

**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

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**ON WRIT OF CERTIORARI TO THE COURT OF APPEALS**

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

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

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**DISMISSED**

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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.

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**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.**