



# The South Carolina Court of Appeals

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April 1, 2024

Melissa Freeman  
132 Murrells Inlet Lane  
Moncks Corner SC 29461

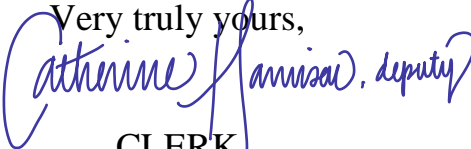
Re: The Estate of James F. Murrell v. Melissa Freeman  
Appellate Case No. 2023-001322

Dear Ms. Freeman:

Enclosed is the decision of the Court. Within ten days of the date of this letter you must provide proof that you have ordered the transcript of your hearing from the court of common pleas, or this appeal will be dismissed.

Be sure to copy the Court, the Office of Court Administration and opposing counsel with all correspondence concerning the transcript. The address for Court Administration is as follows:

South Carolina Office of Court Administration  
1220 Senate Street, Suite 200  
Columbia, SC 29201

Very truly yours,  
  
CLERK

cc: Brooks Roberts Fudenberg, Esquire

# The South Carolina Court of Appeals

The Estate of James F. Murrell, Respondent,

v.

Melissa Freeman, Appellant.

Appellate Case No. 2023-001322

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## ORDER

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Respondent's motion to dismiss is denied. This court has not issued a stay of the ejectment in this case. To the extent Respondent is seeking to eject Appellant based on her failure to pay the appeal bond, Respondent is free to seek a new writ of ejectment from the magistrate court if the prior one has expired. *See* S.C. Code Ann. § 27-40-800(e) ("If the tenant fails to make a payment within five days of the due date according to the undertaking and order staying execution, the clerk, upon application of the landlord, shall issue a warrant of ejectment to be executed pursuant to § 27-37-40 of the 1976 Code."); S.C. Code Ann. § 27-37-40 ("If the tenant fails to appear and show cause within the aforesaid ten days then the magistrate shall issue a warrant of ejectment and the tenant shall be ejected by his regular or special constable or by the sheriff of the county.").



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FOR THE COURT

Columbia, South Carolina

cc:

Melissa Freeman

Brooks Roberts Fudenberg, Esquire

The Honorable Paula McElvogue

**FILED**  
**Apr 01 2024**

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