

The South Carolina Court of Appeals

Ashley Williamson, Appellant,

v.

Rock Pointe 2, Respondent.

Appellate Case No. 2024-000279

ORDER

Appellant filed a motion asking this court to stay a circuit court order that affirmed a magistrate's issuance of an order of eviction. After careful consideration, we temporarily grant Appellant's motion for a stay. We remand this case to the circuit court for a hearing on Appellant's motion to stay. *See* Rule 241(d), SCACR (explaining an application for supersedeas must first be made to the lower court which entered the order on appeal). If the circuit court denies Appellant's motion to stay, the circuit court should consider whether to grant Appellant an appeal bond pursuant to section 27-40-800(f)(1) of the South Carolina Code (2007). *See* § 27-40-800(f)(1) ("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 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."). Appellant shall notify this court of the circuit court's ruling within ten days of receiving notice of the ruling.



FOR THE COURT

Columbia, South Carolina

cc:
Ashley Williamson
Rock Pointe 2
Honorable William A. McKinnon

FILED
Mar 12 2024
