

The South Carolina Court of Appeals

Lauren Goodman, Respondent,

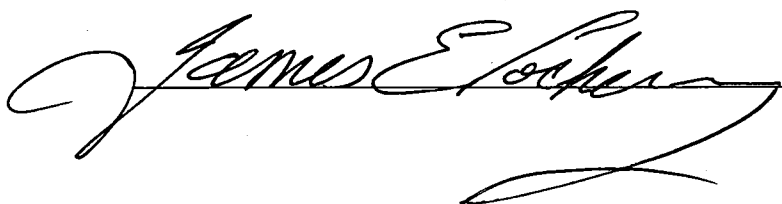
v.

Willie Marion Brown, Appellant.

Appellate Case No. 2015-000546

ORDER

Lauren Goodman has moved to dismiss Willie Marion Brown's appeal from the trial court's order granting summary judgment on Goodman's claims for assault and battery. Goodman asserts the appeal is now moot. Brown did not file a return. In the appeal, Brown argued the trial court erred in applying collateral estoppel based on his criminal convictions for first-degree criminal sexual conduct with a minor and committing a lewd act on a minor because his appeal from these convictions remained pending before this court. This court affirmed his convictions in an unpublished opinion on June 15, 2016. *State v. Willie Marion Brown*, Op. No. 2016-UP-298 (S.C. Ct. App. filed June 15, 2016). Because this court issued the remittitur in Brown's criminal appeal, a decision by this court would have no effect. Accordingly, we grant Goodman's motion to dismiss. *See Byrd v. Irmo High School*, 321 S.C. 426, 431, 468 S.E.2d 861, 864 (1996) ("A case becomes moot when judgment, if rendered, will have no practical legal effect upon existing controversy." (quoting *Mathis v. S.C. State Highway Dep't*, 260 S.C. 344, 346, 195 S.E.2d 713, 715 (1973))). The remittitur will be sent as provided in Rule 221, SCACR.

 C.J.

H B. Wain

J.

Stephanie P. McDonald

J.

Columbia, South Carolina

FILED

July 28, 2016

cc:

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