The South Carolina Court of Appeals

Graclescia Jackson, Appellant,

v.

PSG Patriots Place Apartments d/b/a Patriot Place Successor, Respondent.

Appellate Case No. 2023-001659

ORDER

Respondent's motion to dismiss this appeal is denied. Appellant's failure to pay the bond/rent as it becomes due prevents the order on appeal from being stayed pending this appeal, but it does not divest this court of jurisdiction over theappeal where the appeal was properly filed and there remains an active controversy. *See* S.C. Code § 27-40-800(f)(1) (2020) ("Upon appeal . . . to the court of appeals, it is sufficient to stay execution of a judgment for ejectment that the tenant sign an undertaking that [s]he will pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered."). Nothing in this order prevents Respondent from filing a motion to dismiss based on mootness if a writ of ejectment is executed.

FOR THE COURT

Columbia, South Carolina

FILED
Jan 03 2024

cc:
Graclescia Jackson
Jason Mark Hunter, Esquire
B. Lindsay Crawford, III, Esquire
Baxter Lindsay Crawford, IV, Esquire
Charley Summerlin FitzSimons, Esquire