

The South Carolina Court of Appeals

Scott Wright, Appellant,

v.

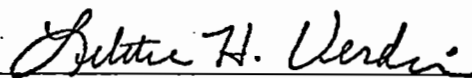
The Shoals Inc., Respondent.

Appellate Case No. 2023-001725

ORDER

Appellant filed a notice of appeal with this court, stating he wished to appeal the circuit court's November 3, 2023 order, which remanded this case to the magistrate for a hearing on the merits and for the magistrate to review the lease agreement between the parties. On November 8, 2023, the magistrate issued an order determining that Appellant failed to pay the appeal bond, previously set by the magistrate in the amount of \$450 paid bi-weekly to Respondent as rent. The magistrate determined that due to Appellant's failure to pay the bond, the stay of the eviction pending the circuit court appeal was dissolved, Appellant's appeal to the circuit court was dismissed, and Respondent could proceed with its writ of ejectment. Appellant has not appealed the magistrate's November 8, 2023 order. However, Appellant has now filed a motion requesting that this court enter a stay to "preserve the status quo," asserting that the magistrate lacked jurisdiction to dissolve his stay during pendency of his appeal to the circuit court.

Initially, we direct Appellant to South Carolina Code § 27-40-800(f)(1) for clarification about the requirements for obtaining a stay of an eviction on appeal before this court. Moreover, because Appellant did not appeal the magistrate's November 8, 2023 order to this court, this court has no jurisdiction to issue a stay of the eviction.



FOR THE COURT

FILED
Dec 04 2023

Columbia, South Carolina

cc:
Scott Wright
The Shoals Inc.