

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

CIVIL CASE NUMBER
#2022CV261072370
#2022CP2603318

Parcon Holdings LLC

Plaintiff

Vs.

ORDER OF NON COMPLIANCE

Chapmion Nursery &
Landscaping LLC

Defendant

Personally appeared before me April 25, 2022 Plaintiff/Landlord, that pursuant to section 27-40-800 of the South Carolina code of Laws, a bond hearing was held in conjunction with civil case 2022CV261072370.

FILED
CONWAY MAGISTRATE
2022 SEP - 1 P 2:55
HORRY COUNTY, SC

FILED
HORRY COUNTY
2022 AUG 10 A 9:28
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

RECEIVED

SEP 02 2022

SC Court of Appeals

27-40-800

(d) If either party disputes the amount of the payment or the due date in the undertaking, the aggrieved party may move for modification of the terms of the undertaking before the circuit court. Upon the motion and upon notice to all interested parties, the court shall hold a hearing as soon as is feasible after the filing of the motion and determine what modifications, if any, are appropriate. No judgment for ejectment may be executed pending a hearing on the motion, provided the tenant complied with the terms of the undertaking.

(e) If the tenant fails to make a payment within five days of the due date according to the undertaking and order staying execution, the clerk, upon application of the landlord, shall issue a warrant of ejectment to be executed pursuant to Section 27-37-40 of the 1976 Code.

(f)(1) Upon appeal to the Supreme Court or to the court of appeals, it is sufficient to stay execution of a judgment for ejectment that the tenant sign an undertaking that he will pay to the landlord the amount of rent,

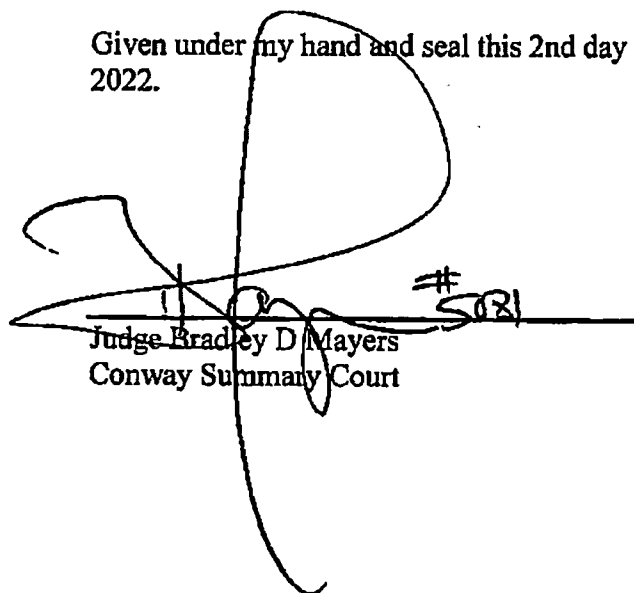
determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered. The judge of the court having jurisdiction shall order stay of execution upon the undertaking.

(2) The tenant's failure to comply with the terms of the undertaking entitles the landlord to execution of the judgment for possession in accordance with the provisions of subsection (e) of this section.

The Plaintiff states the Defendant/Tenant failed to appear failed to post bond in the amount of \$2500.00 to stay the execution of the warrant of ejection pursuant to section 27-37-40 of the South Carolina Code of Laws 1976 as amended.

It is therefore ordered, the Clerk of Court is to be notified of the Defendant's non-compliance with the above section and a warrant of ejection is to be Issued in accordance with 27-37-40.

Given under my hand and seal this 2nd day of August 2022.


5081
Judge Bradley D. Mayers
Conway Summary Court

FILED
CONWAY MAGISTRATE
2022 SEP - 1 P 2:05
Horry County, SC

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HORRY COUNTY
2022 AUG 10 A 9:28
REHEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC