

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM PICKENS COUNTY  
Court of Common Pleas  
R. Murray Hughes, Special Referee

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Civil Action No. 2010-CP-39-0352

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US Bank National Association, *et al.*, ..... Respondent,  
v.

Barbara E. Bebout and Robert A. Swaynham, *et al.*  
Of whom Barbara E. Bebout and Robert A. Swaynham ..... Appellants.

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**INITIAL BRIEF OF  
RESPONDENT US BANK NATIONAL ASSOCIATION**

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FEB 05 2013

SC COURT OF APPEALS

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Association

Pursuant to Rule 208(b)(6) Respondent US Bank National Association (“US Bank”) joins in the Initial Brief of Americash Mortgage Corporation based on the following:

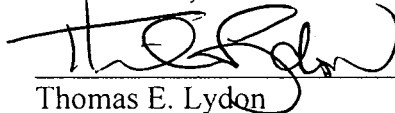
1. At the conclusion of the non-jury trial of this matter, the Special Referee entered two Orders: one order addressed US Bank’s right to foreclose on Appellants’ house and the other addressed the counterclaims and third-party claims asserted by Appellants.

2. Although the Notice of Appeal filed by Appellants included both Orders, the Statement of the Issues on Appeal contained in Appellants’ Initial Brief does not raise any issues with respect to the foreclosure Order or US Bank’s right to foreclose on Appellants’ house.

3. Because the Statement of the Issues on Appeal raises no issues regarding the foreclosure Order, the appeal with respect to that Order should be deemed to have been abandoned by Appellants. *See* Rule 208(b)(1)(B), SCACR; *Burris v. Propst Lumber & Logging, Inc.*, 396 S.C. 85, 719 S.E.2d 695 (Ct. App. 2011).

Based on the foregoing, US Bank joins in the Initial Brief filed by Americash Mortgage Corporation.

McANGUS, GOUDELOCK & COURIE, L.L.C.



Thomas E. Lydon  
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February 5, 2013

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Barbara E. Bebout and Robert A. Swaynham, *et al.*  
Of whom Barbara E. Bebout and Robert A. Swaynham ..... Appellants.

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**PROOF OF SERVICE**

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I hereby certify that I have this 5<sup>th</sup> day of February, 2013, served Respondent US Bank's Initial Brief, postage prepaid, in the United States mail, with sufficient postage affixed as follows:

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