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**Jun 03 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
COUNTY OF YORK  
IN THE COURT OF COMMON PLEAS  
SIXTEENTH JUDICIAL CIRCUIT  
Case No. 2024-CP-46-3010

Ricky Gerald Masters II and Angela Denise Masters, aka Angela D. Elliott, Defendants,  
v.  
Guardian Fidelity Mortgage, Inc., Plaintiff.

**MOTION FOR STAY PENDING APPEAL**

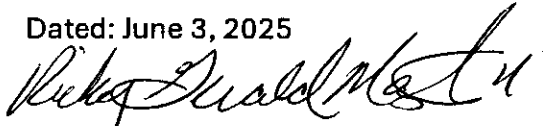
COME NOW, Ricky Gerald Masters II and Angela Denise Masters, appearing pro se, pursuant to SCRPC Rule 62(d) and SCACR Rule 241(a), and move for a stay of the foreclosure sale pending appeal of the June 2, 2025, order denying their Motion for Stay and Conference. In support, Defendants state:

1. On June 3, 2025, Defendants filed a Notice of Appeal for the June 2, 2025, denial order (Exhibit F: Denial Order).
2. **\*\*Likelihood of Success\*\***: The appeal is likely to succeed due to Plaintiff's failure to offer foreclosure intervention, despite Defendants' efforts since September 2023, and overlooked evidence of Hurricane Helene's damage, Defendants' Social Security disability appeal with Senator Graham's office authorized to speak on their behalf (Exhibits I, J), the South Carolina Department of Resiliency application (May 30, 2025), Foremost's contradictory claim handling (Exhibits A, H), FEMA delays (Exhibit B), and the lien's comprehensive scope.
3. **\*\*Irreparable Harm\*\***: The sale will deprive Defendants of their \$128,000 home, \$58,000 equity, Angela's family-gifted 2.04 acres, and the 15-foot right of way, with no income since November 2022.
4. **\*\*No Prejudice\*\***: A stay allows SSA, SCDR, and Foremost resolution and David's \$70,000 purchase.
5. Plaintiff's counsel emailed on June 2, 2025, refusing a stay, ignoring Defendants' hardship and Helene's impact (Exhibit G).
6. Defendants request waiver of any supersedeas bond due to indigency.

WHEREFORE, Defendants request a stay pending appeal and such other relief as the Court deems just.

Attached: Hardship Letter; Exhibits A-J; Motion to Proceed In Forma Pauperis; Affidavit.

Dated: June 3, 2025



Ricky Gerald Masters II



Angela Denise Masters

460 Howell Road, York, SC 29745

(803) 203-1504

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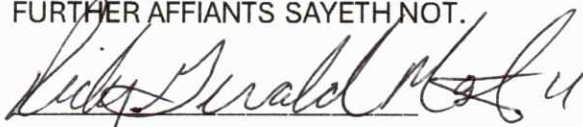
**AFFIDAVIT IN SUPPORT OF MOTION FOR STAY PENDING APPEAL**

Personally appeared before me, Ricky Gerald Masters II and Angela Denise Masters, who, being duly sworn, depose and state:

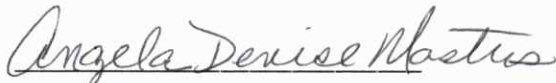
1. We are the Defendants in the above-captioned case, residing at 460 Howell Road, York, SC 29745, and make this affidavit based on personal knowledge to support our Motion for Stay Pending Appeal.
2. We own the property at 460 Howell Road, York, SC 29745, valued at \$128,000, with a \$70,000 payoff owed to Plaintiff, leaving approximately \$58,000 in equity. The property includes 2.04 acres, gifted to Angela Denise Masters by her father, Ronnie Maree, a mobile home, improvements (e.g., electrical systems), and a 15-foot right of way from Howell Road, all encumbered by Plaintiff's lien, as recorded with the York County Register of Deeds.
3. I, Ricky Gerald Masters II, am a US Army and Navy veteran (1988–1995), and have had no income since November 2022 due to non-service-related health conditions. We rely on Angela's \$1,639 monthly disability income, causing severe financial hardship.
4. On February 7, 2025, we filed Chapter 7 bankruptcy (Case No. 25-828-HB) through Moss & Associates LLC, stopping a February 2, 2025, foreclosure sale. The stay was lifted on May 6, 2025, and the case discharged on May 8, 2025 (Exhibit E).
5. Hurricane Helene (September 25, 2024) caused severe damage to the property's improvements, including a severed power pole, damaged meter box, circuit box, breakers, wiring, and outages in four rooms, requiring \$5,000–\$10,000 in repairs, as estimated on May 21, 2025. This damage prevented an appraisal for our son David's \$70,000 purchase offer (Exhibit C; FEMA Declaration, York County).
6. My Social Security Disability Reconsideration appeal was assigned to an examiner on April 21, 2025, due to Dire Need, and could provide income to resolve the default. Senator Graham's office is authorized to speak on my behalf (Exhibits I, J).

7. FEMA referred us to the South Carolina Department of Resiliency (SCDR) due to a fraudulent Hurricane Helene claim. We filed an SCDR application on May 30, 2025, which could fund repairs or the payoff (Exhibit B).
8. Foremost Insurance mishandled claim #7008177982-1, issuing only \$479 on May 28, 2025, while implying finalization yet confirming ongoing estimate review, delaying repairs (Exhibits A, H; Case No. 255828).
9. Since September 2023, we attempted to resolve the default through payment plans and a payoff request in January 2025 (Exhibit D).
10. On June 2, 2025, the Master-in-Equity denied our Motion for Stay and Conference without reasons (Exhibit F). Plaintiff's counsel refused a stay on June 2, 2025 (Exhibit G).
11. Plaintiff failed to offer foreclosure intervention (Exhibit D; Administrative Order 2011-05-02-01).
12. Our appeal of the June 2, 2025, order is likely to succeed due to Plaintiff's failure to comply with Administrative Order 2011-05-02-01 and the Court's oversight of our hardship, Helene's damage, SSA appeal, SCDR application, Foremost delays, and the lien's scope. A sale pending appeal will cause irreparable harm, depriving us of \$58,000 equity, Angela's gifted land, and the right of way.
13. All attached Exhibits A-J and the Hardship Letter are true and correct copies to the best of our knowledge.

FURTHER AFFIANTS SAYETH NOT.

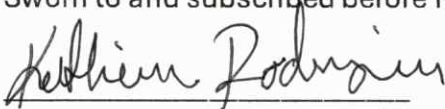


Ricky Gerald Masters II  
460 Howell Road, York, SC 29745



Angela Denise Masters  
460 Howell Road, York, SC 29745

Sworn to and subscribed before me this 3<sup>rd</sup> day of June 2025.



Notary Public for South Carolina  
My Commission Expires: Feb. 25, 2026



**Katherine Rodriguez**  
Notary Public, State of South Carolina  
My Commission Expires Feb. 25, 2026