

The South Carolina Court of Appeals

Wilmington Savings Fund Society, FSB, as Owner
Trustee of the Residential Credit Opportunities Trust V-
C, Respondent,

v.

Nehemiah Bryant, Appellant.

Appellate Case No. 2019-001572

ORDER

Respondent's motion to dismiss is granted. First, Appellant's attempted appeal of the May 30, 2018 Order and Judgment of Foreclosure and Sale is not timely. Appellant served the notice of appeal on September 17, 2019, which is more than thirty days after receiving written notice of entry of the order. *See* Rule 203(b)(1), SCACR ("A notice of appeal shall be served on all respondents within thirty (30) days after receipt of written notice of entry of the order or judgment."). Second, because Appellant failed to timely appeal the Order and Judgment of Foreclosure and Sale and failed to post a bond in accordance with S.C. Code Ann. § 18-9-170 (2014), Appellant's appeal of the writ of assistance is moot. *See Charleston Cty. Sch. Dist. v. Charleston Cty. Election Comm'n*, 336 S.C. 174, 180, 519 S.E.2d 567, 570 (1999) ("This Court will not pass on moot and academic questions or make an adjudication where there remains no actual controversy. Mootness has been defined as follows: '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.'"). The remittitur will be sent as required by Rule 221(b), SCACR.¹

¹ Because this appeal is dismissed, this court will take no action on Appellant's pending motion to stay.

James E. Lockery

FOR THE COURT

Columbia, South Carolina

cc:

Nehemiah Bryant

Thomas A. Shook, Esquire

Magalie Arcure Creech, Esquire

FILED
Aug 28 2020