

The South Carolina Court of Appeals

U.S. Bank Trust, N.A., as Trustee for Lsf8 Master
Participation Trust, by Caliber Home Loans, Inc., as its
attorney in fact, Respondent,

v.

Ronnie Thomas; Shuman-Owens Supply Co., Inc.; SRP
Federal Credit Union, Defendants,

Of whom Ronnie Thomas is the Appellant.

Appellate Case No. 2016-000172

ORDER

First, Appellant's "Motion for Right of Mandamus" is denied. Second, Appellant has filed a notice of appeal from the master-in-equity's writ of assistance. Our review of this matter indicates Appellant did not appeal the order of foreclosure and sale; accordingly, the parties' rights to the subject property are settled, 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 [the] 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.


FOR THE COURT

FILED

March 3, 2016

Columbia, South Carolina

cc:

Ronnie Thomas

John Judson Hearn, Esquire

Charles Stuart Gwynne, Jr., Esquire