

Apr 23 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
COUNTY OF Dorchester)

IN THE COURT OF COMMON PLEAS)
JUDICIAL CIRCUIT)

CASE NO.: 2024-CP-180-0251
RP: 2024 CV 1810300083

MOTION AND ORDER INFORMATION
FORM AND COVERSHEET

Tiborius Deed)
Sarah Payer) Plaintiff,)
235 Green Creek Way)
Summerville, SC 29483)
Salvatore Sciro-Cimaco)
401 Angus Parkway) Defendant.)
Summerville, SC 29483)

Motion to Stay the
Writ of Ejectment
under false pretenses

Plaintiff's Attorney: <u>N/A</u> , Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: _____, Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____
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- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
- FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
- PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information
 Nature of Motion: Stay writ of Ejectment (based on false pretense)
 Estimated Time Needed: _____ Court Reporter Needed: YES / NO

SECTION II: Motion/Order Type
 Written motion attached
 Form Motion/Order
 I hereby move for relief or action by the court as set forth in the attached proposed order. motion to stay writ (based on false pretense) solicitors lied to the courts he did receive payments or show anything
Alexis RA Payer/Sarah Payer 04/22/2024, 2024
 Signature of Attorney for Plaintiff / Defendant Date submitted

SECTION III: Motion Fee
 PAID - AMOUNT: \$ _____
 EXEMPT:
 (check reason) I former payee for health condition due to cancer and have been out of work
 Rule to Show Cause in Child or Spousal Support
 Domestic Abuse or Abuse and Neglect
 Indigent Status State Agency v. Indigent Party
 Sexually Violent Predator Act Post-Conviction Relief
 Motion for Stay in Bankruptcy
 Motion for Publication Motion for Execution (Rule 69, SCRPC)
 Proposed order submitted at request of the court; or,
 reduced to writing from motion made in open court per judge's instructions
 Name of Court Reporter: _____
 Other: Motion to proceed without cost

JUDGE'S SECTION
 Motion Fee to be paid upon filing of the attached order.
 Other: _____
 JUDGE CODE _____
 Date: _____, 20____

CLERK'S VERIFICATION
 Collected by: _____ Date Filed: _____, 20____
 MOTION FEE COLLECTED: \$ _____
 CONTESTED - AMOUNT DUE: \$ _____

My new phone number is 843-228-5441 or 843-851-1569
Call if there are any mistake or errors. please. Tiberius Decis.

Salvatore has not done anything I have given to make me or the other money easier to pay in court. I would at least have to pay in court to pay in court. I don't trust him to tell the truth. I know I can have the payments set up for as I don't trust him to tell the truth.

STATE OF SOUTH CAROLINA

COUNTY OF Dorchester

TIBERIUS DEASO
Sarah Rogan APPELLANT(S)

VS.

SALVATOR SCIRE-CIRNECO
401 Anderson Way
Summerville, 29483 RESPONDENT(S)

2024CV1800251
COMMON PLEAS CASE NUMBER
Ref: 2024CV1810300083
~~2024CV1810300083~~
MAGISTRATE CIVIL CASE NUMBER

IN THE COURT OF COMMON PLEAS
NOTICE OF CIVIL APPEAL

The plaintiff/defendant (circle one), Tiberius Decis/ Sarah Rogan hereby gives notice of appeal from the judgment of the ~~magistrate's court~~ Circuit Court in the above action, to the Circuit Court of Common Pleas, in the county of Dorchester.

This notice of appeal is made subsequent to personal notice of the judgment which was received on the 22 day of April, 2024.

The appellant's exceptions to the judgment of the magistrate are set forth as follows:

The judgment that was granted by the court to make 600.00 a month payments was paid. I made multiple attempts to get the first payment to Salvatore and he wouldn't accept the payments at first. I then sought other means to get the payments to him by Common Unknown Associates. The Associate Cheryl Deas my mother took the first payment on March 5th which I have money order receipts for and for April's payment I had a common friend between me and Salvatore give him the payment by the 5th. He called then out and wouldn't take payment each time I got first until he finally did after a few days of contacting and calls. I would like the courts to grant my appeal he opened as I have receipts of payments both March 5th, and April 5th on money order and I have witnesses that can attest he received them both.

