

The South Carolina Court of Appeals

Citizens for Quality Rural Living, Inc., Appellant,

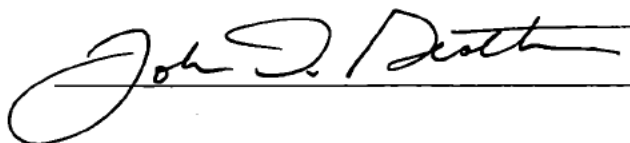
v.

LyonJay and the Greenville County Planning
Commission, Respondents.

Appellate Case No. 2023-000144

ORDER

After careful consideration, the motion for bond is denied. *See* Rule 241(a), SCACR ("As a general rule, the service of a notice of appeal in a civil matter acts to automatically stay matters decided in the order, judgment, decree or decision on appeal, and to automatically stay the relief ordered in the appealed order, judgment, or decree or decision."); Rule 241(c)(1), SCACR ("After service of notice of appeal, any party may move for an order lifting the automatic stay in cases which involve the general rule."); Rule 241(c)(3), SCACR ("The granting of supersedeas or the lifting of the automatic stay under this Rule may be conditioned upon such terms, including but not limited to the filing of a bond or undertaking, as the lower court, administrative tribunal, appellate court, or judge or justice of the appellate court may deem appropriate."); S.C. Code Ann. § 18-7-10 ("When a judgment is rendered by a magistrates court, by the governing body of a county or by any other inferior court or jurisdiction, save the probate court, the appeal shall be to the circuit court of the county wherein the judgment was rendered and shall amount to a supersedeas if the party against whom judgment is rendered shall execute a good and sufficient bond with surety to pay the amount of the judgment and costs in the event that he fail to sustain such appeal."). We decline to impose a supersedeas bond upon Appellant, against whom no judgment was rendered, and where Greenville County will not allow the development to proceed pending appeal.



FOR THE COURT

Columbia, South Carolina

cc:

Michael G. Martinez, Esquire
Anne Ross Culbreath, Esquire
Andrew Nathan Price, Esquire
William B. Swent, Esquire
William Alexander Neinast, Esquire
R Taylor Speer, Esquire

FILED
May 02 2023