

The South Carolina Court of Appeals

Nicole Quinta Murray, Appellant,

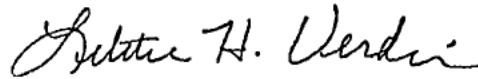
v.

Linda P. Smith, Respondent.

Appellate Case No. 2022-000644

ORDER

Respondent has filed a motion to dismiss this eviction appeal, due to the death of Appellant. Respondent further requests an award of costs and attorney's fees. After careful consideration, this appeal is dismissed as moot. *See Sloan v. Dep't of Transp.*, 379 S.C. 160, 167, 666 S.E.2d 236, 240 (2008) (holding that generally, this court "will not pass on moot and academic questions or make an adjudication where there remains no actual controversy"). Respondent's motion for costs is premature. *See Rule 222(d), SCACR* ("A party desiring costs to be taxed shall, within fifteen (15) days of the issuance of the remittitur, serve and file a motion requesting that costs be assessed under this Rule."). Finally, to the extent Respondent complains there are non-parties to the lease occupying the property, Respondent should seek relief from the magistrate court.



FOR THE COURT

Columbia, South Carolina

cc:

Jeffrey William Kuykendall, Esquire

Jason Scott Luck, Esquire

FILED
Nov 20 2023
