

FILED

STATE OF SOUTH CAROLINA

2025 AUG 27 PM 4:54

COUNTY OF WILLIAMSBURG

DEITRA M. JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC

Court of Common Pleas

Case # 2023-CP-45-344

#2024-CP-45-00436

Appellant Case # 2025-001183

LaSheila Mitchum Green
Appellant

v.

Genevieve Farmer, Jaqueline King, Ruth Richburg
Respondent

MOTION TO ALTER OR

AMEND ORDER SETTING APPEAL

BOND or in ALTERNATIVE

RECONSIDERATION OF BOND

Date of Hearing	August 6, 2025
Presiding Judge	Clifton Newman
Appellant	Pro Se
Attorney for the Respondents	William Joseph Virgil Barr
Court Reporter	Julie Emerson

RECEIVED

AUG 29 2025

SC Court of Appeals

Appellant, LaSheila Mitchum Green, file this Motion to Alter or Amend Order Setting Appeal Bond or in the Alternative Reconsideration of Bond under Rule 59 SCRPC.

INTRODUCTION

The matter of setting an appeal Bond came before the Court of Common Pleas, in remand from the Court of Appeals, July 18, 2025, for the setting of a Bond to Stay Execution of an Ejectment based upon false and misleading information resulting in an Order Granting Injunctive Relief.

Appellant filed a Motion to Stay Execution/Supersedeas filed August 5, 2025, A Motion to Reconsider filed August 5, 2025, Motion to Amend or Alter Order Granting Injunctive Relief under Rule 60(b) and/or Rule 3.3 hearing date May 29, 2025 filed August 4, 2025 and a Motion and Affidavit to Proceed in FORMA PAUPERIS filed July 29, 2025. (Page 1 EXHIBIT A)

FILED

2025 AUG 27 PM 4: 54

DEITRA N JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC

Court of Common Pleas
Case # 2023-CP-45-344
#2024-CP-45-00436
Appellant Case # 2025-001183

FINDING OF FACTS

A Motion to Alter or Amend the Order under Rule 60(b) and/or Rule 3.3 for the Granting of Injunctive Relief July 1, 2025, was filed August 4, 2025. The Motion was mentioned at the hearing August 6, 2025 which was a mandate from the Court of Appeals. A Motion to Compel Ruling on Motion to Amend or in Alternative Clarify for Denial was filed August 27, 2025. The Information used to obtain the Ruling for Injunctive Relief was false and misleading. With great respect, if measures are not made to correct, the result will operate on one side of the law (*Yick Wo v. Hopkins (1886)*).

On August 4, 2025, during the hearing both sides presented arguments.

1. Appellant is not a tenant and referred to the fact that the Magistrate Court lacked Subject Matter Jurisdiction. The Answer claiming adverse possession and an Undertaken was submitted. Magistrate should have discontinued the case according to law. The Appeal Bond was a conspiracy to misrepresent me as a tenant. The Respondent (Plaintiff) submitted to the Magistrate they did not receive rent since 2002 which constitute the Statute of Limitation for adverse possession is ten years. When asked how much was the Bond? I express \$700, but it was a strain to come up with \$700 per month giving my financial situation. I submitted Form 405 but was denied. Verbal statement by Judge Newman, "Because the Court of Appeal's deny, I will deny."

2 & 3 According to the Order states "...until the case is heard in the Court of Common Pleas."

The hearing was May 29, 2028. which appeared to makes the month of June and July not included. After my stating that the \$700 per month caused financial hardship, it was ordered that I should pay a total of \$2,100 in a matter of days. (The Order states ten days after issue of order, still in less than a month.) Judge Newman asked the Respondent's Attorney, "What else do they want?" He responded, "Nothing...". Along with that statement and the fact and shown on form 405, the amount of the Bond is excessive for me and if not paid, may cause the dismissal of the appeal. I humbly ask to Amend or Alter Order or in Alternative a Reconsideration for the waive for conditions of the Bond and or the amount of the bond be reduced by 90%? (EXHIBIT B)

- 4, The Motion to waive of Cost and Fees should be granted (*Bobbie v. Connecticut 1971*).
he Appeal Bond remand was issued based upon the false and misleading information of to obtain the Order for Injunctive Relief and submitting to the Court of Appeals now failing to correct. According to Rule 241(d) explains that application for Supersedeas must be made in the lower court which entered he order on appeal.
5. The Trial Court was made to understand the amount was excessive. The question is is, does these actions represent or reflect the: Abuse of Power, Violation to the Fourteenth Amendment to bars me from exercising my Right to an Appeal, , Juridical Misconduct and/or Bias?

