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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Perry H. Gravely, Circuit Judge

Appellate Case No. 2021-000265

PennyMac Loan Services, LLC; The United States of America, acting by and through Its Agency, The Secretary of Housing and Urban Development; Lanier Law Firm, LLC; Abbey Robertson; Investors Title Insurance Company and Equifax, LLC,

Respondents,

v.

Sula Adams,

Appellant.

MOTION TO DISMISS APPEAL

Pursuant to Rules 240 and 260(a) of the South Carolina Appellate Court Rules, Respondents PennyMac Loan Services, LLC and Investors Title Insurance Company move to dismiss this appeal on the ground that Appellant Sula Adams failed to serve and file her initial brief by the deadline imposed by this court.

By Order dated May 26, 2021, this court ordered Appellant to serve and file her initial brief and designation of matter within thirty days of the date of the Order. Thus, Appellant's deadline to serve and file her initial brief and designation of matter was June 25, 2021. Appellant has yet to file anything with this court. Therefore, Appellant failed to serve and file her initial brief and failed to serve her designation of matter by the mandatory deadline. Because Appellant failed to comply with the South Carolina Appellate Court Rules and the court's May 26, 2021 Order, her appeal must be dismissed. Rule 260(a), SCACR ("Whenever it appears that an appellant or a

petitioner has failed to comply with the requirements of these Rules, the clerk *shall* issue an order of dismissal, which shall have the same force and effect as an order of the appellate court.” (emphasis added)); *Wise v. S.C. Dep’t of Corrections*, 372 S.C. 173, 173, 642 S.E.2d 551, 551 (2007) (“Whenever it appears that an appellant has failed to comply with the requirements of the SCACR, an order of dismissal *shall* be issued.” (emphasis added)).

Respondents PennyMac Loan Services, LLC and Investors Title Insurance Company respectfully request that the court dismiss this appeal.

NELSON MULLINS RILEY & SCARBOROUGH LLP

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Attorneys for Respondent Investors Title Insurance Company

Columbia, South Carolina
Dated: August 31, 2021.

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Respondents,

v.

Sula Adams,

Appellant.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the within and foregoing "*Motion to Dismiss Appeal*" upon the following individuals via regular U.S. mail, postage prepaid, on the 31st day of August 2021:


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August 31, 2021

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SC Court of Appeals


Jenny Abbott Kitchings
Clerk, SC Court of Appeals
P. O. Box 11629
Columbia, SC 29211

RE: Sula Adams v. PennyMac Loan Services, LLC
Appellate Case No. 2021-000265
NMR&S File No. 044446.01620

Dear Ms. Abbott Kitchings:

Enclosed please find the original and one copy of a Motion to Dismiss Appeal in the above referenced matter. We would ask that you file this Motion with the Court and return to us a file stamped copy for our files. We have included a stamped, self-addressed envelope for your convenience in returning our stamped copy. Please contact us should you have any questions.

Sincerely,



Matthew D. Patterson

MDP:kdm
Enclosures

cc: Michael F. Talley, Sr., Esquire
George John Conits, Esquire
Matthew Holmes Henrickson, Esquire
Demetri K. Koutrakos, Esquire
Rita Bolt Barker, Esquire



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