

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Mikell R. Scarborough, Master in Equity

Case No. 2006-CP-10-2859
Appellate Case No. 2012-212524

Deutsche Bank National Trust Company, as
Trustee of Ameriquest Mortgage Securities, Inc.,
Asset Backed Pass Through Certificates, Series
2005-R4CGM under the Pooling and Servicing
Agreement dated as of May 1, 2005, without
Recourse.....Respondent,

v.

Vandora M. Huggins-Edwards a/k/a Vandora
H. Edwards; Sylvia Anne Lawrence a/k/a
Sylviatte Anne Lawrence; Glenn M. Huggins;
Michael Huggins; Donnell Huggins; Samuel
Huggins; Ira Huggins a/k/a Ira S. Huggins;
Derwin Huggins; Andrean Huggins Cotton
a/k/a Adrienne Huggins Cotton; Sharon H. Smack;
Dewayne Dixon; Kimberly Nelms; Timothy Nelms;
Jennifer Nelms; Michael A. Brown;
Demetrius Huggins Nelms, a minor;
Darius Simmons, a minor; Dondre Simmons, a minor;
Reginald Huggins; Joseph Huggins; Heather Huggins;
Barbara Huggins; any other Heirs-at-Law or Devises of
Ricky Henry Huggins, Deceased, their heirs,
Personal Representatives, Administrators, Successors and
Assigns, and all other persons entitled to claim through them;
any other Heirs-at-Law or Devises of Henry Buster Huggins, Jr.,
Deceased, their heirs, Personal Representatives, Administrators,
Successors and Assigns, and all other persons entitled to claim
through them; any other Heirs-at-Law or Devises of
Michelle Huggins, Deceased, their heirs, Personal Representatives,
Administrators, Successors and Assigns, and all other persons entitled
to claim through them; any other Heirs-at-Law or Devises
of Buster Huggins, Sr., Deceased, their heirs, Personal
Representatives, Administrators, Successors and

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Assigns, and all other persons entitled to claim through them;
all unknown persons with any right, title or interest
in the real estate described herein; also any persons
who may be in the military service of the United States
of America, being a class designated as John Doe;
and any unknown minors or persons under a disability
being a class designated as Richard Roe; South Carolina
Department of Revenue; Safeway Finance; Ford Motor
Credit Company; General Motors Acceptance Corporation;
White Directory Holdings Carolina, Inc. d/b/a The Talking
Phone Book; Monogram Credit Card Bank of Georgia;
Michael Twitty; Deborah Twitty; the United States of America,
by and through its agency, the Internal Revenue Service;
and John C. Bigler..... Defendants,

Of whom Vandora M. Huggins-Edwards a/k/a Vandora
H. Edwards is theAppellant.

**RESPONDENT'S REPLY TO APPELLANT'S RETURN TO
MOTION TO DISMISS APPEAL**

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Attorneys for Respondent Deutsche Bank
National Trust Company, as Trustee of
Ameriquest Mortgage Securities, Inc., Asset
Backed Pass Through Certificates, Series
2005-R4CGM under Pooling and Servicing
Agreement dated as of May 1, 2005, without
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May 3, 2013

Respondent Deutsche Bank National Trust Company, as Trustee of Ameriquest Mortgage Securities, Inc., Asset Backed Pass Through Certificates, Series 2005-R4CGM under Pooling and Servicing Agreement dated as of May 1, 2005, without recourse (“Deutsche Bank”) replies to the “Motion to Deny Respondent [sic] Dismissal” of Appellant Vandora M. Huggins-Edwards a/k/a Vandora H. Edwards (“Vandora Huggins”), which Deutsche Bank believes to be her Return to Deutsche Bank’s Motion to Dismiss Appeal, as follows:

1. Vandora Huggins incorrectly characterizes Deutsche Bank’s Motion to Dismiss Appeal as concerning her failure to serve and file a Designation of Matter. That issue was resolved by the Order filed March 27, 2013, and is not the basis of Deutsche Bank’s motion. Rather, the motion is based on Vandora Huggins’s failure to timely file her First Notice of Appeal (and her possible failure to timely serve it as well), her failure to timely serve and file her Second Notice of Appeal, her failure to provide the Court with an explanation of the differing dates (May 18, 2012 versus July 16, 2012) she offered for her receipt of written notice of the entry of the Final Order between the First Notice of Appeal and Second Notice of Appeal, her failure to ever provide the Court with an explanation as to the purpose of her “Request for Extension of Time” dated July 16, 2012, her failure to provide a Proof of Service of the “Request for Extension of Time,” her failure to file a Proof of Service of the Transcript Request that complies with the South Carolina Appellate Court Rules, and her failure to provide a copy of her Transcript Request to the South Carolina Court Administration. The Order filed March 27, 2013, was limited in scope to the designation of matter and appointment of counsel issues, and it did not concern these other defects in Vandora Huggins’s appeal.

