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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Marvin H. Dukes III, Master-in-Equity and Special Circuit Court Judge

Civil Action No. 2011-CP-07-03945
Appellate Case No. 2012-212441

River City Developers, LLC Respondent

v.

Coosaw Investments, LLC; Hilton C.
Smith Jr.; and Somerset Point at Ladies
Island Homeowners Association, Inc.
f/k/a Coosaw River Estates
Homeowners Association, LLC Appellants

MOTION TO STAY

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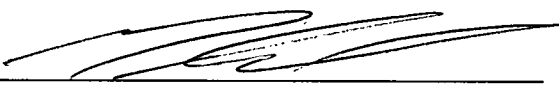
SC Court of Appeals

The Appellant hereby moves, pursuant to Rule 240, SCACR, for an order staying this appeal. This appeal involves a lis pendens that was placed on property owned by the Respondent as a result of monies owed to Appellant Somerset Point at Ladies Island Homeowners Association, Inc. ("Somerset Point"). The property that is the subject of this action is currently the subject of a separate foreclosure action, civil action number 2012-CP-07-03986, initiated by Normandy Corporation to recover money owed on a note given to Normandy by the Respondent. The proceedings resulting from the foreclosure sale will likely be sufficient to pay off both Normandy and Somerset Point, which will make this appeal moot. Staying this appeal until the foreclosure is completed will save the parties costs that would be incurred in pursuing the appeal and will also conserve scarce judicial resources. Accordingly, the Appellants respectfully request that this Court stay this appeal pending the completion of the foreclosure proceedings.

[SIGNATURE PAGE FOLLOWS]

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By:



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May 31, 2013
Beaufort, South Carolina

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CERTIFICATE OF SERVICE


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I am a legal assistant at Griffith, Sadler & Sharp, P.A., and on May 31, 2013, I placed a copy of the Appellants' *Motion to Stay* in the US Mail, with first-class postage prepaid, and addressed as follows:

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