

The state of South Carolina
In the Court of Appeal
Appeal From Richland County
Court of Common Pleas
Judge James Barber

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SEP 24 2013
SC Court of Appeals

The Case No.s: 2013 CP-400-1291, 1292, 1293, 1938

Haiyan Lin ----- Appellant
Vs.
City of Columbia ----- Respondent

Appellate Case No. 2013-001862
Motion To Stay The Appeal

The appellant, Haiyan Lin, hereby moves to this court to reconsider the order of dismissal on the ground that "A Form 4 specifically indicating a final order will follow is not a final order and is not immediately appealable."

The Notice of the Appeal from Judge Barber's order to dismiss the appeals in the circuit court does not deprive trial court of subject matter jurisdiction to issue its final order on the appeals. See *Metts V. Mims*, 384 S.C. 491, 499, 682 S.E.2nd 813 (2009). Therefore, the

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appeal shall stay till the final orders are issued.

It is extremely important that this Notice of Appeal stays in put, so that the appellant's constitutional rights can be preserved and protected. The appellant has filed motion for reopen on her cases in the city court. While waiting the motion to be disposed, she was arrested on forged bench warrants and been wrongfully put in prison for nearly four months without bonds, untill being granted the appeal bond. The circuit court judge Barber dismissed her appeals with prejudice, even without reviewing the cases at all. Please review the attached "Motion For Declaratory and Injunctive Relief" to be able to relize seriousness of the matters.

The appellant simply could not afford to take risk of being put in prison again. The city court has

willfully violated the appellant's due process and equal protection rights, and the circuit court has shamefully failed to restore the integrity of the judicial system. The appellant now relies on the appellate court to protect her constitutional rights.

The appellant prays that this court will stay her appeal, and will order the circuit court to issue its final orders, so that she can move the appeal forward, to protect her constitutional rights.

Sept. 24, 2013

Haiyan Lin

Haiyan Lin

P.O. Box 1011

Columbia SC 29202

cc: City of Columbia

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The Certificate of Services

The appellant, Haiyan Lin, certifies
that she has served the respondent
by US mail to.

City Attorney Office
P.O. Box 667
Columbia, SC 29202

on Sept. 24, 2013.

Haiyan Lin

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