

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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OCT 12 2021

SC Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable William P. Keesley
Appellate Case No. 2018-001516

Case No.: 2009-CP-18-2200

Rene McMasters, now known as Rene McMasters Ronaghan, Respondent

v.

H. Wayne Charpia a/k/a Howard W. Charpia and Jody E. Charpia, Defendants

Of whom H. Wayne Charpia is the Appellant

RETURN OF RESPONDENT TO APPELLANT'S' PARTIAL WITHDRAWAL OF
APPEAL FILED SEPTEMBER 15, 2021

The Respondent, Rene McMasters, hereby submits this Return to Appellant, H. Wayne Charpia's, Partial Withdrawal of Appeal filed September 15, 2021.

As a preliminary matter, the Appellant filed a certificate of mailing with his "withdrawal" letter which certifies that he mailed the letter to Respondent's attorney on September 13, 2021. Appellant's certification is not correct. Respondent's attorney did not receive the Appellant's partial withdrawal letter by mail. Respondent's attorney only received notice of the Appellant's partial withdrawal by email from Appellant dated September 23, 2021 in which Appellant attached the partial withdrawal. A copy of the email is attached. The failure of the Appellant to comply with the SCACR and to continue to certify he has properly mailed his filings to Respondent's attorney is an ongoing problem that needs to be remedied. The Respondent requests that the Appellant be required to mail his correspondence and filings to Respondent's attorney by certified mail return receipt requested and that Appellant be required to file the return receipt with the Clerk of the Court of Appeals.

The Respondent has no objection to Appellant's Partial Withdrawal of Appeal, but Appellant's statement that his withdrawal will eliminate most of Respondent's Designation of Matter is incorrect.

Respondent's Amended Designation of Matter, resulting from Appellant's partial withdrawal of appeal is attached.

Please advise if Respondent needs to file an amended Initial Brief.

This 8th day of October, 2021

Appellant of Record :
H. Wayne Charpia
106 Axtell Drive
Summerville, SC 29485

Cisa & Dodds, LLP



Frank M. Cisa

858 Lowcountry Blvd., Suite 101

Mt. Pleasant, SC 29464

(843) 881-6530

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E-mail: frank@cisadodds.com

Attorney for Respondent

Frank Cisa

From: howard charpia <quarterback@att.net>
Sent: Thursday, September 23, 2021 3:19 PM
To: Frank Cisa; howard charpia
Subject: 2019-001516
Attachments: request for partial withdrawal.pdf

FYI

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APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

SC Court of Appeals

APPELLATE CASE NUMBER 2019-001516

The Honorable William P. Keesley
Dorchester County
Trial Court Case N. 2009CP1802200

Rene McMasters now known as Rene McMasters Ronaghan..... Respondent

vs.

H. Wayne Charpia a/k/a Howard W. Charpia and Jody E. Charpia..... Appellants

RESPONDENT'S AMENDED DESIGNATION OF MATTER TO BE INCLUDED IN THE
RECORD ON APPEAL

Respondent proposes the following to be included in the Record on Appeal based on Appellant, H. Wayne Charpia's Partial Withdrawal of Appeal:

1. Order of Judge William P. Keesley filed July 25, 2019, Administrative Order Dismissing Rule To Show Cause.
2. Judge Edgar Warren Dickson's Order of Foreclosure and Sale filed November 27, 2012.
3. Unpublished opinion of the South Carolina Court of appeals filed October 5, 2016, Unpublished opinion number 2016-UP-423
4. Order from the South Carolina Supreme Court dated February 8, 2017 which denied Appellants

Petition for a Writ of Certiorari.

5. Amended Order of Judge William P. Keesley filed June 22, 2018, Amended Order On Motions To Vacate Sale And To Disburse Homestead Exemption Funds.

6. Form 4 Order of Judge William P. Keesley filed May 15, 2018, dismissing with prejudice, Jody E. Charpia's Motion To Assert Homestead Exemption.

