

Original

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )  
 )  
Melissa Fleetwood )  
 )  
PLAINTIFF, )  
 )  
V. )  
 )  
Sheldon Jenkins, )  
 )  
DEFENDANT. )

2022CP4010700305  
COMMON PLEAS CASE NUMBER

2021CV4010700305  
MAGISTRATE CIVIL CASE NUMBER

RETURN TO CIVIL APPEAL

**RECEIVED**

DEC 16 2022

**SC Court of Appeals**

This matter is on appeal from the Upper Township Magistrate Court of Richland County, South Carolina. The Honorable Judge Diedra W. Hightower presided over the proceedings.

On February 11, 2022, the Plaintiff/Landlord filed an Application for Ejectment against the Defendant/Tenant, and on February 15, 2022, a Rule to Vacate or Show Cause (Eviction) was served on the Defendant. In the Plaintiff's Application for Ejectment/Rule to Vacate, the Plaintiff asked the Court to evict the Defendant on grounds the terms of the tenancy had ended. On February 22, 2022, the Defendant requested a Show Cause hearing.

On March 22, 2022 this matter was heard in a bench trial before me. The Plaintiff and the Defendant appeared pro se. The Defendant was also accompanied by three witnesses, who provided sworn testimony to the Court. At the Show Cause hearing, a finding for the Plaintiff was entered, granting the Plaintiff the right to seek a Writ of Ejectment. On March 22, 2022, the Defendant filed a Notice of Appeal with the Circuit Court, and on the same day, the Defendant served the referenced Notice of Appeal on the Upper Township Magistrate. On March 29, 2022, before the Honorable Tomothy Edmond, a Bond to Stay Execution on Appeal was held.

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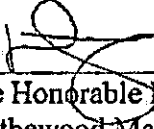
The Defendant's Notice of Appeal alleges the following: "That the Defendant and I are common law married and had me evicted from our home. The Magistrate Judge ruled in his favor after I had witness testify to the marriage and evidence was presented to support the common law marriage that was established prior to 7/29/20 which make it valid."

The Court heard arguments from the parties, witnesses, and considered all documents entered into evidence.

Based upon the testimony provided and the preponderance of the evidence, the Court ruled in favor of the Plaintiff.

The proceedings were electronically recorded. Attached are the following: the original file, Notice of Intent to Appeal and electronic recordings of the proceedings.

4 / 6 / 22  
Date

  
The Honorable Diedra W. Hightower  
Blythewood Magistrate's Office

**Richland County Common Pleas**

**Clerk : Jeanette W. McBride**

**Richland County Judicial Center**

**Columbia, SC 29201**

**Phone:(803) 576-1999 Fax:(803) 576-1612**

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