Dated: 04/22/2024

Tiberius Decis
Appellant (or his attorney)

Further more I would like to make any other payments to the courts if possible. I don't believe he is keeping fair from the threats, to the breaking in of my room, and now the lying of the witnesses. I'd handle

STATE OF SOUTH CAROLINA
COUNTY OF Dorchester

TIBERIUS DEASO
JARAH REGEN
Plaintiff/Landlord,

vs.

SALVATORE SCIRE-CIENIA
Defendant/Tenant.

IN THE COURT OF COMMON PLEAS
Columbia-South Carolina JUDICIAL CIRCUIT

2024 CP1800251
COMMON PLEAS CASE NUMBER

2024 CV1810300083
MAGISTRATE CIVIL CASE NUMBER

BOND TO STAY EVICTION ON
APPEAL

S.C. Code § 27-40-800(b)

Now comes the tenant in the above entitled action and respectfully shows the court that a judgment of ejection was issued against the tenant and for the landlord on 04/22/2024 (date) by the magistrate. Tenant has appealed the judgment to the circuit court.

The tenant is obligated to pay rent in the amount of \$ 600.00 per month (week/month/etc.) due on the 1st - 5th day of each month (week/month/etc.).

Tenant hereby undertakes to pay the periodic rent hereinafter due and moves the circuit court to stay execution on the judgment for ejection until this matter is heard on appeal and decided by the circuit court.

Date: 04/22/2024

[Signature]
Tenant

Upon execution of the above bond, execution on the judgment of ejection is hereby stayed until the action is heard on appeal and decided by the circuit court. If Tenant fails to make any rental payment within five days of the due date, upon application of the landlord, the stay of execution shall dissolve, the appeal by the tenant to the circuit court on issued dealing with possession must be dismissed, and the sheriff may dispossess the tenant.

Date: _____

Judge or Clerk

I sent this as a beginning and wanted to make further payments to the courts for Rent
FORM CREATED BY SC LEGAL SERVICES FOR USE BY PRO SE LITIGANTS. USE OF THIS

Salvatore did receive payment in March & April
I ask the courts to Re-grant my stay order bond

* Motion to proceed without cost (to forma pauperis)

- I have found out at the end of the year of 2023 that I had Carcinomas Spores on my inner wall of my liver. I have since been out of work and on a hardship type of living until I get more testing done and a proper cancer specialist. It has been hard on me and my family with the car rental threatening and breaking into O's residence as well as lying that he hasn't received payments on medical bills. We attempted to pay by the 5th he denied us and then later took both payments. I have money order receipts and witness to contest his lies but we need our place to stay for the time being and hope to find another place soon as I further go through cancer treatment. So I ask the Court to please waive fees and please grant my bond and a writ to stay eviction again as false stories were given to the courts. I would like to have it set to pay at the court father on if I can get my bond to stay back. This way I can guarantee Sabatino will not have to file the courts again.

04/22/2024

Tyboris Dices

[Signature]

04/22/2024

Sarah Peger

[Signature]

RECEIVED

Apr 23 2024

SC Court of Appeals

(2024 CP 1800251)

(Ret: 2024CV 181030083)

Apr 23 2024

SC Court of Appeals

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER
IN THE COURT OF COMMON PLEAS

CERTIFIED COPY

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2024CP1800251

Tiberius Deas Sarah Regen Salvatore Scire Cerneco

PLAINTIFF(S) DEFENDANT(S)
Submitted by: Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):
 - Rule 43(k), SCRPC (Settled); Other: _____
 - Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 - ACTION STRICKEN (CHECK REASON): Rule 40(j) SCRPC; Bankruptcy;
 - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- STAYED DUE TO BANKRUPTCY
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
 - Affirmed; Reversed; Remanded; Other: Appellant failed to post the required bond. Therefore the Appeal is hereby dismissed in the Circuit Court by the instructions in the signed attached order from Judge Leviner in Summerville Magistrate.