7. Form 4 Order of Judge Keesley Dismissing Motion To Disburse Homestead Exemption filed January 23, 2020.

8. Filed copy of the Complaint

9. A filed copy of Appellant's Motion To Disburse Homestead Exemption Funds filed on August 3, 2017.

10. A filed copy of Appellants Motion For Rule To Show Cause As To Petition The Court To Release Homestead Exemption filed July 25, 2019.

11. A filed copy of Appellant Jody Charpia's Motion to Assert Homestead Exemption filed July 3, 2017.

12. A filed copy of Appellant, Jody Charpia's Motion To Disburse Homestead Exemption filed January 21, 2020.

13. Assignment of Bid filed August 1, 2017.

14. Letter from Clerk Of Court Of the South Carolina Court of Appeals dated October 01, 2019 notifying the parties of the consolidation of the two appeals of Appellant H. Wayne Charpia.

15. Letter from Clerk Of Court Of the South Carolina Court of Appeals dated April 16, 2020 notifying the parties of the consolidation of Appellant, Jody Charpia's appeal.

I certify that this designation contains no matters which are irrelevant to this appeal.

Cisa & Dodds, LLP



Frank M. Cisa

SC Bar No. 1237

858 Lowcountry Blvd., Suite 101

October 8, 2021

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E-mail: frank@cisadodds.com
Attorney for Respondent

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APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable William P. Keesley
Appellate Case Number 2019-001516

Trial Court Case No.: 2009-CP-18-2200

Rene McMasters, now known as Rene McMasters Ronaghan, Respondent

V.

H. Wayne Charpia a/k/a Howard W. Charpia and Jody E. Charpia, Defendants

Of whom H. Wayne Charpia is the Appellant

PROOF OF SERVICE

I certify that I have served a copy of the Respondent's Return to Appellant's Partial Withdrawal of Appeal and Respondent's Amended Designation of Matter to be Included in the Record on Appeal, by United States Mail, postage prepaid, on October 8, 2021, addressed to the Appellants, H. Wayne Charpia and Jody E. Charpia located at 106 Axtel Drive, Summerville, SC 29485.

Cisa & Dodds, LLP



Frank M. Cisa
858 Lowcountry Blvd., Suite 101
Mt. Pleasant, SC 29464
(843) 881-6530
fax:(843) 881-5433

October 8, 2020

E-mail: frank@cisadodds.com
Attorney for Respondent

CISA & DODDS, LLP
ATTORNEYS AND COUNSELORS AT LAW
858 Lowcountry Boulevard, Suite 101
Mt. Pleasant, South Carolina 29464
Telephone (843) 881-6530 Fax (843) 881-5433

FRANK M. CISA
JOHN J. DODDS III

frank@cisadodds.com
john@cisadodds.com

October 8, 2021

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

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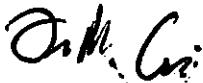
RE: Rene McMasters Ronagham v. H. Wayne Charpia
Case No.: 2009-CP-18-2200
Appellant No.: 2019-001516
Our file: 09-084

Dear Ms. Kitchings:

As requested, enclosed is the original unstapled, Respondent's Return to Appellant's Partial Withdrawal of Appeal filed on September 15, 2021 together with the Respondent's Amended Designation of Matter to be Included in the Record on Appeal and my Proof of Service. I would appreciate you filing the original and returning one (1) filed copy of the Proof of Service to me in the self-addressed stamped envelope provided.

With kindest regards, I am

Very truly yours,



Frank M. Cisa

FMC/alp
Enclosures

cc: H. Wayne Charpia (w/enc.)
Jody E. Charpia (w/enc.)



U.S. POSTAGE PAID
STATE OF PALMS, SC
OCT 12, 21
AMOUNT
\$1.56
112304H102085-06

CISA & DODDS, LLP
ATTORNEYS AND COUNSELORS AT LAW
858 Lowcountry Boulevard, Suite 101
Mt. Pleasant, South Carolina 29464

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