

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM AIKEN COUNTY  
M. Anderson Griffith, Master in Equity

Appellate Case No. 2018-000798

**RECEIVED**

JUL 18 2019

SC Court of Appeals

US Bank National Association as Trustee successor in interest to Bank of America, National Association as Trustee Successor by merger to LaSalle Bank National Association, as Trustee for Structured Asset Investment Loan Trust Mortgage Pass-Through Certificates, Series 2004-3, .....

Respondent,

v.

Anthony J. West and Janet L. West, .....

Appellants.

**RETURN TO APPELLANTS' MOTION TO FILE OUT OF TIME**

Pursuant to Rule 240(e) of the South Carolina Appellate Court Rules, Respondent US Bank National Association as Trustee ("US Bank") files this return to the motion to file out of time submitted by Appellants Anthony J. West and Janet L. West. US Bank opposes Appellants' request for thirty additional days to serve the record on appeal and file proof of service. US Bank also objects to Appellants receiving any further extensions of time in this appeal. The initial briefing stage in this appeal began on September 17, 2018, when the clerk of court ordered Appellants to file their initial brief within thirty days. Ten months later, the appeal has yet to progress beyond that stage. The continued delays benefit Appellants—who are living at the property that is the subject of this foreclosure action without making mortgage payments—and prejudice US Bank. Appellants have failed to comply with the South Carolina Appellate Court Rules and this court's instructions at every turn, and the court should decline to extend further leniency. US Bank therefore opposes Appellants' motion.

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Columbia, South Carolina

July 18, 2019

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM AIKEN COUNTY  
The Master in Equity Judge M. Anderson Griffith

Case No. 2015-CP-02-0578  
Appellate Case No. 2018-000798

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SC Court of Appeals

US Bank National Association as Trustee successor in interest  
to Bank of America, National Association as Trustee  
Successor by merger to LaSalle Bank National Association, as  
Trustee for Structured Asset Investment Loan Trust Mortgage  
Pass-Through Certificates, Series 2004-3,.....

Respondent,

v.

Anthony J. West and Janet L. West,.....

Appellants.

**PROOF OF SERVICE**

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins  
Riley & Scarborough LLP, attorneys for Respondent, do hereby certify that I have served all  
counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of  
the same by United States Mail, postage prepaid, to the following address(es):

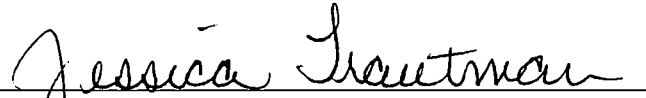
Pleadings:

Return to Appellants' Motion to File Out of Time

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A handwritten signature in cursive script that reads "Jessica Trautman". The signature is written in black ink and is positioned above a horizontal line.

Jessica Trautman  
Administrative Assistant

July 18, 2019



NELSON MULLINS

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SC Court of Appeals

Hand Delivered

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

RE: US Bank National Association v. Anthony J. West and Janet L. West  
Appellate Case No. 2018-000798  
Our File No. 011281/02614

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of Respondent's Return to Appellants' Motion to To File Out of Time in the above-reference matter. We would ask that you file the original and return a clocked-in copy to us via our courier.

By copy of this letter, we are hereby serving the Appellants with a copy of same.

Very truly yours,

Nicholas A. Charles

NAC:jlt  
Enclosure  
cc: Anthony J. West  
Janet L. West  
William Price Stork, Esquire