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.
Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
Note: Title abstractors and researchers should refer to the official court order for judgment details.
E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Cheryl Graham
Cheryl Graham, Clerk of Court

2099
Judge Code

4/17/2024
Date

For Clerk of Court Office Use Only

This judgment was entered on 4/17/24, and a copy mailed first class or placed in the appropriate attorney's box on 04/17/24, to attorneys of record or to parties (when appearing pro se) as follows:

Tiberius Deas 235 Greenwave Blvd Lot 38 Summerville, SC
29483
Sarah Regen 235 Greenwave Blvd Lot 38 Summerville, SC
29483

Salvatore Scire Cirneco 401 Amberjack Way Summerville,
SC 29483
Jeffrey William Kuykendall 321 Wingo Way Ste. 201 Mount
Pleasant, SC 29464

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Cheryl Graham

Cheryl Graham - Clerk of Court

Court Reporter

Court Reporter: ..

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

cc: Summerville Magistrate Court via email and Courier

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

SALVATORE SCIRE-CIRNECO,
Plaintiff/Landlord

vs.

TIBERIUS DEAS,
Defendant/Tenant.

CERTIFIED COPY

2024 APR 17 PM 1:00

Christy Johnson
CLERK OF COURT
DORCHESTER COUNTY

IN THE MAGISTRATE'S COURT
SUMMERVILLE DIVISION
CIVIL CASE NO. 2024CV1810300083

APR 12 2024

AFFIDAVIT OF NON-COMPLIANCE

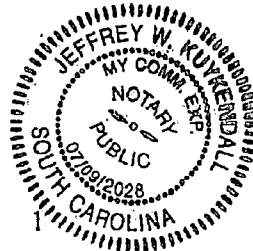
COMES NOW, Salvatore Scire-Cirneco, who, being duly sworn, deposes and says:

1. I am the Plaintiff in the above-captioned matter.
2. Pursuant to Section 27-40-800 of the South Carolina Code of Laws, a bond hearing was held in conjunction with civil case number 2024CV1810300083 on February 27, 2024 at 1:00 PM in which the Court determined that the Defendant(s) were obligated to pay \$600.00 per month beginning March 1, 2024 to Plaintiff by the first day of each month.
3. Defendant Tiberius Deas has failed to post bond in the amount of \$600.00 to stay the execution of the Warrant of Ejectment pursuant to Section 27-37-40 of the South Carolina Code of Laws 1976 as amended.
4. Plaintiff respectfully requests that this Court enter a Notice of Non-Compliance, a proposed copy of which is attached to this affidavit as *Exhibit A* notifying the Clerk of Court of Common Pleas of Defendant's non-compliance with the above section and a Warrant of Ejectment be issued in accordance with Section 27-37-40.

Salvatore Scire-Cirneco
SALVATORE SCIRE-CIRNECO

This the 10th day of April, 2024.

[Signature]
Notary Public for South Carolina
My Commission Expires:



CERTIFIED COPY

2024-CP-18-00251

2024 FEB 15 AM 11:38

STATE OF SOUTH CAROLINA

COMMON PLEAS CASE NUMBER

COUNTY OF Dorchester

Cheryl Graham
CLERK OF COURT
DORCHESTER COUNTY

2024CV1810300083

MAGISTRATE CIVIL CASE NUMBER

Tiberius Deas
Sarah Regen APPELLANT(S)

IN THE COURT OF COMMON PLEAS

VS.

NOTICE OF CIVIL APPEAL

Salvatore Scire-Cinco
401 Amber Oak Way
Summerville SC 29483 RESPONDENT(S)

The plaintiff (circle one), Tiberius Deas / Sarah Regen hereby gives notice of appeal from the judgment of the magistrate's court in the above action, to the Circuit Court of Common Pleas, in the county of Dorchester.

This notice of appeal is made subsequent to personal notice of the judgment which was received on the 14th day of February, 2024.

The appellant's exceptions to the judgment of the magistrate are set forth as follows:

I moved in between Oct-November or between the End and/or Beginning of November. My landlord was heading out of town and said he would give me a lease with the monthly last and the full rent. He had paid for November and December \$600.00 and I had a list of complaints including the key to the mail box the other roommate (from Metzger) and I found numerous hazards such as water leaks from the toilet collapsing the infestation of mold from multiple leaks on the roof, he told me to smell everywhere. We got estimates for everything and he refused to help but he was harassing in killing in my house poor for rent and sending threats to my girlfriend and crowding me and her with a group of his coworkers to burn me to put out after he neglected to fix the issues as well as breathing my poor in to my room, harassing Sarah and the Magistrate Death Threats. All for the rent when he wasn't doing his part. I have the lease for the rental which was mis-handled as well and mentioned.

