



OPINIONS
OF
THE SUPREME COURT
AND
COURT OF APPEALS
OF
SOUTH CAROLINA

ADVANCE SHEET NO. 20
June 8, 2022
Patricia A. Howard, Clerk
Columbia, South Carolina
www.sccourts.org

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None

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5902 – Larry Tyler v. State	Pending
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2022-UP-096 – Samuel Paulino v. Diversified Coatings, Inc.	Pending
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2022-UP-169 – Richard Ladson v. THI of South Carolina at Charleston	Pending
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2022-UP-196 – SCDSS v. Woodrow Shannon	Pending
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2022-UP-205 – Katkams Ventures, LLC v. No Limit, LLC	Pending
2022-UP-207 – Floyd Hargrove v. Anthony Griffis, Sr.	Pending
2022-UP-209 – State v. Dustin L. Hooper	Pending
2022-UP-212 – Daniel Amor v. Pamela Amor	Pending
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5827 – Francisco Ramirez v. May River Roofing, Inc.	Pending
5829 – Thomas Torrence #094651 v. SCDC	Pending
5832 – State v. Adam Rowell	Pending
5834 – Vanessa Williams v. Bradford Jeffcoat	Pending
5835 – State v. James Caleb Williams	Pending
5838 – Elizabeth Hope Rainey v. SCDSS	Pending
5839 – In the Matter of Thomas Griffin	Pending
5840 – Daniel Lee Davis v. ISCO Industries, Inc.	Pending

5841 – State v. Richard Passio, Jr.	Pending
5843 – Quincy Allen #6019 v. SCDC	Pending
5844 – Deutsche Bank v. Patricia Owens	Pending
5845 – Daniel O'Shields v. Columbia Automotive	Pending
5846 – State v. Demontay M. Payne	Pending
5849 – SC Property and Casualty Guaranty Fund v. Second Injury Fund	Pending
5850 – State v. Charles Dent	Pending
5851 – State v. Robert X. Geter	Pending
5853 – State v. Shelby Harper Taylor	Pending
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5859 – Mary P. Smith v. Angus M. Lawton	Pending
5860 – Kelaher, Connell & Conner, PC v. SCWCC	Pending
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5874 – Elizabeth Campione v. Willie Best	Pending
5875 – State v. Victoria L. Sanchez	Pending
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5900 – Donald Simmons v. Benson Hyundai, LLC	Pending
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2021-UP-405 – Christopher E. Russell v. State	Pending
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2022-UP-051 – Ronald Paul v. SCDOT (2)	Pending
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2022-UP-085 – Richard Ciampanella v. City of Myrtle Beach	Pending
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2022-UP-097 – State v. Brandon K. Moore	Pending
2022-UP-119 – Merilee Landano v. Norman Landano	Pending
2022-UP-146 – M & T Bank v. Tyrone Davis	Pending
2022-UP-163 – Debi Brookshire v. Community First Bank	Pending

2022-UP-170 – Tony Young v. Greenwood Cty. Sheriff's Office

Pending

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

In the Interest of Christopher H., a Juvenile under the age
of Seventeen, Respondent.

Appellate Case No. 2021-000371

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS

Appeal from Richland County
W. Greg Seigler, Family Court Judge

Opinion No. 28097
Submitted April 6, 2022 - Filed June 8, 2022

DISMISSED

Attorney General Alan McCrory Wilson, Senior Assistant
Deputy Attorney General Deborah R.J. Shupe, of
Columbia; Solicitor, Eleventh Judicial Circuit, Samuel R.
Hubbard III, of Lexington, all for Petitioner.

Appellate Defender Taylor Davis Gilliam, of Columbia,
for Respondent.

PER CURIAM: We granted the State's petition for a writ of certiorari to review the court of appeals decision in *Int. of Christopher H.*, 432 S.C. 600, 854 S.E.2d 853 (Ct. App. 2021). We agreed to address whether the court of appeals: 1) improperly interpreted subsection 23-3-430(D) of the South Carolina Code (2007) and the

legislative intent behind it; 2) improperly ignored the proper standard of appellate review by weighing evidence and substituting its own interpretation of the evidence for that of the family court; and 3) improperly based its decision only on testimony presented at the family court hearing while ignoring the other evidence supporting the family court's determination of good cause. Shortly before oral argument was to be heard in this Court, the Governor signed into law Act 221 of 2022, which substantially amended subsection 23-3-430(D) and enacted section 23-3-436. Act No. 221, 2022 S.C. Acts ___, ___. After reviewing Act 221, the Court directed its Clerk to write the parties asking them to be prepared to discuss justiciability at oral argument. The State then filed a motion to dismiss its petition on the ground Act 221 rendered the issues moot and asking the Court to vacate the opinion of the court of appeals. Respondent filed a return indicating his consent to the dismissal but opposing the State's request to vacate the opinion of the court of appeals. After careful consideration, we agree the issues before the Court are now moot, and without reaching the merits of those issues, we dismiss the petition for a writ of certiorari. We decline, however, to vacate the opinion of the court of appeals.

DISMISSED.

BEATTY, C.J., KITTREDGE, HEARN and FEW, JJ., concur. JAMES, J., not participating.

The Supreme Court of South Carolina

In the Matter of Johnny Simpson, Respondent.

Appellate Case Nos. 2022-000585 and 2022-000586

ORDER

The Office of Disciplinary Counsel has petitioned the Court to place Respondent on incapacity inactive status pursuant to Rule 28(c) of the Rules for Lawyer Disciplinary Enforcement (RLDE) contained in Rule 413 of the South Carolina Appellate Court Rules (SCACR). The petition also seeks appointment of the Receiver to protect the interests of Respondent's clients pursuant to Rule 31, RLDE, Rule 413, SCACR.

IT IS ORDERED that Respondent is hereby placed on incapacity inactive status. Based on the record, the Court finds Respondent is unable to practice law or participate in the disciplinary investigation, and further proceedings under Rule 28(b), RLDE, are unnecessary at this time.

IT IS FURTHER ORDERED that Peyre T. Lumpkin, Esquire, is hereby appointed to assume responsibility for Respondent's client files, trust account(s), escrow account(s), operating account(s), and any other law office accounts Respondent may maintain. Mr. Lumpkin shall take action as required by Rule 31, RLDE, Rule 413, SCACR, to protect the interests of Respondent's clients. Mr. Lumpkin may make disbursements from Respondent's trust account(s), escrow account(s), operating account(s), and any other law office accounts Respondent may maintain that are necessary to effectuate this appointment.

This Order, when served on any bank or other financial institution maintaining trust, escrow and/or operating account(s) of Respondent, shall serve as an injunction to prevent Respondent from making withdrawals from the account(s) and shall further serve as notice to the bank or other financial institution that Peyre T. Lumpkin, Esquire, has been duly appointed by this Court.

Finally, this Order, when served on any office of the United States Postal Service, shall serve as notice that Peyre T. Lumpkin, Esquire, has been duly appointed by this Court and has the authority to receive Respondent's mail and the authority to direct that Respondent's mail be delivered to Mr. Lumpkin's office.

Mr. Lumpkin's appointment shall be for a period of no longer than nine months unless an extension of the period of appointment is requested.

s/ Donald W. Beatty C.J.
FOR THE COURT

Columbia, South Carolina
June 6, 2022