2. Vandora Huggins incorrectly claims that motions to dismiss must be filed within 15 days of the Notice of Appeal or within 15 days of the Initial Brief of the Appellant. No such deadline exists under the South Carolina Appellate Court Rules.

3. Vandora Huggins incorrectly claims that Deutsche Bank should have filed its Initial Brief of the Respondent by April 26, 2013. “A motion to dismiss an appeal ... shall, however, automatically stay the time limits for perfecting the appeal until the motion is decided.” Rule 240(b), SCACR. The filing and service of the Initial Brief of the Respondent is part of the process of “perfecting” the appeal. The Honorable Jean Hoefler Toal, Shahin Vafai, & Robert A. Muckenfuss, Appellate Practice in South Carolina 115 (2d ed. 2002). Because Deutsche Bank filed and served its Motion to Dismiss Appeal prior to the deadline for filing its Initial Brief of the Respondent, that time limit is stayed.

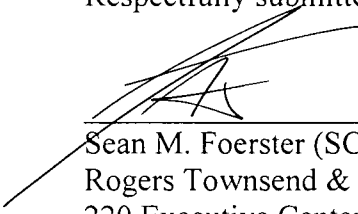
4. Vandora Huggins’s Return offers no explanation for the differing dates (May 18, 2012 versus July 16, 2012) for her receipt of written notice of the entry of the Final Order between the First Notice of Appeal and Second Notice of Appeal, or any explanation as to how it took 39 days for her to receive written notice of entry of the final order after the Charleston County Clerk of Court mailed it. In fact, Vandora Huggins’s Return offers no rebuttal or justification as to the untimely service and filing of her First Notice of Appeal and the untimely service and filing of her Second Notice of Appeal. By failing to address these issues, Vandora Huggins has conceded them.

5. Further, Vandora Huggins’s Return offers no explanation for why she ignored the Clerk of Court’s orders to provide the Court with an explanation of the differing dates (May 18, 2012 versus July 16, 2012) she offered for her receipt of written notice of the entry of the Final Order between the First Notice of Appeal and Second

Notice of Appeal, to provide the Court with an explanation as to the purpose of her “Request for Extension of Time” dated July 16, 2012, to provide a Proof of Service of the “Request for Extension of Time,” to file a Proof of Service of the Transcript Request that complies with the South Carolina Appellate Court Rules, and to provide a copy of her Transcript Request to the South Carolina Court Administration.

Based on the foregoing, the Court must dismiss this appeal.

Respectfully submitted,



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Deceased, their heirs, Personal Representatives, Administrators,
Successors and Assigns, and all other persons entitled to claim
through them; any other Heirs-at-Law or Devisees of
Michelle Huggins, Deceased, their heirs, Personal Representatives,
Administrators, Successors and Assigns, and all other persons entitled
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of Buster Huggins, Sr., Deceased, their heirs, Personal
Representatives, Administrators, Successors and

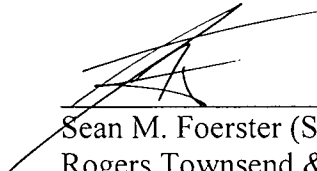
Assigns, and all other persons entitled to claim through them;
all unknown persons with any right, title or interest
in the real estate described herein; also any persons
who may be in the military service of the United States
of America, being a class designated as John Doe;
and any unknown minors or persons under a disability
being a class designated as Richard Roe; South Carolina
Department of Revenue; Safeway Finance; Ford Motor
Credit Company; General Motors Acceptance Corporation;
White Directory Holdings Carolina, Inc. d/b/a The Talking
Phone Book; Monogram Credit Card Bank of Georgia;
Michael Twitty; Deborah Twitty; the United States of America,
by and through its agency, the Internal Revenue Service;
and John C. Bigler..... Defendants,

Of whom Vandora M. Huggins-Edwards a/k/a Vandora
H. Edwards is theAppellant.

PROOF OF SERVICE

I HEREBY CERTIFY that I have served the Respondent's Reply to Appellant's
Return to Motion to Dismiss Appeal on May 3, 2013, by depositing a copy of each in the
United States Mail, postage prepaid, addressed to the each of following parties of record:

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1218 Gunn Avenue
Charleston, South Carolina 29407


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