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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, III, Master-in-Equity for York County

Case No.: 2015-CP-46-03068

Appellate Case No. 2016-002161

The Bank of New York Mellon fka The Bank of New York, as Trustee (CWALT 2004-2CB),.....Respondent,

v.

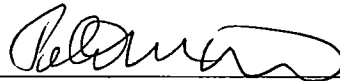
Tara B. Barfield a/k/a Tara Burdiss Barfield,.....Appellant.

RESPONDENT'S MOTION TO DISMISS APPEAL

Appellant filed this appeal from an order of foreclosure entered by the York County Master-in-Equity. Appellant and Respondent have now entered into a loan modification agreement which modifies the terms of the loan at issue in this appeal and resolves the foreclosure action. Upon the remittitur being sent to the lower court, Respondent will move to vacate the judgment of foreclosure. Therefore, upon information and belief, this appeal is moot and should be dismissed.

Based on this showing, Respondent respectfully requests that an order be entered dismissing this appeal and finding that each party shall bear its own costs and expenses of this appeal.

RILEY POPE & LANEY, LLC



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Attorneys for Respondent

November 19, 2019
Columbia, South Carolina

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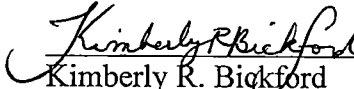
v.

Tara B. Barfield a/k/a Tara Burdiss Barfield,.....Appellant.

PROOF OF SERVICE

I do hereby certify that I served the **RESPONDENT'S MOTION TO DISMISS APPEAL** upon the below-named party by depositing a copy of same, this date, in the U.S. Mail, first class postage prepaid, and addressed as follows:

Tara B. Barfield a/k/a Tara Burdiss Barfield, *pro se*
5088 Mariana Court
Tega Cay, South Carolina 29708-7232



Kimberly R. Bickford
Paralegal

November 19, 2019
Columbia, South Carolina

RILEY
POPE &
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LAW

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VIA HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

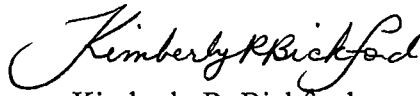
Re: The Bank of New York Mellon fka The Bank of New York, as Trustee (CWALT 2004-2CB) vs. Tara B. Barfield a/k/a Tara Burdiss Barfield, Samuel C. Barfield, SouthTrust Bank, N.A., Beneficial Financial I Inc., CACH, LLC, and The South Carolina Department of Revenue
Calendar No.: 2015-CP-46-03068
Appellate Case No.: 2016-002161
Our File No.: 4028.00915

Dear Ms. Kitchings:

Please find enclosed the original and six copies of *Respondent's Motion to Dismiss Appeal*, with *Proof of Service* attached in connection with the above-referenced matter. Also enclosed is a check in the amount of \$50.00 for the motion filing fee. Please file the enclosed documents and return a clocked copy with my runner.

Thank you for your kind assistance in this matter.

Thank you,


Kimberly R. Bickford
Paralegal

Enclosures

Cc: Tara B. Barfield a/k/a Tara Burdiss Barfield, *pro se*