

# The South Carolina Court of Appeals

The Town of Hilton Head Island, South Carolina, John J.  
McCann and Stephen G. Riley, Intervenors/Plaintiffs,

v.

Beaufort County, South Carolina, Respondent,

v.

James Beckert, Appellant.

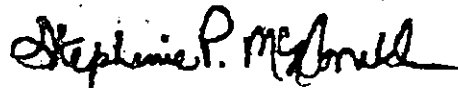
Appellate Case No. 2020-001522

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## ORDER

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Respondent's motion to dismiss this appeal as moot is granted. *See* S.C. Code Ann. § 14-3-330(4) (2017) (authorizing an immediate appeal from "[a]n interlocutory order or decree in a court of common pleas granting, continuing, modifying, or refusing an injunction"); *Curtis v. State*, 345 S.C. 557, 568, 549 S.E.2d 591, 597 (2001) (quoting 42 Am.Jur.2d Injunctions § 335 (2000)) ("However, '[t]he rule that an appellate court limits its review to the issues necessary to a proper disposition of the appeal, and will not consider immaterial or moot questions, applies when reviewing decrees and orders relating to injunctions."); *Floyd v. Horry Cty. Sch. Dist.*, 351 S.C. 233, 234, 569 S.E.2d 343, 344 (2002) ("Where a temporary injunction has expired, as here, the issue is moot.").<sup>1</sup> The remittitur will be sent as provided in Rule 221, SCACR.



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FOR THE COURT

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<sup>1</sup> This court finds the exceptions to mootness referenced in Appellant's return to the motion to dismiss do not apply to this appeal.

Columbia, South Carolina

**FILED**  
**Apr 23 2021**

cc:

James Arthur Brown, Jr., Esquire

M. Dawes Cooke, Jr., Esquire

John William Fletcher, Esquire