

The South Carolina Court of Appeals

Wells Fargo Bank, NA, Respondent,

v.

Lynn D. Simpson; Wells Fargo Bank, NA (Charlotte, NC); The Lofts at Mills Mill Condominium Owners Association, Inc., Defendants,

Of Whom Lynn D. Simpson is the Appellant.

Appellate Case No. 2012-213505

-ORDER

Appellant appeals an order from the Master-in-Equity dismissing her Rule 60(b)(5), SCRCP, motion for relief from the Master's order of foreclosure and sale. Respondent filed a motion to dismiss Appellant's appeal, arguing this court should dismiss Appellant's appeal because Appellant failed to comply with Rule 208 of the South Carolina Appellate Court Rules. Respondent also argues this court should dismiss Appellant's appeal because it is moot due to the foreclosed property being sold at a judicial foreclosure sale. Appellant filed a return arguing her failure to comply with Rule 208, SCACR, was the result of inadvertence, and she requests leave to file an amended initial brief. Additionally, Appellant argues her issue on appeal is not moot because Wells Fargo was the successful bidder at the foreclosure sale; thus, she argues there is no intervening event rendering the grant of relief impossible.

After careful consideration of the parties' filings, we deny Respondent's motion to dismiss this appeal. Appellant shall serve and file an amended initial brief that complies with Rule 208, SCACR, within thirty (30) days.

IT IS SO ORDERED.

Daniel G. Pieper

FOR THE COURT

Columbia, South Carolina

FILED

3-22-13 AS

cc: Marcus Wesley Meetze
Benjamin James Powell
Shelton Sterling Laney, III
Jana Bebergal Baker