



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
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February 11, 2019

The Honorable Kenneth Hasty
PO Box 709
St Matthews SC 29135-0709

REMITTITUR

Re: Flagstar Bank, FSB v. Ruby E. Pinnex (4)
Lower Court Case No. 2015CP0900126
Appellate Case No. 2018-002012

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,

A handwritten signature in cursive script, appearing to read "J.A. Kitchings".

CLERK

Enclosure

cc: Ruby Elaine Pinnex
Reginald Patrick Corley, Esquire
Andrew Michael Sullivan, Esquire
Henry Guyton Murrell, Esquire

The South Carolina Court of Appeals

Flagstar Bank, FSB, Respondent,

v.

Ruby Elaine Pinnex; and Mortgage Electronic
Registration Systems, Inc., as nominee for Homecomings
Financial Network, Inc., Defendants,

Of whom Ruby Elaine Pinnex is the Appellant.

Appellate Case No. 2018-002012

ORDER

Appellant has again served and filed a notice of appeal from the master-in-equity's writ of assistance. Our review of this matter indicates that Appellant failed to appeal the underlying order of foreclosure and the property was sold by judicial sale on May 1, 2017. Thus, 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 [any] existing controversy. This is true when some event occurs making it impossible for [the] reviewing Court to grant effectual relief."). Accordingly, this appeal is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.


FOR THE COURT

Columbia, South Carolina

cc:

Ruby Elaine Pinnex
Reginald Patrick Corley, Esquire
Andrew Michael Sullivan, Esquire
Henry Guyton Murrell, Esquire

FILED

January 24, 2019