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MAY 16 2023

SC Court of Appeals

State of South Carolina
IN the Court of Appeals
IN the Supreme Court,

Appeal from Orangeburg County

David Osteen JR ✓

Respondent

Michael Murak

Appellants

+
Kathleen Gabriel

Motion to Stay Judgment
of First Circuit Court of Orangeburg
County and Magistrate's writ of
Ejection from Orangeburg County Eastern
Region

Now comes the Appellant Michael Murak asking
this honorable court order a stay of the decision
(judgment) of the court of common pleas and
the writ of ejection that followed. The Appellant
feels the Circuit Judge ERRED in upholding the
Magistrate's decision to allow a person presenting
power of Attorney Papers to represent a prose
litigant. Judiciary Law clearly states that only
practicing licensed Attorney or the person pro se
pro-se is allowed to do so. Furthermore the

Hearing was held six days after the Respondent sold the property on May 2, 2023. The property was sold to the Respondent's Father and Mother, David Ostrem Sr and Ruth Ostrem. Deed # 2023001954 registered in Orangeburg County Register of Deeds. Sale of the home should have caused the Respondent no standing in the pending case and the new owner should have been required to give 30 day notice to quit according to due process requirements. The ~~order~~ writ of Eviction was granted May 17, 2023 with allowing the Appellants the opportunity to file motions under Rule 59E.

Respectfully submitted
Michael Munch
PRO. SE.
224 Second Street
Spartanburg S.C. 29142
(843) 925-4500