



The South Carolina Court of Appeals

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April 13, 2016

The Honorable Cheryl L. Graham
5200 E Jim Bilton Blvd
St George SC 29477-8020

REMITTITUR

Re: William McFarland v. Sofia Mazell
Lower Court Case No. 2013CP1800546
Appellate Case No. 2014-000141

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,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: Amanda R. Maybank, Esquire
Jason Alan Daigle, Esquire
William B. Jung, Esquire

The Supreme Court of South Carolina
RECEIVED

William McFarland, Petitioner,

MAR 28 2016

v.

SC Court of Appeals

Sofia Mazell, Michael Mazell, Pierceton Mazell, and
Faith Mazell, Respondents.

Appellate Case No. 2015-002144

Lower Court Case No. 2013CP1800546

ORDER

Based on the vote of the Court, the petition for writ of certiorari is denied.

FOR THE COURT

BY



CLERK

John C. Few, J., not participating.

Columbia, South Carolina

March 25, 2016

cc:

William B. Jung, Esquire

Amanda R. Maybank, Esquire

Jason Alan Daigle, Esquire

The Honorable Cheryl L. Graham

The Honorable Jenny Abbott Kitchings

**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**

William McFarland, Appellant,

v.

Sofia Mazell, Michael Mazell, Pierceton Mazell, and
Faith Mazell, Respondents.

Appellate Case No. 2014-000141

Appeal From Dorchester County
Kristi Lea Harrington, Circuit Court Judge

Unpublished Opinion No. 2015-UP-427
Submitted April 1, 2015 – Filed August 19, 2015

APPEAL DISMISSED

Amanda R. Maybank and Jason A Daigle, of Maybank
Law Firm, LLC, of Charleston, for Appellant.

William B. Jung, of William B. Jung, Esq., LLC, of Mt.
Pleasant, for Respondents.

PER CURIAM: On September 25, 2012, Sofia, Michael, Pierceton, and Faith Mazell filed a complaint and motion for a restraining order against William McFarland for harassment and stalking. On October 12, 2012, the magistrates

court held a hearing and issued a restraining order effective until April 12, 2013. Thereafter, the circuit court affirmed the magistrates court's order. McFarland now appeals to this court, arguing the circuit court erred in affirming the restraining order. Because the restraining order expired on April 12, 2013, we find a ruling on the issues pending before this court will have no practical effect on the parties. Accordingly, we dismiss¹ the appeal as moot. *See Curtis v. State*, 345 S.C. 557, 567, 549 S.E.2d 591, 596 (2001) ("An appellate court will not pass on moot and 2015controversy."); *id.* ("A case becomes moot when judgment, if rendered, will have no practical legal effect upon [the] existing controversy." (internal quotation marks and citation omitted)).

APPEAL DISMISSED.

FEW, C.J., and HUFF and WILLIAMS, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.