



The South Carolina Court of Appeals

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December 18, 2014

The Honorable Jeanette W. McBride
PO Box 2766
Columbia SC 29202-2766

REMITTITUR

Re: Bank of America v. Kermit White
Lower Court Case No. 2011CP4007826
Appellate Case No. 2014-001656

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in black ink that reads "Jenny A. Kitchings".

CLERK

Enclosure

cc: Kermit G. White, Jr.
Cynthia Marie Lover, Esquire
Dean Anthony Hayes, Esquire
Damon Christian Wlodarczyk, Esquire

The South Carolina Court of Appeals

Bank of America, N.A. Successor by Mortgage to BAC
Home Loans Servicing, LP, Respondent,

v.

Kermit G. White, Jr., Appellant.

Appellate Case No. 2014-001656

ORDER

Respondent filed a motion to dismiss this consolidated appeal of two orders issued by the Richland County master-in-equity. The master issued an order of foreclosure and sale, and also issued a writ of assistance to the sheriff to remove Appellant from the foreclosed premises. Appellant filed a return.

After careful consideration, this Court grants Respondent's motion to dismiss. *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."); Rule 203(b)(1), SCACR ("A notice of appeal shall be served on all respondents within thirty (30) days after receipt of written notice of entry of the order or judgment."); *USAA Prop. & Cas. Ins. Co. v. Clegg*, 377 S.C. 643, 651, 661 S.E.2d 791, 795 (2008) ("Rule 203(b), SCACR, requires a party to serve his notice of appeal within thirty days after receiving written notice of the entry of a final order or judgment, and failure to do so divests this court of subject matter jurisdiction and results in dismissal of the appeal." (citation omitted)).


FOR THE COURT

FILED

12/2/14

Columbia, South Carolina

cc: Kermit G. White, Jr.
Cynthia Marie Lover, Esquire
Dean Anthony Hayes, Esquire
Damon Christian Wlodarczyk, Esquire