

The South Carolina Court of Appeals

Eastman Credit Union, Respondent,

v.

Michael Gilbert a/k/a Michael L. Gilbert, Hammond School, Founders Federal Credit Union, Woodcreek Farms Homeowners Association and South Carolina Department of Revenue, Defendants,

of which Michael Gilbert a/k/a Michael L. Gilbert is the Appellant

and

Hammond School, Founders Federal Credit Union, Woodcreek Farms Homeowners Association and South Carolina Department of Revenue are the Respondents.

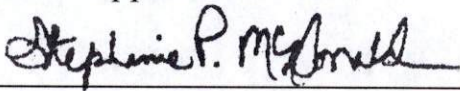
Appellate Case No. 2024-001011

ORDER


On June 17, 2024, this court denied Appellant's petition for supersedeas, in which Appellant moved "for a writ of supersedeas staying the execution of the judgment in this case, including the sale and execution of a writ of possession, pending resolution of the appeal in order to preserve the jurisdiction" of this court and "avoid the mootness of the appeal." In denying the petition, we noted Appellant failed to appeal the underlying foreclosure action, and that the transfer of possession would not moot the appeal. Appellant has now filed a petition for rehearing from the denial of supersedeas, asserting that he *did* appeal the foreclosure and directing this court's attention to the order on appeal, the circuit court's June 13, 2024 order denying Appellant's motion to set aside default and judicial sale. Appellant also requests, in the alternative, that this court remand for

the setting of an appeal bond.

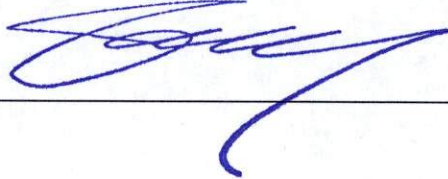
After careful consideration of the petition for rehearing, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. To clarify our prior order, Appellant failed to appeal the underlying order of foreclosure sale, which was issued on April 20, 2024. Accordingly, the petition for rehearing is denied. Nothing in this order prevents Appellant from making his arguments regarding the merits of the order on appeal in his Appellant's brief.



J.



J.



J.

Columbia, South Carolina

cc:
Kenneth Allen Davis, Esquire
Tierney Felicia Goodwyn, Esquire
Dean Anthony Hayes, Esquire
Kiera Courtney Dillon, Esquire
Robert Julian Thomas, Jr., Esquire
Kyle Aaron Brannon, Esquire
Walter B. Todd, Jr., Esquire
Shaun W. Cranford, Esquire

FILED
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