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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of
Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

Steven C. Kirven, Master in

Equity

Case No. 2023-CP-37-00620

Ex Parte: Christopher A. Pierce, Appellant

Foxwood Hills Property Owners Association, Respondent,

v.

Michael D. Jewell, Lori Marcengill, South Carolina Department of Motor Vehicles,
Defendant's,

of which Michael D. Jewell is an Appellant.

APPELLANT'S REPLY TO RESPONDENT'S
RETURN TO MOTION FOR EMERGENCY STAY

Appellant Michael Jewell objects to Respondent's Return in that he would suffer extraordinary hardship and suffering if his property were sold and then later he were to prevail with his appeal. Respondent cites statute SC-18-9-170 as his basis that he be allowed to foreclose and sell Jewell's property and goes on to cite that Jewell must post a surity bond. But Respondent failed himself to get a surity bond needed to sell the property under SC-18-9-130 as provided below.

(2) A plaintiff may not enforce a sale of property after a notice of appeal is filed without giving an undertaking or bond to the defendant, with two good sureties, in double the appraised value of the property or double the amount of the judgment, conditioned to pay all damages the defendant may sustain by reason of the sale in case the judgment is reversed. The

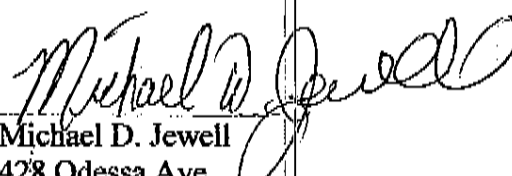
plaintiff in such a case may not proceed with a sale of defendant's property if the defendant enters into an undertaking, with good sureties, in double the appraised value of the property or the amount of the judgment, to pay the judgment with legal interest and all costs and damages the plaintiff may sustain by reason of the appeal or to produce the property levied on and submit to the sale if the judgment is confirmed.

Jewell believes the value of his property to be about \$100,000 and therefore believes according to the above law that Respondent would need a \$200,000 bond to proceed with the sale of his property. Since Respondent has not assumed that undertaking he may not proceed with sale of the Jewell property.

Jewell also believes any bond on his part is not necessary as the value of his property exceeds the \$18,000 judgment in his foreclosure case. I similar property of Tony Vaughn several houses away sold for \$25,000 at the foreclosure auction. Therefore he asks the judge that no bond be required.

Jewell further asks the court to consider his indigent status in that he is not financially able to pay a bond and he has already filed for Informa Pauperis status with the court. He feels his right to justice should not be based on his finances. Given his status he does not want give up on his appeal merely for financial reasons and hopes the court will take this into consideration and not require a bond to have a Stay.

Thank you for your consideration,


Michael D. Jewell
428 Odessa Ave.
Westminster, SC 29678
864-614-2016
Self Represented

March ^{19th} 2025

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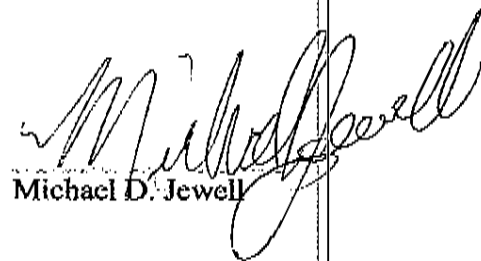
of which Michael D. Jewell is an Appellant.

CERTIFICATE OF SERVICE

I have deposited in first class mail a copy of Appellant's Reply to Respondent's Return
for

Motion for Emergency Stay to: John Kay, Hutchens Law Firm, P.O. Box 8237
Columbia,

SC 29202.


Michael D. Jewell

March 10, 2025

428 Odessa Ave.
Westminster, SC 29678
864-614-2016
Self Represented