

**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**

Edward J. Rivera and Michele L. Rivera, Appellants,

v.

BAC Home Loans Servicing, L.P., Respondent.

Appellate Case No. 2012-212893

Appeal From Greenville County
D. Garrison Hill, Circuit Court Judge

Unpublished Opinion No. 2014-UP-019
Heard December 11, 2013 – Filed January 22, 2014

AFFIRMED

Bridget Davis Swing, of Greenville, for Appellants.

Chad Wilson Burgess, of Brock & Scott, PLLC, and
Genevieve Speese Johnson, of Butler & Hosch, PA, both
of Columbia, for Respondent.

PER CURIAM: Edward and Michele Rivera appeal the order of the trial judge denying their motion for judgment on the pleadings in an action to quiet title and for granting BAC Home Loan Servicing's motion to dismiss. We affirm pursuant to Rule 220(b), SCACR, and the following authorities:

As to res judicata: *Martin v. Paradise Cove Marina, Inc.*, 348 S.C. 379, 386, 559 S.E.2d 348, 352 (Ct. App. 2001) (stating that res judicata bars later actions by the same parties when the claims arise from the same action which has already been adjudicated in a prior suit and the subject matter is the same).

As to subject matter jurisdiction and standing: *Martin*, 348 S.C. at 384, 559 S.E.2d at 351 (stating subject matter jurisdiction is a matter of law for the court); *Bardeen Properties, NV, v. Eidolon Corp.*, 326 S.C. 166, 170, 485 S.E.2d 371, 373 (1997) (stating that the question of real party in interest does not involve subject matter jurisdiction); *id.* (stating that the failure to raise the issue of the real party in interest results in waiver).

AFFIRMED.

HUFF, GEATHERS, and LOCKEMY, JJ., concur.