

The South Carolina Court of Appeals

VAK M250 Fund, LLC, Respondent,

v.

Ronald D. Pringle and Cleo R. Pringle, Appellants.

Appellate Case No. 2023-001863

ORDER

Respondent filed an action against Appellants to foreclose on a mortgage secured by real property. On August 24, 2023, the master-in-equity entered an order of summary judgment of foreclosure and sale decree. Subsequently, the master denied Appellants' motion to set aside the order of foreclosure and sale and Appellants' motion to reconsider. On November 30, 2023, Appellants filed a notice of appeal, challenging the master's orders denying their motions to set aside the order of foreclosure and sale and to reconsider.

On April 17, 2024, Respondent filed a motion to dismiss this appeal, arguing the appeal was rendered moot by Appellants paying \$55,847.12 to Respondent to pay off the mortgage loan and the master's entering of an order dismissing the foreclosure action and vacating the judgment of foreclosure. According to the order provided by Respondent, the master dismissed Respondent's foreclosure action, cancelled the Lis Pendens, and vacated the judgment of foreclosure entered on August 24, 2023. On April 30, 2024, Appellants filed a return, arguing the appeal is not moot because they challenge Respondent's standing and entitlement to foreclose on the mortgage. Appellants argue that "if [Respondent] lacked standing or was not entitled to foreclose, it could nullify the foreclosure proceedings"

After careful consideration of the filings, we grant Respondent's motion to dismiss the appeal 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"); *Wachesaw Plantation E. Cmty. Servs. Ass'n, Inc. v. Alexander*, 414 S.C. 355, 359, 778 S.E.2d 898, 900 (2015) ("A case is moot where a judgment rendered by the [c]ourt will have no practical legal effect upon an existing controversy because an intervening event renders any grant of effectual relief impossible for the [c]ourt." (quoting *S.C. Ret. Syst. Inv. Comm'n v. Loftis*, 402 S.C. 382, 384, 741 S.E.2d 757, 758 (2013))); *id.* ("[M]oot appeals result when intervening events prevent a decision on appeal from having an immediate impact on the parties."). Remittitur will be sent in accordance with Rule 221(b) of the South Carolina Appellate Court Rules.



FOR THE COURT

Columbia, South Carolina

cc:

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FILED
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