



The South Carolina Court of Appeals

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February 05, 2024

The Honorable Cheryl L. Graham
5200 E Jim Bilton Blvd
St George SC 29477-8020

REMITTITUR

Re: Christopher Gadsden v. Tuan Pham
Lower Court Case No. 2022CP1801999
Appellate Case No. 2023-000887

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,


CLERK

Enclosure

cc: Christopher L. Gadsden
Tuan Qvoc Pham

The Supreme Court of South Carolina

Christopher L. Gadsden, Petitioner,

v.

Tuan Qvoc Pham, Respondent.

Appellate Case No. 2023-001866

RECEIVED

Jan 04 2024

SC Court of Appeals

ORDER

Petitioner has failed to file a petition for writ of certiorari, as required by Rule 242(c) of the South Carolina Appellate Court Rules. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY Patricia A. Howard
CLERK

Columbia, South Carolina

January 4, 2024

cc: Christopher L. Gadsden
Tuan Qvoc Pham
The Honorable Jenny A. Kitchings

The South Carolina Court of Appeals

Christopher L. Gadsden, Appellant,

v.

Tuan Qvoc Pham, Respondent.

Appellate Case No. 2023-000887

ORDER

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

H. Bruce Williams

C.J.

3L L. J.

J.

Robert H. Verdin

J.

Columbia, South Carolina

cc:
Christopher L. Gadsden
Tuan Qvoc Pham

FILED
Nov 09 2023

The South Carolina Court of Appeals

Christopher L. Gadsden, Appellant,

v.

Tuan Qvoc Pham, Respondent.

Appellate Case No. 2023-000887

ORDER

On June 2, 2023, this court temporarily granted Appellant's motion to stay, allowing ten days for Respondent to file a return to the motion and for Appellant to comply with § 27-40-800 of the South Carolina Code (2007). Appellant has failed to serve and file a written undertaking pursuant to § 27-40-800, as required by this court's order. *See* § 27-40-800(f)(1) ("Upon appeal to the Supreme Court or to the court of appeals, it is sufficient to stay execution of a judgment for ejectment that the tenant sign an undertaking that 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."). Accordingly, the motion to stay is denied.

On June 2, 2023, this court sent Appellant a letter notifying him that his notice of appeal was not in the proper format, it was missing a proof of service on Respondent and the lower court, and it failed to include a statement of when Appellant received written notice of entry of the order on appeal. This court informed Appellant that he must correct these deficiencies within ten days or his appeal would be dismissed. Appellant has failed to comply; accordingly, this appeal is dismissed and the remittitur will be sent as required by Rule 221(b), SCACR.


FOR THE COURT

Columbia, South Carolina

FILED
Jun 14 2023

cc:

Christopher L. Gadsden

Tuan Qvoc Pham