Dated: 02/15/2024

Appellant (or his attorney) Jean Regen

*Cont: I never received any writ to show cause, and was told (SAL) himself may have revoked the notices and I never got a mail key so I was unable to receive and witness through the mail. He was nasty and rude and threatening to me and my family with threats as neglect.
SCCA/720 (Amended 8/1/2011)

STATE OF SOUTH CAROLINA

COUNTY OF Dorchester IN THE COURT OF COMMON PLEAS

Tiberius Deas Plaintiff(s))
Sarah Regen vs.)
Salvatore Scire-Circo Defendant(s))

CLERK OF COURT
SHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

1024-CP-18-00251

Submitted By: Tiberius Deas / Sarah Regen
Address: 235 Greenway Blvd Lot 38
Summerville, S.C. 29485

SC Bar #: _____
Telephone #: 843-490-0737
Fax #: _____
Other: _____
E-mail: mt.tiberius.deas@gmail.com

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing cases that are NOT E-Filed. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint. This form is NOT required to be filed in E-Filed Cases.

DOCKETING INFORMATION (Check all that apply)
*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint.
- NON-JURY TRIAL demanded in complaint.
- This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is exempt from ADR. (Certificate Attached)

NATURE OF ACTION (Check One Box Below)

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Contracts
<input type="checkbox"/> Constructions (100)
<input type="checkbox"/> Debt Collection (110)
<input type="checkbox"/> General (130)
<input type="checkbox"/> Breach of Contract (140)
<input type="checkbox"/> Fraud/Bad Faith (150)
<input type="checkbox"/> Failure to Deliver/Warranty (160)
<input type="checkbox"/> Employment Discrim (170)
<input type="checkbox"/> Employment (180)
<input type="checkbox"/> Other (199) _____
<input type="checkbox"/> Inmate Petitions
<input type="checkbox"/> PCR (500)
<input type="checkbox"/> Mandamus (520)
<input type="checkbox"/> Habeas Corpus (530)
<input type="checkbox"/> Other (599) _____ | <input type="checkbox"/> Torts - Professional Malpractice
<input type="checkbox"/> Dental Malpractice (200)
<input type="checkbox"/> Legal Malpractice (210)
<input type="checkbox"/> Medical Malpractice (220)
Previous Notice of Intent Case #
20____-NI-_____
<input type="checkbox"/> Notice/ File Med Mal (230)
<input type="checkbox"/> Other (299) _____ | <input type="checkbox"/> Torts - Personal Injury
<input type="checkbox"/> Conversion (310)
<input type="checkbox"/> Motor Vehicle Accident (320)
<input type="checkbox"/> Premises Liability (330)
<input type="checkbox"/> Products Liability (340)
<input type="checkbox"/> Personal Injury (350)
<input type="checkbox"/> Wrongful Death (360)
<input type="checkbox"/> Assault/Battery (370)
<input type="checkbox"/> Slander/Libel (380)
<input type="checkbox"/> Other (399) _____ | <input type="checkbox"/> Real Property
<input type="checkbox"/> Claim & Delivery (400)
<input type="checkbox"/> Condemnation (410)
<input type="checkbox"/> Foreclosure (420)
<input type="checkbox"/> Mechanic's Lien (430)
<input type="checkbox"/> Partition (440)
<input type="checkbox"/> Possession (450)
<input type="checkbox"/> Building Code Violation (460)
<input type="checkbox"/> Other (499) _____ |
| <input type="checkbox"/> Special/Complex /Other
<input type="checkbox"/> Environmental (600)
<input type="checkbox"/> Automobile Arb. (610)
<input type="checkbox"/> Medical (620)
<input type="checkbox"/> Other (699) _____
<input type="checkbox"/> Sexual Predator (510)
<input type="checkbox"/> Permanent Restraining Order (680)
<input type="checkbox"/> Interpleader (690) | <input type="checkbox"/> Administrative Law/Relief
<input type="checkbox"/> Reinstate Drv. License (800)
<input type="checkbox"/> Judicial Review (810)
<input type="checkbox"/> Relief (820)
<input type="checkbox"/> Permanent Injunction (830)
<input type="checkbox"/> Forfeiture-Petition (840)
<input type="checkbox"/> Forfeiture-Consent Order (850)
<input type="checkbox"/> Other (899) _____ | <input type="checkbox"/> Judgments/Settlements
<input type="checkbox"/> Death Settlement (700)
<input type="checkbox"/> Foreign Judgment (710)
<input type="checkbox"/> Magistrate's Judgment (720)
<input type="checkbox"/> Minor Settlement (730)
<input type="checkbox"/> Transcript Judgment (740)
<input type="checkbox"/> Lis Pendens (750)
<input type="checkbox"/> Transfer of Structured Settlement Payment Rights Application (760)
<input type="checkbox"/> Confession of Judgment (770)
<input type="checkbox"/> Petition for Workers Compensation Settlement Approval (780)
<input type="checkbox"/> Incapacitated Adult Settlement (790)
<input type="checkbox"/> Other (799) _____ | <input type="checkbox"/> Appeals
<input type="checkbox"/> Arbitration (900)
<input checked="" type="checkbox"/> Magistrate-Civil (910)
<input type="checkbox"/> Magistrate-Criminal (920)
<input type="checkbox"/> Municipal (930)
<input type="checkbox"/> Probate Court (940)
<input type="checkbox"/> SCDOT (950)
<input type="checkbox"/> Worker's Comp (960)
<input type="checkbox"/> Zoning Board (970)
<input type="checkbox"/> Public Service Comm. (990)
<input type="checkbox"/> Employment Security Comm (991)
<input type="checkbox"/> Other (999) _____ |

