

The South Carolina Court of Appeals

Ex Parte: Dr. Michael A. Addison, Appellant,

U.S. Bank Trust Company, National Association, as
Trustee for Velocity Commercial Capital Loan Trust
2023-1, Respondent,

v.

V&M Properties of S.C., LLC; Deshandria Cruse; V&M
S.C., LLC; Point Arcadia Horizontal Property Regime,
Inc.; Palmetto Citizens Federal Credit Union; Nancy
Cooper f/k/a Nancy Vance Ashmore, Defendants.

Appellate Case No. 2026-001485

ORDER

This appeal arises out of the issuance of a writ of assistance entitling Respondent US Bank Trust Company to recover possession of 6905 Cleaton Road, Unit B107, Columbia, SC 29206. The premises were sold by judicial sale on August 4, 2025, followed by a deficiency sale on September 3, 2025. Appellant was not a party to the foreclosure action. Our records do not reflect that an appeal was filed from either the judicial sale or the deficiency sale.

As a result of the failure to perfect an appeal from the foreclosure and sale, any judgment by this Court in the current appeal would not offer Appellant practical relief, thus rendering this appeal moot. *See Mathis v. S.C. State Highway Dep't*, 260 S.C. 344, 346, 195 S.E.2d 713, 715 (1973) ("A case becomes moot when judgment, if rendered, will have no practical legal effect upon existing controversy. This is true when some event occurs making it impossible for [the] reviewing Court to grant effectual relief."); *Bartles v. Livingston*, 282 S.C. 448, 461-62, 319 S.E.2d 707, 715 (Ct. App. 1984) (noting once a foreclosure decree has been entered and no appeal is taken, the effect of the foreclosure is binding in all subsequent proceedings); *Antrum v. Hartsville Prod. Credit Ass'n*, 228 S.C. 201,

210, 89 S.E.2d 376, 380 (1955) ("The judgment of foreclosure and order directing the issuance of the writ of assistance constitute an insuperable bar to the present proceeding."). Accordingly, the appeal is dismissed. *See Byrd v. Irmo High Sch.*, 321 S.C. 426, 430, 468 S.E.2d 861, 864 (1996) ("Before any action can be maintained, there must exist a justiciable controversy."); *id.* at 431, 468 S.E.2d at 864 ("This Court will not pass on moot and academic questions or make an adjudication where there remains no actual controversy."). The remittitur will be sent as provided by Rule 221(b), SCACR.



FOR THE COURT

Columbia, South Carolina

FILED
Jul 21 2026

cc:

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