

The South Carolina Court of Appeals

Reverse Mortgage Solutions, Inc., Respondent,

v.

Elvenia Bowens, and United States of America, acting by
and through its agency, Secretary of Housing and Urban
Development, Defendants,

Of whom Elvenia Bowens is the Appellant.

Appellate Case No. 2013-002122

ORDER

After careful consideration, Appellant's emergency petition for writ of supersedeas is denied. *See Ex parte Andrews*, 152 S.C. 325, 150 S.E. 313 (1929) (holding that the appellate court rule permitting the appellate court to stay proceedings from which an appeal is taken is not intended to interfere in any way with statutory provisions governing the stay of judgments from the sale or delivery of land); S.C. Code Ann. § 18-9-170 (1976) ("If the judgment appealed from direct the sale or delivery of possession of real property, the execution of the judgment shall not be stayed unless a written undertaking be executed on the part of the appellant, *with two sureties*, to the effect that during the possession of such property the appellant he will not commit or suffer to be committed any waste thereon and that if the judgment be affirmed he will pay the value of the use and occupation of the property from the time of the execution of the undertaking until the delivery of possession thereof pursuant to the judgment. . . ." (emphasis added)); Rule 241, SCACR ("Where specific conditions must be met before the exception [to the general rule that a notice of appeal acts to automatically stay matters decided in the judgment] applies, those conditions must be strictly complied with.")


FOR THE COURT

FILED

10/9/13

Columbia, South Carolina

Cc:

Elvenia Bowens

Christopher Stephen Truluck

Julie J. Armstrong

The Honorable Mikell R. Scarborough