

5. However, Rule 241, SCACR lists exceptions to this general rule. The first exception listed is if the Trial Court order is for a money judgment. *Rule 241(b)(1), SCACR.*
6. Rule 241(c)(1), SCACR states “[i]n a case subject to an exception, any party may move for an order imposing a supersedeas of matters decided in the order, judgment, decree or decision on appeal after the service of the notice of appeal.” *Rule 241(c)(1), SCACR.*
7. The Trial Court has authority to issue a supersedeas bond. *Rule 241(c)(2), SCACR.*
8. The February 1, 2022 Order is an order for a money judgment under the exceptions to an automatic stay under Rule 241, SCACR.
9. As such, Plaintiffs/Respondents are requesting that this Court impose a supersedeas bond requirement on Defendants/Appellants in the full amount of the judgment ordered. We further request that the posting of the supersedeas bond be completed within 5 days of the Court’s order.

WHEREFORE, pursuant to the above facts and pursuant to the South Carolina Appellate Court Rules, Plaintiffs/Respondents moves this Court for an Order compelling Defendants/Appellants to post a supersedeas bond.

Respectfully submitted,

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC

s/ M. Stokely Holder

August 19, 2022

M. Stokely Holder (SC Bar # 73892)
Raford W. Bussey, Jr. (SC Bar#103943)
P.O. Box 1804
Greenville, SC 29602
(864) 335-8808
rbussey@hplplaw.com
sholder@hplplaw.com
Attorneys for Plaintiffs/Respondents

RECEIVED
Aug 19 2022
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable R. Scott Sprouse, Circuit Court Judge
The Honorable J. Cordell Maddox, Jr., Circuit Court Judge

Appellate Case No. 2022-000242
Circuit Court Case No. 2019-CP-04-00927

Joyce Porter and Edith Durham,..... Respondents.

v.

Jimmy L. Davis, Inc. and Jimmy L. Davis, Individually..... Appellants.

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Respondents Joyce Porter and Edith Durham, do hereby certify that I have served a copy of the Respondents' Motion Requesting Appellants Post a Supersedeas Bond Pending Their Appeal on Jimmy L. Davis, Inc. and Jimmy L. Davis, individually, by electronic filing with the Anderson County Clerk of Court and by depositing a copy of it in the United States Mail, postage prepaid, on August 19, 2022, addressed to their attorneys of record, James S. Eakes, Esq., P.O. Box 1405, Anderson, South Carolina, 29622, and by electronic mail at: stveakes@bellsouth.net. I also certify that I have served a copy of the Respondents' Motion Requesting Appellants Post a Supersedeas Bond Pending Their Appeal on the South Carolina Court of Appeals by depositing it in the United States Mail, postage prepaid, on August 19, 2022, addressed to The Honorable Jenny Abbott Kitchings, Clerk of Court, P.O. Box 11629, Columbia, SC 29211, and by electronic mail at: ctappfilings@sccourts.org.



By: M. Stokely Holder (SC Bar No.: 73892)
Raford W. Bussey, Jr. (SC Bar No.: 103943)
Holder, Padgett, Littlejohn + Prickett, LLC
800 E. North Street

Greenville, SC 29601

864-335-8808

sholder@hplplaw.com

rbussey@hplplaw.com

Attorneys for the Respondents Joyce Porter and Edith Durham

August 19, 2022

Catherine Martin

Reply to: Greenville
direct: 864.569.0147
fax: 864.248.4090
cmartin@hplplaw.com

August 19, 2022

Via U.S. Mail and Email

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

RECEIVED
Aug 19 2022
SC Court of Appeals

RE: Joyce Porter, et al. v. Jimmy L. Davis, Inc., et al.
Circuit Court Case No.: 2019-CP-04-00927
Appellate Case No.: 2022-000242

Dear Ms. Kitchings:

Please find enclosed herewith one copy of Respondents' Joyce Porter and Edith Durham's Motion Requesting Appellants Post a Supersedeas Bond Pending Their Appeal, along with a Proof of Service for same. This Motion has been filed in circuit court, but we are happy to enclose the \$50.00 filing fee in the event this Motion needs to be filed with the Court of Appeals.

Should you have any questions or concerns, feel free to contact our office.

Regards,

HOLDER PADGETT LITTLEJOHN + PRICKETT, LLC

Catherine Martin

Catherine Martin
Paralegal to M. Stokely Holder and Raford W.
Bussey, Jr.

/cem

cc: James S. Eakes, Esq.