

**RECEIVED**

**Apr 12 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM CHEROKEE COUNTY  
COURT OF COMMON PLEAS

THE HONORABLE J. MARK HAYES, II  
CASE NO. 2021-CP-11-00448  
APPELLATE CASE NUMBER: 2024-000523

Michael Wayne Gault and Hard Rock Investments, LLC.,

Appellants,

versus

Sheriff Steve Mueller and Cherokee County,

Respondents.

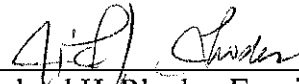
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MOTION TO STAY APPEAL  
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The Appellants brought the subject action in the Court of Common Pleas by Complaint filed July 20, 2021. The Appellants operate a salvage yard and were properly licensed. In March 2021, the Cherokee County unjustly revoked the Appellants' license contending that the license was no longer valid. The Appellants were prohibited from doing business.

The Appellants brought the subject action seeking to have their license reinstated and seeking to restart their business operations. The Appellants also sought damages which resulted from their business operations wrongfully being shut down.

By Order filed on March 1, 2024, the Honorable J. Mark Hayes, II denied the right of the Appellants to seek damages against Cherokee County pursuant to the S.C. Tort Claims Act.

The Appellants want to preserve their right to be heard on the right to seek damages but wants to continue the subject action so that they can regain their right to operate the salvage yard.



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April 12, 2024

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PROOF OF DELIVERY  
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This is to certify that on the 12<sup>th</sup> day of April, 2024, the undersigned, secretary to Richard H. Rhodes, Esq., served a copy of the MOTION TO STAY APPEAL by e-mailing a copy to opposing counsel.

Chad M. Graham, Esquire  
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Via Email: [cgraham@wardfirm.com](mailto:cgraham@wardfirm.com)  
Attorney for Respondents

  
\_\_\_\_\_  
JO ANN CHAMPION

SWORN to before me this 12<sup>th</sup>  
day of April, 2024

 (SEAL)  
\_\_\_\_\_  
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: 12-10-2025