

The South Carolina Court of Appeals

RECEIVED

Thomas McElveen, as next friend of O.M., a minor child,
Appellant,

Jun 26 2026

S.C. SUPREME COURT

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2026-000120

ORDER

On January 16, 2026, Appellant filed a notice of appeal of a circuit court's order denying Appellant's motion to amend his complaint. Upon receiving the notice of appeal, this court requested memoranda from the parties regarding the appealability of the order on appeal.

After considering both parties' memoranda, it appears the order on appeal is moot because the circuit court order dismissing the case was not appealed to this court and thus any judgment by this court will have no practical legal effect. *See Sloan v. Greenville Cnty.*, 380 S.C. 528, 535, 670 S.E.2d 663, 667 (Ct. App. 2009) ("A case becomes moot when judgment, if rendered, will have no practical legal effect upon the existing controversy."). Remittitur will be sent as required by Rule 221(b) of the South Carolina Appellate Court Rules.



J.

FOR THE COURT

Columbia, South Carolina

cc:

James Andrew Bradshaw, Esquire
Sarah Tamura Collins, Esquire
Joshua Thomas Hawkins, Esquire

FILED
Mar 05 2026

Kyle Jason White, Esquire
Daniel Clifton Plyler, Esquire
Austin Tyler Reed, Esquire



The South Carolina Court of Appeals

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May 29, 2026

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Re: Thomas McElveen v. SCDC
Appellate Case No. 2026-000120

Dear Counsel:

Enclosed is a copy of an order of the panel denying your petition for rehearing. Your petition for rehearing en banc was distributed to the judges, but it has been rejected. *See* Rule 219, SCACR.

Very truly yours,


CLERK

cc: Daniel Clifton Plyler, Esquire
Austin Tyler Reed, Esquire

The South Carolina Court of Appeals

Thomas McElveen, as next friend of O.M., a minor child,
Appellant,

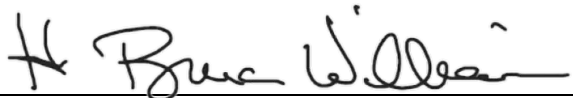
v.

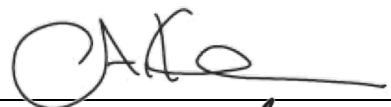
South Carolina Department of Corrections, Respondent.

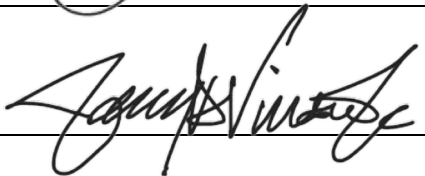
Appellate Case No. 2026-000120

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:

James Andrew Bradshaw, Esquire
Sarah Tamura Collins, Esquire
Joshua Thomas Hawkins, Esquire
Kyle Jason White, Esquire

FILED
May 29 2026

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