

The South Carolina Court of Appeals

Ponder Gambrell, Appellant,

v.

Promenade Residential, Respondent.

Appellate Case No. 2024-000792

ORDER

On May 16, 2024, this court granted a temporary stay and remanded the case to the circuit court for an expedited hearing on Appellant's motion to stay and determination of any appeal bond. On May 30, 2024, the circuit court set an appeal bond and ordered all other issues be held in abeyance during the pendency of the appeal.

On October 18, 2024, following a hearing that Appellant did not attend, the circuit court dismissed the appeal from the magistrate's court for failure to prosecute. On October 21, 2024, Appellant filed a motion to stay with this court, explaining that a writ of ejectment had been issued. On October 22, 2024, Appellant provided proof the writ of ejectment was issued on October 18, 2024.

We vacate the circuit court's October 18, 2024 order dismissing the appeal and the October 18, 2024 writ of ejectment because this case was remanded for the limited purpose of setting the appeal bond. *See* Rule 205, SCACR ("Upon the service of the notice of appeal, the appellate court shall have exclusive jurisdiction over the appeal . . .").



FOR THE COURT

J.

Columbia, South Carolina

cc:

Ponder R. Gambrell

Promenade Residential

The Honorable Chastity Copeland

The Honorable Eugene C. Griffith, Jr.

The Honorable R. Scott Sprouse

FILED
Oct 22 2024