

The South Carolina Court of Appeals

John Nicks, Respondent,

v.

Emily Prioleau, Appellant.

Appellate Case No. 2024-002176

ORDER

On November 26, 2024, the circuit court filed a final order, finding in part, that Appellant failed to establish the parties had an unambiguous agreement for Respondent to transfer to her the real property at issue in this case. The final order provided Appellant with a period of six months in which to vacate the subject property. Appellant appealed to this court. On February 19, 2025, Respondent filed a motion with the circuit court seeking payment of an appeal bond. This matter was scheduled to be heard on April 1, 2025; however, the circuit court continued the matter and ordered it to be reset on the next available term of court, which has not yet occurred. On May 21, 2025, Appellant moved this court for a stay of execution of the final order and to waive any requirements of a proposed supersedeas bond. After careful consideration, Appellant's motion to stay the final order is temporarily granted. We remand this case to the circuit court to allow the circuit court to hear Appellant's motion to stay and to waive any requirements of a proposed supersedeas bond simultaneously with Respondent's motion for payment of appeal bond. Appellant shall provide this court with status updates every thirty days. Further, Appellant shall provide this court with a copy of the circuit court's order ruling on Appellant's motion to stay and to waive any requirements of a proposed supersedeas bond and Respondent's motion for payment of appeal bond within ten days of receiving notice of the order. Appellant's failure to provide this court with status updates every thirty days or to provide this court with the circuit court's ruling within ten days of receiving notice of the order will result in dismissal of this appeal.

H Ben Wilson C.S.
FOR THE COURT

Columbia, South Carolina

cc:
Emily Prioleau
William B. Jung, Esquire
The Honorable Julie J. Armstrong

FILED
May 22 2025