



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

CATHERINE S. HARRISON  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

October 11, 2024

The Honorable Brice Garrett  
Courthouse  
305 E North St  
Greenville SC 29601-2121

## **REMITTITUR**

Re: Gregory Muxlow v. Scottsdale Insurance  
Lower Court Case No. 2021CP2304140  
Appellate Case No. 2022-000576

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Harrison, deputy".

CLERK

Enclosure

cc: Joshua Thomas Hawkins, Esquire  
Helena LeeAnn Jedziniak, Esquire

Harriet Condon Ward, Esquire  
Pamela Jean Larson, Esquire  
Kenneth Jay Anthony, Esquire  
Jordyn Nicole D'Andrea, Esquire

# The South Carolina Court of Appeals

Gregory Muxlow and Charlotte Muxlow, Appellants,

v.

Scottsdale Insurance Company, South Wind Ranch Holdings, LLC, Ronald Hakala, and Ashley Black, Respondents.

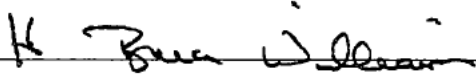

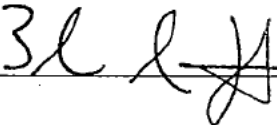
Appellate Case No. 2022-000576

---

## ORDER

---

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

 C.J.  
 J.  
 J.

Columbia, South Carolina

cc:  
Joshua Thomas Hawkins, Esquire  
Helena LeeAnn Jedziniak, Esquire  
Harriet Condon Ward, Esquire

**FILED**  
**Aug 27 2024**

Kenneth Jay Anthony, Esquire  
Jordyn Nicole D'Andrea, Esquire  
The Honorable Edward W. Miller

**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**

Gregory Muxlow and Charlotte Muxlow, Appellants,

v.

Scottsdale Insurance Company, South Wind Ranch  
Holdings, LLC, Ronald Hakala, and Ashley Black,  
Respondents.

Appellate Case No. 2022-000576

---

Appeal From Greenville County  
Edward W. Miller, Circuit Court Judge

---

Unpublished Opinion No. 2024-UP-273  
Submitted April 1, 2024 – Filed July 24, 2024

---

**APPEAL DISMISSED**

---

Helena LeeAnn Jedziniak and Joshua Thomas Hawkins,  
both of Hawkins & Jedziniak, LLC, of Greenville, for  
Appellants.

Kenneth Jay Anthony, of Anthony Law, LLC, of  
Greenville, for Respondents South Wind Ranch  
Holdings, LLC, Ronald Hakala, and Ashley Black.

Harriet Condon O'Malley and Jordyn Nicole D'Andrea,  
both of Womble Bond Dickinson (US) LLP, and Pamela

Jean Larson, of Barnwell Whaley Patterson & Helms,  
LLC, all of Charleston, for Respondent Scottsdale  
Insurance Company.

---

**PER CURIAM:** We dismiss this appeal as moot because of this court's affirmance of summary judgment in the underlying action: *See Graham v. State Farm Mut. Auto. Ins. Co.*, 319 S.C. 69, 71, 459 S.E.2d 844, 845 (1995) ("To state a cause of action under the Declaratory Judgments Act, a party must demonstrate a justiciable controversy."); *Holden v. Cribb*, 349 S.C. 132, 137, 561 S.E.2d 634, 637 (Ct. App. 2002) ("The concept of justiciability encompasses the doctrines of ripeness, mootness, and standing."); *Sloan v. Friends of Hunley, Inc.*, 369 S.C. 20, 25, 630 S.E.2d 474, 477 (2006) ("A justiciable controversy exists when there is a real and substantial controversy which is appropriate for judicial determination, as distinguished from a dispute that is contingent, hypothetical, or abstract."); *id.* at 26, 630 S.E.2d at 477 ("A moot case exists where a judgment rendered by the court will have no practical legal effect upon an existing controversy because an *intervening event* renders any grant of effectual relief impossible for the reviewing court." (emphasis added)); *id.* ("If there is no actual controversy, [the appellate court] will not decide moot or academic questions."); *Wienands v. S. Wind Ranch*, Op. No. 2024-UP-130 (S.C. Ct. App. filed Apr. 24, 2024) (per curiam) (unpublished opinion) (affirming the circuit court's grant of respondents' motion for summary judgment).

**APPEAL DISMISSED.**<sup>1</sup>

**WILLIAMS, C.J., and KONDUROS and HEWITT, JJ., concur.**

---

<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.