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SC Court of Appeals

MOTION TO STAY

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM COUNTY OF HORRY
Court of Common Pleas

George E. Brown, Circuit Court Judge

Case No. 2019-CP-26-00350

US Bank Trust National Association,
Not In Its Individual Capacity But
Solely As Owner Trustee For
VRMTG Asset Trust,

Respondent,

v.

Joanne Y. Ernesto a/k/a Joanne
Ernesto; Myrtle Beach Golf and
Yacht Club Association, Inc.;
Midland Funding LLC,

Appellant.

MOTION TO STAY

TO: THE HONORABLE COURT AND ALL PARTIES OF RECORD:

Joanne Y. Ernesto (the "Appellant"), by and through the undersigned, respectfully moves this Court for an order staying proceedings and granting an extension of at least thirty (30) days to respond or otherwise address matters related to the appeal. In support of this motion, the Appellant states as follows:

1. The Appellant was not notified of any appeal hearing or court date regarding the above-referenced case.
2. A close member of the Appellant's family suffered a stroke and was in the ICU for a week prior to passing away. This tragic event has significantly impacted the Appellant's ability to address the appeal and prepare necessary filings in a timely manner.
3. The Appellant and her family are experiencing financial hardship and are facing the urgent need to find alternative living accommodations due to the risk of losing housing. These challenges have further compounded the Appellant's difficulties in managing this legal matter.
4. The Appellant has served a Notice of Appeal in accordance with applicable rules and procedures.
5. In light of the unforeseen circumstances, financial hardship, and lack of notification of a hearing or court date, Appellant respectfully requests an extension of at least thirty (30) days to adequately prepare and participate in the appeal process.

WHEREFORE, the Appellant respectfully prays that this Court:

1. Issue an order staying all proceedings related to the above-captioned matter;
2. Grant an extension of at least thirty (30) days for the Appellant to respond or take further action in this case; and
3. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted this 5th day of January, 2025.

Joanne Y. Ernesto
6654 Wisteria Drive
Myrtle Beach, South Carolina 29588

cc: Kevin Ted Brown
3800 Fernandina Road Suite 110
Columbia, SC 29210
Attorney for Respondent

cc: Brook Dangerfield
3800 Fernandina Road Suite 110
Columbia, SC 29210
Attorney for Respondent

cc: Alan Martin Stewart
P.O. Box 8237
Columbia, SC 29202-8237
Attorney for Respondent

cc: Horry County Clerk of Courts
1301 2nd Avenue
Conway, SC 29526

cc: Horry County Sherriff's Office
P.O. Box 380
Conway, SC 29528

cc: Shellpoint Mortgage Servicing
P.O. Box 10826
Greenville, SC 29603-0826

CERTIFICATE OF SERVICE

I certify that I have served a copy of this Motion to Stay by depositing it in the United States Mail, postage prepaid, on January 5, 2025, addressed to:

Kevin Ted Brown
3800 Fernandina Road Suite 110
Columbia, SC 29210
Attorney for Respondent

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Joanne Y. Ernesto