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March 4, 2019

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MAR 05 2019

**SC Court of Appeals**

Ms. Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

Re: *Wells Fargo Bank, N.A. as Trustee for Bear Stearns Asset Backed Securities I Trust 2004-BO1 v. Betty L. Tangeman, Barry D. Mallek, Alice R. Mallek, Donald Coggins, and Jr Delbert R. Tangeman*  
South Carolina Court of Appeals Case No. 2017-002200

Dear Ms. Kitchings:

In connection with the above appeal, the Court instructed the Appellant, in a December 3, 2018 letter, that he “shall serve and file a supplemental record on appeal no later than January 2, 2019, along with an appellant’s final brief and final reply brief that comply with the SCACR, *or this appeal will be dismissed.*” (emphasis added). Appellant did not comply with this directive. Instead, he filed two motions on December 31, 2018 – styled “Motion to amend appellant’s Initial Reply Brief” and “Motion for extension of time to file Appellant’s Record On Appeal, 2nd Amended” – which motions remain pending before this Court.

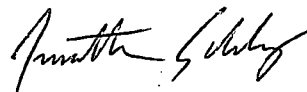
The Court’s December 3, 2018 letter also provided that “[t]he time for serving and filing the respondent’s final brief will expire twenty (20) days after service of the supplemental record on appeal.”

On February 28, 2019, Respondent received a document from Appellant styled “Appellant’s Record on Appeal,” which purports to be a supplemental record on appeal. As the file-stamp indicates, the document was filed with the Court on February 20, 2019. Therefore, the certificate of service attached to the document – in which the Appellant attests to serving it seven weeks earlier on January 2, 2019 – is clearly incorrect.

Given the uncertainty surrounding the service date of the “Appellant’s Record on Appeal,” as well as the pendency of Appellant’s above-referenced motions (filed in lieu of complying with this Court’s directives to avoid dismissal, and in disregard of said directives), Respondent is unclear on when – if at all – its Respondent’s Final Brief is due to be filed and served.

Respondent hereby requests clarification on (1) whether the filing of the “Appellant’s Record on Appeal” triggers an obligation on the part of Respondent to file and serve its Final Brief, and (2) if so, what is Respondent’s deadline to do so. Respondent specifically requests that this Court hold Respondent’s obligation to file and serve a Final Brief in abeyance pending both a ruling on the Appellant’s two pending motions, and further instruction from the Court.

Best regards,

A handwritten signature in black ink, appearing to read "Jonathan Schulz". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping underline.

Jonathan Schulz

cc: Delbert Tangeman (via US Mail)  
John B. Kelchner (via US Mail)

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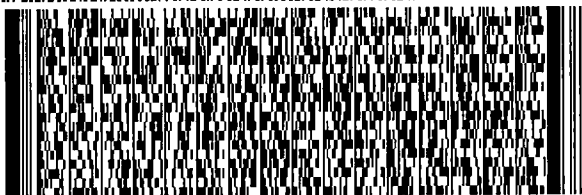
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TO **JENNY ABBOTT KITCHING**  
**COURT OF APPEALS OF SC**  
**1220 SENATE STREET**

**COLUMBIA SC 29201**

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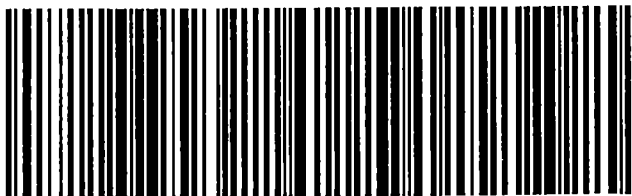


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SC Court of Appeals

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