Submitting Party Signature: _____

Tiberius Deas
Sarah Regen

Date: 02/15/2024
02/15/2024

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS
JUDICIAL CIRCUIT

COUNTY OF Dorchester

CASE NO.: 2024-CP-180-0251

**MOTION AND ORDER INFORMATION
FORM AND COVERSHEET**

Tiberius Reed
Sarah Poyen Plaintiff,

215 Green Creek Road
Summerville, SC 29483
Salvatore Scire-Civacco Defendant.
401 Amber Beach way
Summerville, SC 29483

Motion to Stay the writ of Ejectment under false pretenses

Plaintiff's Attorney: N/A, Bar No. _____
Address: _____
Phone: _____ Fax _____
E-mail: _____ Other: _____

Defendant's Attorney: _____, Bar No. _____
Address: _____
Phone: _____ Fax _____
E-mail: _____ Other: _____

- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
- FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
- PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: Stay writ of Ejectment (based on false pretense)
Estimated Time Needed: _____ Court Reporter Needed? YES/ NO

SECTION II: Motion/Order Type

Written motion attached
 Form Motion/Order
I hereby move for relief or action by the court as set forth in the attached proposed order.
Motion to stay writ (based on false pretense)
Salvatore Scire-Civacco used to file courts he did receive payments on that property
Alexander Poyen Signature of Attorney for Plaintiff / Defendant Date submitted 04/22/2024, 2024

SECTION III: Motion Fee

- PAID - AMOUNT: \$ _____
- EXEMPT: (check reason)
 - Rule to Show Cause in Child or Spousal Support
 - Domestic Abuse or Abuse and Neglect
 - Indigent Status State Agency v. Indigent Party
 - Sexually Violent Predator Act Post-Conviction Relief
 - Motion for Stay in Bankruptcy
 - Motion for Publication Motion for Execution (Rule 69, SCRPC)
 - Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions
- Name of Court Reporter: _____
- Other: Motion to proceed without cost

JUDGE'S SECTION
 Motion Fee to be paid upon filing of the attached order.
 Other: _____

JUDGE CODE _____
Date: _____, 20

CLERK'S VERIFICATION

Collected by: _____ Date Filed: _____, 20

MOTION FEE COLLECTED: \$ _____
 CONTESTED - AMOUNT DUE: \$ _____