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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

**SC Court of Appeals**

Joseph F. Strickland, Master-in-Equity Court Judge

Court of Appeals No. 2020-000069

Richland County Common Pleas No. 2014-CP-40-02063

U.S. Bank, National Association, as trustee for the Holders of the Banc of America  
Funding Corporation 2008-FTI,.....Plaintiff,

v.

Rhonda Lewis Meisner a/k/a Rhonda L. Meisner; Bank of America, N.A.; and  
SCBT.....Defendants,

Of whom Rhonda Lewis Meisner a/k/a Rhonda L. Meisner  
is the.....Appellant,

v.

U.S. Bank, National Association, as trustee for the Holders of the Banc of America  
Funding Corporation 2008-FTI .....Respondent.

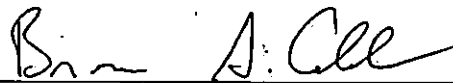
**RESPONDENT'S MOTION TO DISMISS APPEAL**

Pursuant to Rule 240, S.C.A.C.R., Respondent U.S. Bank, National Association, as trustee for the Holders of the Banc of America Funding Corporation 2008-FTI ("US Bank") hereby moves this Court to dismiss the appeal filed by Rhonda Meisner's ("Appellant") for failure to comply with the South Carolina Appellate Court Rules and the Order of this Court dated October 7, 2020. As grounds for this motion, US Bank states that this Court's Order dated October 7, 2020, which

granted Appellant until November 12, 2020, to file the Record on Appeal, stated that no further extensions of time would be granted "absent extraordinary circumstances." Appellant failed to file the Record on Appeal by November 12, 2020, but rather filed a Motion for Extension of Time seeking until November 16, 2020, to file the Record on Appeal. As explained in the contemporaneously filed Return to Appellant's Motion for Extension of Time, Appellant did not demonstrate extraordinary circumstances that would warrant this extension and US Bank incorporates that Return by reference. Under Rule 260(a), S.C.A.C.R., the Clerk shall issue an Order of Dismissal where the appellant or respondent has failed to follow the South Carolina Appellate Court Rules. Here, Appellant has failed to follow those rules, or the Order of this Court dated October 7, 2020, because she did not timely file the Record on Appeal and did not receive an extension of time from this Court to file it after November 12, 2020. Thus, this Court should dismiss this appeal.

WHEREFORE, US Bank respectfully requests that this Court dismiss the appeal and for such other and further relief as the Court deems necessary.

Submitted on this the 19<sup>th</sup> day of November, 2020.




Brian A. Calub  
(SC Bar #72009)  
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*Attorneys for Respondent U.S. Bank, National  
Association, as Trustee for the Holders of the Banc  
of America Funding Corporation 2008-FTI*

**CERTIFICATE OF SERVICE**

The undersigned certifies that Respondent's *Motion to Dismiss* was served on the parties to this action by depositing a copy thereof in the United States Mail, first class, postage prepaid, on November 19, 2020, to the following:

Rhonda L. Meisner  
P.O. Box 689  
Blythewood, SC 29016  
scorequipment@gmail.com

  
\_\_\_\_\_  
Brian A. Calub

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**SC Court of Appeals**

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November 19, 2020

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**SC Court of Appeals**

**VIA FEDERAL EXPRESS**  
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The Honorable Jenny Abbott Kitchens  
Clerk of Court, SC Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: *U.S. Bank, National Association, as trustee, v. Rhonda Lewis Meisner a/k/a Rhonda L. Meisner; et al.*  
Richland County Common Pleas No. 2014-CP-40-02063  
Court of Appeals Number: 2020-000069

Dear Ms. Kitchens:

Enclosed please find an original and one (1) copy of Respondent's Motion to Dismiss Appeal and Return to Appellant's Motion for Extension of Time in connection with the above-referenced matter. Please file the original and return the certified file stamped copy to me in the self-addressed envelope provided for your convenience.

Also enclosed is our check in the amount of \$50.00 to cover the Court's motion fee.

By copy of this letter, I am serving all parties of record, including Pro Se Appellant.

Thank you in advance for your kind consideration in this matter.

Sincerely,



Brian A. Calub  
*Attorney for Respondent*

Enclosures

cc: All parties of record.

