

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
OF THE NINTH JUDICIAL CIRCUIT
CASE NO.: 2022-CP-10-03492

PVone REO, LLC,)
)
Plaintiff,)
)
vs.)
)
The Estate of Mary A. White,)
et al.,)
)
Defendant.)
_____)

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MAR 29 2024
SC Court of Appeals

MASTER'S ORDER
(Granting Plaintiff's Motion to Set Bond
Or Lift Automatic Stay)

This matter came to be heard by me on March 4, 2024 at Charleston, South Carolina pursuant to Plaintiff's Notice of Motion and Motion to Lift Automatic Stay or, in the alternative, to Require Appellant to Post Appeal Bond pursuant to Rule 241(b)(4), SCACR and Rule 62(d), SCRCP. Present at the Hearing was John J. Dodds III, attorney for Plaintiff ("Attorney Dodds"), and Appellant, DeWayne Alphonza Sykes ("Mr. Sykes"), appearing Pro Se. Prior to the Hearing, the Court accepted a written Opposition to Plaintiff's Motion and Affidavit of Facts filed by Mr. Sykes on March 4, 2024. The Court heard oral argument from both Attorney Dodds and Mr. Sykes, as well as reviewed Plaintiff's Motion and Affidavit of Mark Lehrer, Manager of Plaintiff, in support of the Motion, and Mr. Sykes' written Opposition to Plaintiff's Motion and Affidavit of Facts.

After careful consideration of the arguments of Attorney Dodds and Mr. Sykes, respectively, and after carefully reviewing Plaintiff's Motion and Affidavit of Mark Lehrer, Manager of Plaintiff, in support of the Motion, and Mr. Sykes' written Opposition to Plaintiff's Motion and Affidavit of Facts, I find and conclude as follows:

filed June 21, 2023, both of Mr. Sykes' Motions were denied and Plaintiff was awarded immediate possession of the Subject Property;

FOUR: Mr. Sykes timely filed an Appeal of this Court's Order, filed June 21, 2023, to the South Carolina Court of Appeals. This Appeal is pending;

FIVE: Plaintiff entered into a written Agreement/Contract: To Buy and Sell Real Estate (General Commercial Use), dated June 21, 2023, to sell the Subject Property for the sum of Two Hundred Twenty-Five (\$225,000.00) Dollars. Plaintiff has been unable to sell the Subject Property as the Appeal filed by Mr. Sykes is an encumbrance, as well as cloud on the title of the Subject Property. Further, Plaintiff is currently paying the cost of force-placed casualty/liability insurance on the Subject Property, as well as monthly electrical utility costs; and

SIX: In accordance with Section 18-9-170, Code of Laws of South Carolina, 1976, as amended, Rules 205 and 241(b)(4), SCACR, and Rule 62(d), SCRCR, it is just and proper that Plaintiff's Motion be granted. Mr. Sykes shall be required to post a written bond security undertaking in the amount of Seventy-Five Thousand and No/100 (\$75,000.00) Dollars in favor of Plaintiff, either in cash, or with two (2) known, sufficient and solvent sureties doing business in South Carolina, on or before five (5) o'clock p.m. on March 22, 2024. In the event Mr. Sykes fails to post a written bond security undertaking as hereinabove set forth on or before five (5) o'clock p.m. on March 22, 2024, then, and in that event, the automatic stay resulting from the currently pending appeal filed by Mr. Sykes, namely, Appellate Case No. 2023-001086, shall be immediately lifted without further Order or action by Plaintiff.

NOW, THEREFORE, it is

ORDERED, ADJUDGED and DECREED as follows:



Charleston Common Pleas

Case Caption: Pvene Reo Llc VS Mary A White Estate , defendant, et al
Case Number: 2022CP1003492
Type: Master/Order/Other

So Ordered

s/Mikell R. Scarborough 3062

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