



# The South Carolina Court of Appeals

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March 30, 2026

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Re: Ex Parte: Laura Bowen  
Appellate Case No. 2025-002267

Dear Counsel and Ms. Bowen:

Enclosed is this Court's decision on the respondent's motion to dismiss and the appellant's motion to substitute parties. This appeal is no longer held in abeyance. The time for the respondent to serve and file the respondent's initial brief and designation of matter will expire on April 29, 2026.

Very truly yours,

*Jasmine D. Smith, Deputy*

CLERK

# The South Carolina Court of Appeals

Ex Parte: Laura Bowen, Appellant,

In re:

GITSIT Solutions, LLC, not in its individual capacity but solely in its capacity as separate Trustee of GITSIT Mortgage Loan Trust BBPLCP1, Respondent,

v.

Calvin Theodore Bowen, Jr., individually and as Personal Representative of the Estate of Calvin T. Bowen, Sr. a/k/a Calvin Theodore Bowen, Sr.; Ronald J. Bowen, and any other Heirs-at-Law or Devisees of Calvin T. Bowen, Sr. a/k/a Calvin Theodore Bowen, Sr., Deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them; all unknown persons with any right, title or interest in the real estate described herein; also any persons who may be in the military service of the United States of America, being a class designated as John Doe; and any unknown minors or persons under a disability being a class designated as Richard Roe; Ascension Point Recovery Services, LLC; Bank of America, N.A.; Safe Federal Credit Union; and Kershaw County EMS, Defendants.

Appellate Case No. 2025-002267

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ORDER

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On November 11, 2025, Appellant filed a notice of appeal from a master-in-equity's order denying a motion to declare a judgment void for lack of subject matter jurisdiction and material misrepresentation of fact pursuant to Rule

60(b)(4) of the South Carolina Rules of Civil Procedure.<sup>1</sup> See Rule 60(b)(4), SCRCPP ("On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding [when] the judgment is void."); Rule 60(b), SCRCPP ("A motion under this subdivision (b) does not affect the finality of a judgment or suspend its operation.").

On January 12, 2026, Respondent filed a motion to dismiss the appeal, arguing the appeal is moot because (1) the property at issue was sold on January 5, 2026, and (2) Appellant lacks standing as an aggrieved party. On January 14, 2026, Appellant filed a return, arguing against dismissal. After careful consideration, we deny Respondent's motion to dismiss. See *Skydive Myrtle Beach, Inc. v. Horry County*, 428 S.C. 638, 642, 837 S.E.2d 485, 487 (2020) (explaining "[a] case is moot 'when judgment, if rendered, will have no practical legal effect upon existing controversy'" (quoting *Mathis v. S.C. State Highway Dep't*, 260 S.C. 344, 346, 195 S.E.2d 713, 715 (1973))); *id.* (holding the case before it "was not moot because a decision to reverse the ejectment order could have the practical effect of putting Skydive back in possession of the bird hangar"); *Wachesaw Plantation E. Cmty. Servs. Ass'n, Inc. v. Alexander*, 414 S.C. 355, 360, 778 S.E.2d 898, 901 (2015) (holding "the issuance of a deed does not moot the appeal of a foreclosure sale and an appellate court may reach the merits"); Rule 201(b), SCACR ("Only a party aggrieved by an order, judgment, sentence[,] or decision may appeal."); *Burns v. Gardner*, 328 S.C. 608, 617, 493 S.E.2d 356, 361 (Ct. App. 1997) ("A person is 'aggrieved by the judgment or decree when it operates on his rights of property or bears directly upon his interest, the word aggrieved referring to a substantial grievance, a denial of some personal or property right or the imposition on a party of a burden or obligation.'" (quoting *Bivens v. Knight*, 254 S.C. 10, 13, 173 S.E.2d 150, 152 (1970))); *Parker v. Brown*, 195 S.C. 35, 44-45, 10 S.E.2d 625, 629 (1940) ("An aggrieved party or person is one who is injured in a legal sense; one who has suffered an injury to person or property."); *Beaufort Realty Co. v. Beaufort County*, 346 S.C. 298, 301, 551 S.E.2d 588, 589 (Ct. App. 2001) ("A party cannot appeal from a decision which does not affect his or her interest, however erroneous and prejudicial it may be to some other person's rights and interests."). However, nothing in this order shall prevent the parties from presenting these arguments in their briefs.

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<sup>1</sup> The master-in-equity also denied Appellant's request to cancel the sale of the property. However, the master-in-equity postponed the sale in order to give Respondent an opportunity to respond and for the motion to be heard. After denying Appellant's Rule 60(b) motion, the master-in-equity ordered the property to be sold "at the December[] 2025 sales day."

On January 27, 2026, Appellant filed a “notice of appointment of personal representative” and “notice of substitution of party.” In her motion, Appellant stated she had been appointed the personal representative of the Estate of Calvin Theodore Bowen, Sr., by the probate court on January 7, 2026. Appellant asserted that her appointment as personal representative “cured” any previously raised concerns about her standing, capacity, and authority. No return was filed. After careful consideration, we construe Appellant's motion as one to substitute parties. Further, we deny Appellant’s motion to substitute parties. Generally, the appellate court caption reflects the lower court’s caption for purposes of identifying the order on appeal. Here, Calvin Theodore Bowen, Sr., died long before Appellant filed the instant appeal or the motion to vacate the foreclosure; therefore, there is no basis to substitute the parties. *See* Rule 265(a), SCACR (“If a party to an appeal dies . . . , the appellate court may, upon motion or its own initiative, order substitution of the proper parties or remand the case to the trial court for the substitution of the proper parties as provided by Rule 25[ of the South Carolina Rules of Civil Procedure].”); Rule 265(b), SCACR.



J.

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FOR THE COURT

Columbia, South Carolina

cc:

Laura Bowen

Heidi B. Carey, Esquire

T. Lowndes Pope, Esquire

Jamie Anna Weller, Esquire

**FILED**  
**Mar 30 2026**

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