

The South Carolina Court of Appeals

Cynthia D. Bales as Personal Representative of the Estate
of Frank R. Bales, Respondent,

v.

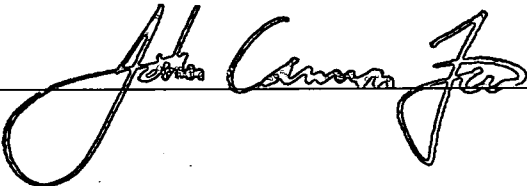
Abel Martinez and the South Carolina Department of
Transportation,

Of whom Abel Martinez is Appellant.

Appellate Case No. 2012-212082

ORDER

On remand, the circuit court held a hearing on the appellant's Motion for Relief from Default Judgment pursuant to Rule 60(b), SCRCF and his renewed Motion to Vacate Entry of Default under Rule 55(c), SCRCF. The circuit court granted both motions and set aside the Entry of Default and Default Judgment. Because the questions presented on appeal are now moot, we dismiss the appeal. *See Sloan v. Friends of Hunley, Inc.*, 369 S.C. 20, 26, 630 S.E.2d 474, 477 (2006) (defining a moot case as one "where a judgment rendered by the court will have no practical legal effect upon an existing controversy" and stating "this Court will not decide moot . . . questions").

 C.J.

Columbia, South Carolina

cc:

Robert Michael Ethridge, Esquire
Katherine Walker Sullivan, Esquire
Eric Marc Poulin, Esquire
The Honorable Kristi Lea Harrington

FILED
12/30/13