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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

NOV 08 2023  
SC Court of Appeals

Roger M. Young, Sr., Circuit Court Judge

Appellate Case No.: 2018-001659

PSG Patriots Place Apartments d/b/a Patriot Place, successor in interest to Brentwood Sixteen, LLC ..... Respondent

v.

Graclescia Jackson ..... Appellant.

**RESPONDENT'S RETURN TO PETITION FOR SUPERSEDEAS & MOTION TO DISMISS APPEAL/ EMERGENCY PETITION FOR WRIT OF SUPERSEDEAS**

**I. Appellant's Emergency Petition for a Writ of Supersedeas is insufficient to stay the judgment for ejectment (S.C. Code § 27-40-800)**

The Respondent, PSG Patriots Place Apartments d/b/a Patriot Place, successor in interest to Brentwood Sixteen, LLC moves pursuant to SC Code § 27-40-800(b) for an Order dismissing Appellant's Emergency Petition for Writ of Supersedeas dismissed.

The underlying matter being appealed concerns an Application for Ejectment filed by Respondent for nonpayment of rent when due. Appellant/Tenant has failed to sign an undertaking stating that she will pay to the Respondent/Landlord the amount of rent, determined by the magistrate in accordance with S.C. Code Section 27-40-780, as it becomes due periodically after the judgment was entered. The magistrate in the instant action has made a determination as to the amount bond owed pending Appellant/ Tenant's appeal as indicated by that Bond to Stay Execution on Appeal Order filed June 6, 2023 in Civil Case Number 2023CV0810601822, a copy of which is attached hereto as Exhibit 'A' and made a part hereof

by reference. As such, the judgment cannot be stayed and Respondent's Petition should be dismissed.

Moreover, the plain reading of Respondent/Tenant Petition indicates that she is seeking to stay an injunction entered by the Circuit Court. No injunction has been issued by the Circuit Court in the matter being appealed. As such, Appellant/ Tenant has failed to state a claim under which relief may be granted.

WHEREFORE, Respondent prays for an Order dismissing the appeal and Appellants Emergency Petition for Writ of Supersedeas.

RESPECTFULLY SUBMITTED

CRAWFORD & VON KELLER, LLC

/s/ Jason M. Hunter

Theodore von Keller, S.C. Bar No. 5718  
B. Lindsay Crawford, III S.C. Bar No. 6510  
B. Lindsay Crawford, IV S.C. Bar No. 101707  
Charley S. FitzSimons S.C. Bar No. 104326  
Jason M. Hunter S.C. Bar No. 101501  
Post Office Box 4216  
Columbia, South Carolina 29204  
Telephone 803-790-2626  
ATTORNEYS FOR THE PLAINTIFF

Columbia, SC

October 31, 2023

# Exhibit 'A'

STATE OF SOUTH CAROLINA )

COUNTY OF BERKELEY )

2023CV0810601822

CIVIL CASE NUMBER

MAGISTRATE'S COURT

**RECEIVED**

NOV 08 2023

BOND TO STAY EXECUTION  
ON APPEAL

SC Court of Appeals

Psg Patriots Place Apartments Db  
Patriot Place Successor In Interest

LANDLORD

FILED

Vs

JUN 05 2023

Graclescia Jackson  
3000 Harbour Lake Dr., Unit 13B  
Goose Creek, SC 29445

Goose Creek  
Magistrate Office

TENANT(S)

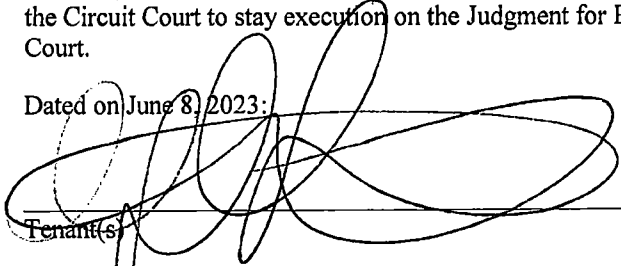
TO: Circuit Court

Now comes the Tenant(s) in the above entitled action and respectfully shows the Court that a Judgment of Execution was issued against the Tenant(s) and for the Landlord on **May 25, 2023**, by the Magistrate. Tenant(s) has appealed the Judgment to the Circuit Court.

