

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from the Circuit Court of Richland County, South Carolina

L. Casey Manning, Circuit Court Judge

Case No. 2011-CP-40-5530
Appellate Case No. 2012-211872

Coastal Federal Credit Union,.....Respondent,

vs.

Clarence LeAnders Griffin, Jr.,.....Appellant.

MOTION TO DISMISS APPEAL

Appellant Clarence LeAnders Griffin, Jr. hereby moves for involuntary dismissal of the appeal pursuant to Rule 260(a), SCACR. In support of this motion, Appellant states as follows:

1. Clarence LeAnders Griffin, Jr. served its Initial Brief of Appellant on June 18, 2012 and served its Designation of Matter on August 6, 2012.

1.

RECEIVED

MAR 15 2013

SC Court of Appeals

Respondent Coastal Federal Credit Union did not file an Initial Reply Brief.

Accordingly, Clarence LeAnder Griffin, served Respondent the Record on Appeal on August 6, 2012. *See* Rule 210(a), SCACR.

2. Rule 260(a) provides, “Whenever it appears that respondent ... has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal.”

a. Dismissal here is appropriate in light of Coastal Federal Credit Union’s failure to comply with Rule 210(a).

b. Dismissal is also appropriate because Coastal Federal Credit Union’s Initial of Respondent does not comply with Rule 208(b)(1)(D), SCACR, in that the brief lacks “discussion and citations of authority.” *See also Ellie, Inc. v. Miccichi*, 358 S.C. 78, 99, 594 S.E. 485, 496 (Ct. App. 2004)

WHEREFORE, Appellant Clarence LeAnders Griffin, Jr. respectfully asks this Court to enter an order involuntary dismissing Coastal Federal Credit Union’s appeal pursuant to Rule 260(a), SCACR.

Respectfully submitted,

s/ Clarence LeAnder Griffin Jr

Clarence LeAnder Griffin, Jr., pro se Appellant

394 Legend Oaks Drive

Columbia, South Carolina 29229

(803) 238-8599

March 15, 2013

Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from the Circuit Court of Richland County, South Carolina

L. Casey Manning, Circuit Court Judge

Case No. 2011-CP-40-5530
Appellate Case No. 2012-211872

Coastal Federal Credit Union,.....Respondent,

vs.

Clarence LeAnders Griffin, Jr.,.....Appellant.

CERTIFICATE OF COMPLIANCE

The undersigned Appellant certifies that this Motion to Dismiss Appeal
complies with Rule 240, SCACR.

s/ Clarence Griffin Jr.
Clarence LeAnders Griffin, Jr., Pro Se Appellant
394 Legend Oaks Drive
Columbia, South Carolina 29229
(803) 238-8599

March 15, 2013
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from the Circuit Court of Richland County, South Carolina

L. Casey Manning, Circuit Court Judge

Case No. 2011-CP-40-5530
Appellate Case No. 2012-211872

Coastal Federal Credit Union,.....Respondent,

v.

Clarence LeAnders Griffin, Jr.,.....Appellant.

PROOF OF SERVICE

I, Clarence LeAnders Griffin, Jr. served upon the Respondent, Appellant's Motion to Dismiss by placing the same in the United States Mail, First Class Postage prepaid, addressed to the following as shown below this 15th day of March, 2013.

David P. Nanney, Jr., Esquire
KIRSHBAUM, NANNY, KEENAN & GRIFFIN, P.A.
Post Office Box 19805
Raleigh, North Carolina 27619-9766

Clarence LeAnders Griffin, Jr.

Clarence LeAnders Griffin, Jr., Pro Se, Appellant
394 Legend Oaks Drive
Columbia, South Carolina 29229
803) 238-8599

March 15, 2013
Columbia, South Carolina

RECEIVED
MAR 15 2013
SC Court of Appeals