

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

New Residential Mortgage, LLC,

v.

Todd S. Crawford, Tricia L. Crawford, William T.
Geddings, Jr., Jane U. Geddings, and USAA Federal
Savings Bank,

Of Whom William T. Geddings, Jr., and Jane U.
Geddings are the Appellants/Respondents,

and

New Residential Mortgage, LLC is the
Respondent/Appellant,

and

USAA Federal Savings Bank is the Respondent.

Appellate Case No. 2020-001490

Appeal From Sumter County
Kristi F. Curtis, Circuit Court Judge

Unpublished Opinion No. 2023-UP-368
Submitted October 2, 2023 – Filed November 15, 2023

APPEAL DISMISSED

Andrew S. Radeker, of Harrison, Radeker & Smith, P.A.,
of Columbia, for Appellants/Respondents.

Jonathan E. Schulz and G. Benjamin Milam, both of
Bradley Arant Coult Cummings, LLP, of Charlotte,
North Carolina, for Respondent/Appellant New
Residential Mortgage, LLC.

William S. Bingham, of Freeman Mathis & Gary, LLP,
of Atlanta, Georgia, for Respondent USAA Federal
Savings Bank.

PER CURIAM: William T. Geddings, Jr. and Jane U. Geddings (collectively, the Geddings) appeal, and New Residential Mortgage, LLC cross-appeals, the circuit court's order dismissing two of the Geddings' counterclaims without prejudice and with leave to amend and denying New Residential Mortgage's motion to dismiss a third counterclaim for unjust enrichment.¹ We dismiss the appeal and conditional cross-appeal in this case, finding both are interlocutory and unappealable, pursuant to Rule 220(b), SCACR, and the following authorities: Rule 240(j), SCACR ("Any review of an order issued by an individual judge or justice shall be by petition for rehearing."); Rule 240(i), SCACR ("The court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal."); *Olson v. Fac. House of Carolina, Inc.*, 344 S.C. 194, 212, 544 S.E.2d 38, 47-48 (Ct. App. 2001) ("Unpublished orders by a single judge of this court are not binding on this [c]ourt."), *aff'd*, 354 S.C. 161, 580 S.E.2d 440 (2003); *Collins v. Sigmon*, 299 S.C. 464, 465-66, 385 S.E.2d 835, 836 (1989) (reversing a prior determination by the court that the matter on appeal was appealable and dismissing the appeal when the circuit court's order permitted amendment of the pleadings); *Schein v. Lamar*, 284 S.C. 252, 255, 325 S.E.2d 573, 574-75 (Ct. App. 1985) (dismissing the appeal of an order demurring in part as to a first amended complaint because a second amended complaint had been filed and therefore became the operative pleading in the case rendering the prior findings moot); *Douglass ex rel. Louthian v. Boyce*,

¹ The Geddings filed an amended answer and counterclaims, including a request for a jury trial, the same day it filed a notice of appeal with this court.

336 S.C. 318, 323, 519 S.E.2d 802, 805 (Ct. App. 1999) ("A judgment on the pleadings is in the nature of a demurrer.").

APPEAL DISMISSED.²

THOMAS, KONDUROS, and GEATHERS, JJ., concur.

² We decide this case without oral argument pursuant to Rule 215, SCACR.