

The South Carolina Court of Appeals

Elizabeth M. Ferraro, James T. Ferraro, Edward J. Przybyl, Marcella Gleie, John E. Gleie, Jr., Thomas Bowes, Connie Bowes, Moataz Alasadi, Virginia Kirkwood, Bob Kirkwood, Paul Vichroski, Nydza Vichroski, James Montellese, Roxann Montellese, Individually, Derivatively, and on Behalf of all the Mount Vintage Homeowners Association Members, Respondents,

v.

LL of SC, LLC, Raiford Topsail Island Investments, LLC, TR Sales Plantation, LLC, and Mount Vintage Plantation Homeowners Association, Inc. a/k/a Mount Vintage Homeowners Association, Inc., Defendants,

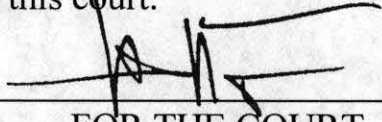
of which LL of SC, LLC, Raiford Topsail Island Investments, LLC, and TR Sales Plantation, LLC, are the Appellants.

Appellate Case No. 2024-001510

ORDER

Appellants have filed a new notice of appeal from the circuit court's interlocutory but appealable September 10, 2024 order granting partial summary judgment for Respondents. *See Link v. Sch. Dist. of Pickens Cnty.*, 302 S.C. 1, 6, 393 S.E.2d 176, 179 (1990) (holding that an order granting summary judgment is appealable under § 14-3-330(1) as "involving the merits" because it finally determines a "substantial matter forming the whole or a part of some cause of action or defense") (internal citation omitted). Appellants have also filed a petition for supersedeas to stay the proceedings below, pending this appeal. Trial is scheduled to start Monday September 16, 2024.

Appellants' petition for supersedeas is temporarily granted, pending this court's review of a return from Respondents. Within ten days of the date of this order, Respondents shall serve and file a return to the petition. The proceedings in the trial court are stayed until further order of this court.



FOR THE COURT

Columbia, South Carolina

cc:

Collin Heath Fuller, Esquire
Justin O'Toole Lucey, Esquire
Anna Scarborough McCann, Esquire
Steven Edward Buckingham, Esquire
The Honorable R. Lawton McIntosh

FILED
Sep 12 2024
