

The South Carolina Court of Appeals

Megan Scott, Appellant,

v.

Estate Of Jonathan Bruner, Respondent.

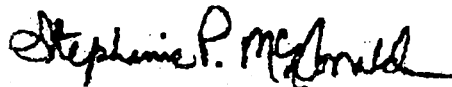
Appellate Case No. 2023-001043

ORDER

On June 27, 2023, Appellant filed a notice of appeal from an order of the circuit court affirming a magistrate court's order awarding title and possession of a dog named Evie to Respondent. The circuit court denied Appellant's petition for an order of supersedeas on July 5, 2023, and Appellant filed an emergency petition for an *ex parte* order of supersedeas with this court. Appellant requested this court grant the petition and stay the circuit court's order while the underlying appeal proceeds. Respondent filed a return on July 6, 2023. The circuit court's order requires surrendering of Evie to the personal representative on July 7, 2023.

After careful consideration of the motion and return, we grant Appellant's request for a stay of the circuit court's order during the pendency of the appeal. We deny Appellant's request to consider the request *ex parte*. See Rule 241(b)(2), SCACR (explaining that orders directing the delivery of personal property are not stayed automatically upon the service of a notice of appeal); Rule 241(d)(6), SCACR (providing that "[a] supersedeas ... may be issued *ex parte* only where exigent circumstances require that action be taken before there is time for a hearing").

Appellant shall notify the court that the \$3000 bond remains in place or provide proof within thirty days of the date of this order that bond or surety in this amount has been obtained. See S.C. Code Ann. § 18-9-150 (deposit or surety).



FOR THE COURT

FILED
Jul 07 2023

Columbia, South Carolina

cc:

Jesse Sanchez, Esquire

Jason Scott Stevens, Esquire

Edward "Ted" Regin Corvey, III, Esquire

Kyra Ayn McMillan, Esquire