Pursuant to the findings of the Magistrate, the Tenant(s) is obligated to pay rent in the amount of \$1,110.00 per Month, due on the 1st day of each Month. 1st Payment is due by June 15, 2023 and late after June 20, 2023. Thereafter, rent is due on the 1st of each month and late after the 5th.

Tenant(s) hereby undertakes to pay the periodic rent hereinafter due according to the aforesaid findings of the Court and moves the Circuit Court to stay execution on the Judgment for Ejectment until this matter is heard on appeal and decided by the Circuit Court.

Dated on June 8, 2023:

  
\_\_\_\_\_  
Tenant(s)

Upon execution of the above bond, execution on the Judgment of Ejectment is hereby stayed until the action is heard on appeal and decided by the Circuit Court. If Tenant(s) fails to make any rental payment within five days of the due date, upon application of the Landlord, the stay of execution shall dissolve, the appeal by the Tenant(s) to the Circuit Court on issues dealing with possession must be dismissed and the Sheriff may dispossess the Tenant(s).

Dated on June 8, 2023

\_\_\_\_\_  
JUDGE

Goose Creek Magistrate  
303-B North Goose Creek Blvd.  
Goose Creek, SC 29445  
Phone: (843) 553-7080  
Fax: (843) 553-7074

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

Roger M. Young, Sr., Circuit Court Judge

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Appellate Case No.: 2018-001659

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SC Court of Appeals

PSG Patriots Place Apartments d/b/a Patriot Place, successor in interest to Brentwood Sixteen,  
LLC ..... Respondent

v.

Graclescica Jackson ..... Appellant.

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**PROOF OF SERVICE**

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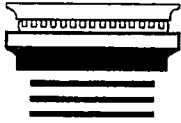
I certify that I served the foregoing Respondent's Return to Petition for Supersedeas & Motion to Dismiss Appeal/Emergency Petition for Writ of Supersedeas in this case on the date given below by mailing it to opposing counsel at the address noted below.

Graclescica Jackson  
3000 Harbour Lake Drive, Unit 13B  
Goose Creek, SC 29445

Respectfully submitted,

s/ Jason M. Hunter  
Jason M. Hunter  
S.C. Bar No. 101501  
Crawford & von Keller, LLC  
Post Office Box 4216  
Columbia, South Carolina 29250  
(803) 764-7444  
ted@crawfordvk.com  
Attorney for Respondent

November 2, 2023



# CRAWFORD & VON KELLER, LLC

SOUTH CAROLINA  
B. Lindsay Crawford, III \*  
Theodore von Keller  
B. Lindsay Crawford, IV\*\*

NORTH CAROLINA  
Benjamin A. Barco  
Arielle Womack  
Brittany T. Morrison\*\*

---

Charley S. FitzSimons  
Jason M. Hunter  
Lawrence W. Johnson, Jr.\* - Special Counsel

\* Certified Specialist in Bankruptcy  
and Debtor-Creditor Law in SC

\*\* Admitted in South Carolina and North Carolina

November 2, 2023

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SC Court of Appeals

Via ctappfilings@sccourts.org and Regular Mail

SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**RE: PSG Patriots Apartments d/b/a Patriot Place, successor in interest to Brentwood Sixteen, LLC vs/. Graclescia Jackson  
Appellate Case No.: 2018-001659**

Dear Sir/Madam:

Enclosed please find Respondent's Return to Petition for Supersedeas & Motion to Dismiss Appeal/Emergency Petition for Writ of Supersedeas and Proof of Service regarding the above referenced matter. I have also enclosed a check for \$50.00 for your motion filing fee.

Sincerely,

CRAWFORD & VON KELLER, LLC

---

Jason M. Hunter, Esquire  
Post Office Box 4216  
Columbia, South Carolina 29240  
Telephone: (803) 790-2626  
Attorney for Respondent

JMH/tdd  
Enclosure

Cc: Graclescia Jackson  
3000 Harbour Lake Drive, Unit 13B  
Goose Creek, SC 29445

WE ARE A DEBT COLLECTOR. THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

P.O. Box 4216, Columbia, SC 29240 • 1640 St. Julian Place, SC 29204 • 803-790-2626 • Facsimile 803-790-1277  
1017 Ashes Drive, Suite 106, Wilmington, NC 28405 • 910-363-1637 • Facsimile 910-363-1652

Crawford & von Keller LLC  
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Columbia, SC 29204

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