



The South Carolina Court of Appeals

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October 05, 2017

The Honorable Jana E. Shealy
Edgar A. Brown Building
1205 Pendleton Street
Suite 224
Columbia SC 29201

REMITTITUR

Re: Brook Waddle v. SCDHHS
Lower Court Case No. 2013ALJ080267AP
Appellate Case No. 2013-002415

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: Patricia Logan Harrison, Esquire
Shealy Boland Reibold, Esquire
Kenneth C. Anthony, Jr., Esquire
Damon Christian Wlodarczyk, Esquire

cc: Patricia Logan Harrison, Esquire
Shealy Boland Reibold, Esquire
Kenneth C. Anthony, Jr., Esquire
Damon Christian Wlodarczyk, Esquire

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The Supreme Court of South Carolina

Brook Waddle, Petitioner,

RECEIVED

v.

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South Carolina Department of Health and Human
Services, Respondent.

SC Court of Appeals

Appellate Case No. 2016-001460

Lower Court Case No. 2013-ALJ-08-0267AP

ORDER

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

FOR THE COURT

BY



CLERK

Few, J., not participating

Columbia, South Carolina

September 29, 2017

cc:

Shealy Boland Reibold, Esquire

Damon Christian Wlodarczyk, Esquire

Patricia Logan Harrison, Esquire

Kenneth C. Anthony, Jr., Esquire

The Honorable Jana E. Shealy

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**

Brook Waddle, Appellant,

v.

South Carolina Department of Health and Human
Services, Respondent.

Appellate Case No. 2013-002415

Appeal From The Administrative Law Court
Ralph King Anderson, III, Administrative Law Judge

Unpublished Opinion No. 2016-UP-109
Submitted February 1, 2016 – Filed March 2, 2016

APPEAL DISMISSED

Kenneth C. Anthony, Jr., of The Anthony Law Firm, PA,
of Spartanburg, and Patricia Logan Harrison, of
Columbia, both for Appellant.

Damon Christian Wlodarczyk, of Riley Pope & Laney,
LLC, and Shealy Boland Reibold, of the South Carolina
Department of Health and Human Services, both of
Columbia, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *Sloan v. Greenville Cty.*, 380 S.C. 528, 535, 670 S.E.2d 663, 667 (Ct. App. 2009) (stating an appellate court will not pass judgment on moot and academic questions or adjudicate a matter when no actual controversy capable of specific relief exists); *Sloan v. Friends of the Hunley, Inc.*, 369 S.C. 20, 26, 630 S.E.2d 474, 477 (2006) (stating a moot case exists when "a judgment rendered by the court will have no practical legal effect upon an existing controversy because an intervening event renders any grant of effectual relief impossible for the reviewing court"); *Sloan v. Dep't of Transp.*, 365 S.C. 299, 303, 618 S.E.2d 876, 878 (2005) (stating an appellate court can accept jurisdiction, despite mootness, if the issue is capable of repetition but evading review); *Friends of the Hunley, Inc.*, 369 S.C. at 27, 630 S.E.2d at 478 ("However, the action must be one [that] will truly evade review."); *City of Charleston v. Masi*, 362 S.C. 505, 508-09, 609 S.E.2d 301, 303 (2005) ("Regarding the exception that a court can take jurisdiction, despite mootness, if the issue raised is capable of repetition but evading review, we find that while the questions involved could arise again, the questions will not 'usually become moot' before they can be reviewed.").

APPEAL DISMISSED.¹

FEW, C.J., and SHORT and THOMAS, JJ., concur.

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