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Jun 20 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LANCASTER COUNTY
Court of Common Pleas

Paul M. Burch, Circuit Court Judge

Case No. 2025-CP-290-0182

Terry Clark,
Appellant,
v.
Mahender Adonda,
Respondent.

Petition to Dismiss Appeal

Respondent moves for an order dismissing this appeal as moot. Appellant appealed the order filed April 4, 2025, by the circuit court affirming the decision of the magistrate to issue the writ of ejectment and remanding the case to the magistrate for enforcement of the writ. On June 4, 2025, this Court filed an order lifting the stay and allowing enforcement of the writ of ejectment. The writ of ejectment was served June 5, 2025, and Appellant and her personal belongings were removed from the premises on June 12, 2025. A copy of the writ of ejectment is attached as Exhibit A.

In *Skydive Myrtle Beach, Inc. v. Horry County*, Skydive appealed the magistrate's order granting Horry County a writ of ejectment. Skydive vacated the hangar owned by Horry County during the appeal. This Court held "there is nothing more for this court to consider once the party

appealing has vacated the premises." *Skydive Myrtle Beach, Inc. v. Horry Cty.*, 424 S.C. 298, 303, 818 S.E.2d 224, 227 (Ct. App. 2018). The Court found that the issue of a right to possess the premises became moot when the tenant vacated the premises. Here, the magistrate enforced the writ of ejectment requiring Appellant to vacate the premises. The sole issue in this case is Appellant's possession of the property. Because Appellant no longer possesses the property, the issue is moot, and Respondent moves for an order from the Court dismissing this appeal.

Rock Hill, South Carolina
June 20, 2025

s/Emily N. Brown
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Attorney for Respondent

Exhibit A

Writ of Ejectment

June 12th 10:30 AM set out date



STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)
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2025CV2910100115
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

WRIT OF EJECTMENT

Mahender Reddy Adonda
Po Box 38113
Rock Hill, SC 29732

PLAINTIFF(S)

Vs
Terry Clark
3831 Fairlady Lane
Indian Land, SC 29707

DEFENDANT(S)

TO THE SHERIFF/MAGISTRATE'S CONSTABLE:

Upon Judgment of this Court, rendered on the 7th day of February, 2025, you are hereby Ordered to proceed to the premises located at **3831 Fairlady Lane Indian Land, SC 29707.**

Announce your identity and purpose and serve on the defendant(s) and all occupants a copy of this Writ of Ejectment. Inform them they have **twenty four (24) hours to voluntarily vacate** the premises. **If the premises appear unoccupied and no one responds** to your announced identity and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.

If after 24 hours following the service or posting of the Writ, the occupants have not voluntarily vacated the premises, **a deputy sheriff may enter the premises** using only as much force as is necessary to effectuate the Ejectment.

Upon gaining access, you shall **remove from the premises any occupants and all items of personal property found on the premises. Such property may be deposited beside the public street or roadway.** All personal property removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty eight (48) hours.

June 3, 2025

Lancaster County Magistrate

_____, being duly sworn state that:

- I personally served a copy of this Writ on _____, an occupant of the rental unit
- On 6-5 2025, at 1308 the rental unit appeared unoccupied and no one responded when I announced my identity and intentions. I attached a copy of this Writ to a conspicuous part of the premise.
- On 6-12 2025, at 1030 AM, which was not less than 24 hours from the posting date and time, I returned to the rental unit for the purpose of ejectment.
- Under my supervision, I had all persons and personal property removed and evicted from the rental unit placing all personal property beside the roadside.
- The rental unit was unoccupied. The Tenant and all occupants had vacated the unit.
- Informed by Plaintiff that case is settled.

Date: 6-12, 2025 12:30 pm

Sheriff/Deputy Sheriff/Constable

Over →