

The South Carolina Court of Appeals

Anderson Brothers Bank, Respondent,

v.

Dazarhea Monique Parson, a/k/a Dazarea D. Parson, a/k/a Dazarhea Monique Daniels Parson; A. Tyrone Parson, Jr., a/k/a Arnold Tyrone Parson, Jr.; South Carolina Department of Revenue; and South Carolina Department of Motor Vehicles, Defendants,

Of whom Dazarhea Monique Parson, a/k/a Dazarea D. Parson, a/k/a Dazarhea Monique Daniels Parson and A. Tyrone Parson, Jr., a/k/a Arnold Tyrone Parson, Jr. are the Appellants.

Anderson Brothers Bank, Respondent,

v.

Dazarhea Monique Parson, a/k/a Dazarea D. Parson, a/k/a Dazarhea Monique Daniels Parson; A. Tyrone Parson, Jr., a/k/a Arnold Tyrone Parson, Jr., Appellants.

Appellate Case No. 2015-002230

ORDER

In August 2013, Appellants appealed an order and judgment of foreclosure and sale in civil case 2013-CP-33-306 to this court. That appeal was dismissed,¹ and the remittitur was sent on May 13, 2015. Appellants now appeal a writ of assistance from the same civil action. However, because Appellants' prior appeal

¹ See *Anderson Bros. Bank v. Parson*, S.C. Ct. App. Order dated Dec. 18, 2014.

has ended and Appellants no longer reside at the subject property, the parties' rights as to the property are settled and this court is unable to alter them. As a result, any judgment by this court in the current appeal would not offer Appellants practical relief, and this appeal is 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 reviewing Court to grant effectual relief."). 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.²


FOR THE COURT

Columbia, South Carolina

cc: Dazarhea Monique Parson
Arnold Tyrone Parson, Jr.
Suzanne G. Grigg, Esquire

FILED
1/13/16

² Appellants have filed a motion to file their transcript out of time and a motion for leave to file a Rule 60(b), SCRCF, motion with the circuit court. Because this appeal is dismissed, we decline to rule on the motions.