

From: [Carrie Fender](#)
To: [Court Of Appeals Filings](#)
Subject: Attn Denesha Staley Fwd: Intent to pursue legal action
Date: Thursday, September 19, 2024 12:47:12 PM

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Attached is a copy of the email I sent to Edgemont Apartments of my intent to pursue legal action the morning before they set us out.

Carrie L Fender

RECEIVED
Sep 19 2024
SC Court of Appeals

----- Forwarded message -----

From: **Edgemont** <Edgemont.Reply.PRG@aptleasing.info>
Date: Mon, Sep 16, 2024 at 9:35 AM
Subject: RE: Intent to pursue legal action
To: <carriefender104@gmail.com>

[864-438-0739](tel:864-438-0739)

Call or Text Us!



Edgemont Apartments

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Hi Carrie!

We just reached out to our attorney who then contacted the court, and the court confirmed your set out is scheduled for today at 10AM.

Thank you!

From : carriefender104@gmail.com
cc :
Sent : 9/16/2024
Subject: Intent to pursue legal action

Edgemont Apartments

[151 Mitchell Rd](#)
[Greenville SC, 29615](#)

****To Whom It May Concern,****

I am writing to formally notify you that on Friday, September 13, 2024, I filed a notice of appeal with the South Carolina Court of Appeals regarding the recent eviction and ejectment order issued by the summary court. Both the summary court and your office were properly notified of this appeal on the same day. I did not receive the magistrate court's response to my motion to reconsider and/or adjust the appeal bond until the afternoon of Thursday, September 12, 2024. That same evening, at 5:19 p.m., I received a call from Jerri informing me that the constable would be serving notice of the writ of ejectment on Friday, September 13, and that the set-out was scheduled for 10 a.m. on Monday, September 16. Despite having less than 24 hours on the final business day to file my appeal with the Court of Appeals, I was able to successfully do so. However, I received a voicemail at 6:29 p.m. last night from Constable R.S. Clough, stating that he had been informed at 4:45 p.m. on Friday, September 13, that Jerri or someone from the summary court office confirmed the set-out for Monday at Mitchell Road would proceed, despite my notice of appeal being filed. This action directly violates the legal process and the rights granted to me under the appeals procedure.

Furthermore, no one notified me that the magistrate judge decided not to honor my notice to appeal. When I filed the motion to have our appeal bond reconsidered and adjusted to a reasonable amount so that we could afford to post that bond and stay throughout our appeal it was denied without him even being in the office to review it. I went to serve the paperwork and was told he was out of town until the following Monday but that she (Jerri) called him and read him the motion and it was denied. I was there 5 mins and expected another bond hearing would be scheduled. I've been met with resistance at every turn and have had no control over the loss of my job or repossession of my car and all of those challenges do not make caring for my father who is at risk for another stroke any easier. The circumstances that led to the need for a bond adjustment weren't carefully considered or evaluated nor were they addressed in his response I just received on the 12th. I am genuinely trying.

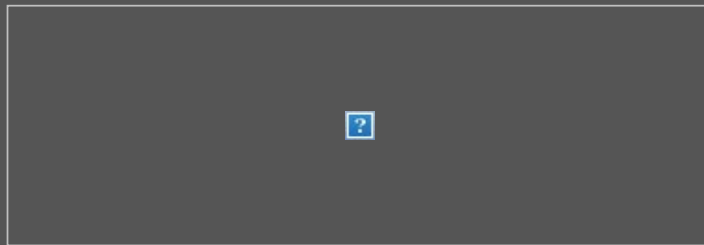
If the eviction is carried out before my appeal is fairly reviewed and resolved, I will take legal action against you for wrongful eviction and seek damages. I strongly urge you to reconsider your position and allow the legal process to unfold as it should. Proceeding with the eviction while my appeal is pending, and while I am seeking an emergency stay from the appellate court, could result in significant legal and financial consequences for you. Thank you for your attention to this matter. I hope we can resolve this issue amicably without further legal action.

Sincerely, Carrie L. Fender.

Carrie L Fender

[151 Mitchell Rd, Greenville, SC 29615](#)

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[151 Mitchell Rd, Greenville, SC 29615](#)

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