

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM ORANGEBURG COUNTY

Court of Common Pleas

Maite Murphy, Circuit Judge

Appellate Case No.: 2020-000374

RECEIVED

JUL 06 2020

SC Court of Appeals

Glenfield Apartments Respondent

v.

Taneisha Conley Appellant

MOTION TO DISMISS BY RESPONDENT

**B. LINDSAY CRAWFORD, III
THEODORE VON KELLER
B. LINDSAY CRAWFORD, IV
CHRISTOPHER B. LUSK
CRAWFORD & VON KELLER, LLC
POST OFFICE BOX 4216
COLUMBIA, SOUTH CAROLINA 29240
(803) 790-2626
ATTORNEYS FOR RESPONDENT**

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

IN COMMON PLEAS COURT

CASE NO. 2019-CP-38-00711

Taneisha L. Conley

Appellant

-vs-

Glenfield Apartments

Respondent

MOTION TO DISMISS
APPEAL

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The Respondent, Glenfield Apartments, pursuant to Rules 207 SCACR, moves the Court for an order dismissing the appeal filed by the Appellant. In support of the motion, the Respondent shows the following to the court:

1. By Order dated February 7, 2020, The Honorable Maite Murphy dismissed Appellate's appeal of the Magistrate Court's eviction for failure to obtain a Return as required by SC Code of Laws 18-7-60.
2. Appellant filed a Notice of Appeal regarding the order of The Honorable Maite Murphy on February 27, 2020.
3. By Order of this Court, filed March 6, 2020, the Appellant's Motion to Relieve Counsel of Record was granted and the appeal was held in abeyance for 30 days, or until April 6, 2020, to allow Appellant to retain new counsel.
4. No new counsel has filed a Notice of Appearance to date and Appellant is deemed to be proceeding pro se.
5. Rule 207 SCACR requires that in an appeal from the Court of Common Pleas, the transcript must be ordered within 10 days after the date of service of the Notice of Appeal. Appellant filed the Notice of Appeal on February 7, 2020.
6. Appellant has failed to request the transcript for more than 60 days from the April 6, 2020 extension and has made no request for an extension.
7. Respondent moves to dismiss the appeal for failure to prosecute.
8. Respondent also moves to dismiss the appeal as Appellant has vacated the subject rental premises as shown in the attached affidavit of Jenishah Johnson and Appellate's appeal is moot.

WHEREFORE, Respondent moves for dismissal of the appeal based on the failure to prosecute.

Crawford & von Keller LLC

s/Theodore von Keller

Theodore von Keller, SC Bar No. 5718

P.O. Box 4216

Columbia, South Carolina 29240

Attorney for the Respondent

Columbia, SC

July 2, 2020

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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SC Court of Appeals

Taneisha L. Conley

Appellant.

-vs-

Glenfield Apartments

Respondent.

APPELLATE CASE NO. 2020-000374

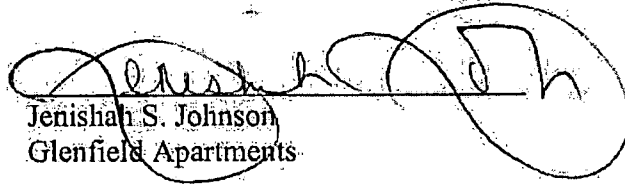
**AFFIDAVIT OF JENISHAH S.
JOHNSON**

PERSONALLY APPEARED BEFORE ME, Jenishah S. Johnson who, being duly sworn, states as follows:

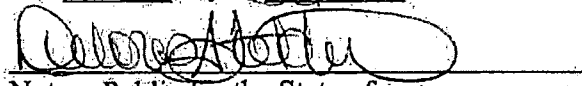
1. That I'm the Community Manager for Glenfield Apartments in Orangeburg South Carolina.
2. That on or about June 29, 2018 Appellant, Tanesha L. Conley, entered into a lease for an apartment in Glenfield Apartments.
3. That the term of the lease was from June 29, 2018 to May 31, 2019, after which Ms. Conley continued in the apartment on a month-to-month basis.
4. That at the eviction hearing in the Orangeburg Magistrate's Court on March 22, 2019 Appellant, Tanesha L. Conley, was evicted by order of the court.
5. That by Notice of Appeal dated May 30, 2019, Appellant, Tanesha L. Conley, appealed the order of ejection.
6. That the Appellant, Tanesha L. Conley's appeal of the eviction to Circuit Court was dismissed by order of the Honorable Maite Murphy filed February 7, 2020.
7. That the order of Judge Murphy was appealed by Notice of Appeal filed February 27, 2020.
8. That Appellant, Tanesha L. Conley, vacated and abandoned the apartment on or about May 26, 2020.
9. That Appellant, Tanesha L. Conley, no longer resides at Glenfield Apartments

10. That Affiant is informed and believes that the within appeal is moot as the relief sought in the appeal, to wit: the dismissal of the appeal of the ejection, is moot as Appellant has abandoned the leased premises.

FURTHER AFFIANT SAYETH NAUGHT.


Jenishah S. Johnson
Glenfield Apartments

Sworn and subscribed before me
This 30th day of JUNE, 2020


Notary Public for the State of
My Commission Expires: 11/24/2025



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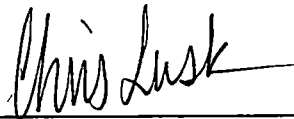
Taneisha Conley Appellant

PROOF OF SERVICE

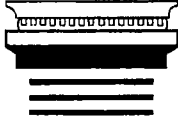
I certify that I served the foregoing motion to dismiss appeal in this case by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Ms. Taneisha L. Conley
Apartment J-05
Glenfield Apartments
1309 Glenfield Circle
Orangeburg, SC 29115

July 2, 2020



B. LINDSAY CRAWFORD, III
THEODORE VON KELLER
B. LINDSAY CRAWFORD, IV
CHRISTOPHER B. LUSK
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CRAWFORD & VON KELLER, LLC

B. Lindsay Crawford, III *
Theodore von Keller
B. Lindsay Crawford, IV

Christopher Brian Lusk

Lawrence W. Johnson, Jr.*
Special Counsel

* Certified Specialist in Bankruptcy
and Debtor-Creditor Law

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SC Court of Appeals

July 2, 2020

Jenny Kitchens
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Taneisha Conley vs. Glenfield Apartments
Appellate Case No: 2020-000374
Our file no.: 3544-0010

Dear Ms. Kitchens:

Enclosed please find the original and six copies of the **Motion to Dismiss Appeal** in the above referenced matter. Please file the original and return a clocked copy in the enclosed envelope.

Please contact me with any questions.

Sincerely,

Crawford & von Keller, LLC

Theodore von Keller
B. Lindsay Crawford, III
B. Lindsay Crawford, IV
Christopher B. Lusk

/td

Crawford & von Keller, LLC
P.O. Box 4216
Columbia, SC 29240

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Clerk, South Carolina Court of Appeals
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