779-3080

Attorney for Respondent

January 2, 2013

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Maite D. Murphy, Master-in-Equity

Appellate Case No. 2012-212727

RECEIVED

JAN 03 2013

SC Court of Appeals

JPMorgan Chase Bank, National Association,Respondent,

v.

R. Duncan Jaenicke,Appellant.

AFFIDAVIT OF RESPONDENT'S ATTORNEY

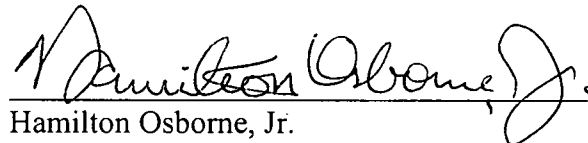
I, the undersigned Hamilton Osborne, Jr., being duly sworn, depose and state on oath as follows:

1. I am a member in good standing of the South Carolina Bar, and I represent Respondent JPMorgan Chase Bank, National Association, in this appeal.
2. This appeal was previously dismissed because Appellant failed to serve and file Appellant's initial brief and designation of matter to be included in the record on appeal.
3. An order filed on November 16, 2012, reinstated this appeal and directed Appellant to serve and file his initial brief and designation of matter within thirty days.
4. Appellant served his initial brief on December 17, 2012, which was timely because December 16 was a Sunday.

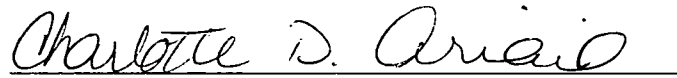
5. I am informed and believe that Appellant did not file his initial brief with this Court.

6. Appellant has not served, and apparently has not filed, a designation of matter to be included in the record on appeal.

WITNESS my hand this 2nd day of January, 2013.


Hamilton Osborne, Jr.

Sworn to and subscribed before me
this 2nd day of January, 2013.


Notary Public, State of South Carolina
My commission expires 1-13-2020.

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Maite D. Murphy, Master-in-Equity

Appellate Case No. 2012-212727

RECEIVED

JAN 03 2013

SC Court of Appeals

JPMorgan Chase Bank, National Association,Respondent,

v.

R. Duncan Jaenicke,Appellant.

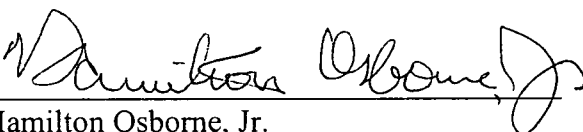
PROOF OF SERVICE

I, the undersigned attorney for Respondent, certify that I served the documents specified below on Appellant on the date specified below by causing true copies thereof to be mailed by first-class mail, postage prepaid, to Appellant addressed as follows: Mr. R. Duncan Jaenicke, 127 Jigsaw Road, Summerville, SC 29485.

Documents Served: (1) Motion to Dismiss and for Other Relief and (2) Affidavit of

Respondent's Attorney.

Date Served: January 2, 2013



Hamilton Osborne, Jr.
HAYNSWORTH SINKLER BOYD, P.A.
1201 Main Street, 22nd Floor
Columbia, SC 29201-3226
(803) 779-3080

Attorney for Respondent