

The South Carolina Court of Appeals

Latausha Vanderhall, Appellant,

v.

Alisha Murray, Respondent.

Appellate Case No. 2025-001231

ORDER

On June 26, 2025, this court remanded Appellant's motion to stay the circuit court's order during the pendency of her appeal to the circuit court for consideration. On July 14, 2025, the circuit court issued an order granting Appellant's motion to stay and requiring a surety bond of \$9,000. On July 21, 2025, Appellant filed a "motion to stay without bond" and a "motion to dismiss" a notice to quit issued by a magistrate. Specifically, Appellant requested this court stay the circuit court's order without requiring her to pay a bond due to her financial circumstances and vacate the notice to quit issued by the magistrate because the magistrate lacked jurisdiction to issue the notice.

After careful consideration, we deny Appellant's motion to stay the circuit court's order without requiring a bond. *See* S.C. Code Ann. § 18-9-170 (2014) (stating that when "a judgment appealed from direct[s] the . . . delivery or 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 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, not exceeding a sum to be fixed by a judge of the court by which judgment was rendered and which shall be specified in the undertaking"). Further, we deny Appellant's motion to vacate the magistrate's issuance of a notice to quit based on a lack of jurisdiction as that matter will need to be addressed after full briefing on the merits.



J.

FOR THE COURT

Columbia, South Carolina

cc:

Latausha Vanderhall

Alisha Davis

FILED
Jul 24 2025
