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Jan 03 2023

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

Case No. 2020-CP-08-  
00267

Appellate Case No.: 2020-000629

Lisa Ray,.....Appellant,

V.

Parkway Village Apartments,..... Respondent.

**MEMORANDUM TO COURT TO DISMISS THIS  
CASE AS MOOT**

The appeal of this case stems from an eviction by Parkway Village Apartments against Lisa Ray. However, Lisa Ray passed away on November 22, 2022. As the petitioner is deceased and no relief other than possession of the property was sought, this case is moot and should be dismissed.

South Carolina courts have held that “the court does not concern itself with moot or speculative questions.” Sloan v. South Carolina Dept of Transp., Op. No. 26534 (S.C. Filed Aug. 25, 2008) (Shearouse Adv. Sh. No. 33 at 43). “An appellate court will not pass judgment on moot and academic questions; it will not adjudicate a matter when no actual controversy capable of specific relief exists.” Curtis v. State, 345 S.C. 557, 567, 549 S.E.2d 591, 596 (2001). “A case becomes moot when judgment, if rendered, will have no practical legal effect upon the existing controversy.” Id. “Mootness also arises when some event occurs making it impossible for the reviewing court to grant effectual relief.” Id.

The only issue presented by the Petitioner in this case, was whether she should have been evicted. Upon her death, this Court has no specific relief that could be granted, other than to

overturn the writ of ejectment. As it is impossible for the Court of Appeals to grant possession, this case is moot and should be dismissed.

Based upon the above cause, Respondent requests an Order dismissing this appeal.

January 3, 2023

/s Paul B. Ferrara, III

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*Paul B. Ferrara, III\**  
*Janel K. Ferrara\**

*\*(also Admitted in N.C.)*

January 3, 2023

**SENT VIA US MAIL AND FACSIMILE TO: 1-803-734-1839**

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

**RE:** Lisa Ray v. Parkway Village Apartments  
**Appellate Case No:** 2020-000629  
**Our File No.:** 21-589

Dear Ms. Kitchings:

Please find the enclosed Memorandum for filing as directed by the court in a letter dated December 21, 2022.

Thank you,

**FERRARA LAW FIRM, PLLC**



Paul B. Ferrara, III