CONCLUSION AT LAW

I have lived in actual and continuous possession at the said property for the past twenty-four years. The Respondents testified that they abandoned the property from 2005-2015 allowed me to live exclusive. The letter dated October 19, 2019, requested me to tear down the fence, referred to my use of the building/garage in back, and the improvement to the yard. The fence was erected in about 2008. The testified they were denied permission to enter the property in 2019, it was held adversely. (*Title 15 Chapter 67 Article 3 Section 15— 67-240 "What constitutes adverse possession...not under written instrument or court order or decree. When it shall appear that there has been actual continued occupation of premises under a claim of title, exclusive of any other right but not founded upon written instrument or judgement or decree, the premises so actual occupied, and no other, shall be deemed to have been held adversely.) (Section 15-57-250 "...when enclosed ... cultivated")*).

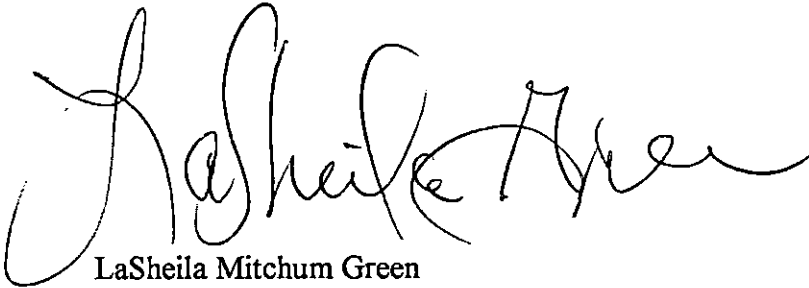
1. The Appellant is entitled to occupy the premises. The Respondents used Zillow to calculate the amount of Rent Bond, the Judge set it at \$700. Zillow stated that the average home owner spends \$1,080 per month in repairs, maintenance, upkeep and other \$1,080 x 12 months x 22 years = \$285,120 plus yard care \$35 per week x 52 weeks x 22 years = \$40,040 total \$325,160 of the Respondent unjust enrichment. The non-compliance of with the Town of Kingstree Zoning Ordinance Violation was fined at \$500 per day 273 days total \$136,5000. As stated, the Bond was a conspiracy to misrepresent me as a tenant (*Title 27 Chapter 37 Section 27-37-150 "After the commencement of the ejectment process by the issuance of the Rule to Vacate or Show Cause...rent continues to accrue so long as the Tenant remains in possession of the premises at the same rate as prevailed immediately prior to the issuance of the Rule to vacate or show cause."*) Rent was \$0. Your Honor, I claim adverse possession and I request all bond monies be refunded.
1. The Respondents has failed to do repairs, maintenance, upkeep and replacements to the home for a period of over twenty years (*Title 27 Chapter 40 Article 3 Section 27-40-440 (2a) "...Landlord shall...make all repairs."*). They admitted to not providing access to running water for over ten years, no heat for twenty-three and abandoning the property. They failed to comply with the Town of Kingstree Zoning. How could it be justice or fair that an injunction is granted for their failures? Your Honor, please note, I maintain and hold the adjoining property.

This Order was based upon the violations of my rights: I was not served a Rule to Vacate or Show Cause, I am misrepresented as if I am a tenant, During the hearing, when I object, the judge stated that I could not object, My claim to adverse possession is overlooked, The Statue of Limitation in civil matter is three years and ten years in adverse possession but is not applied or recognized, the acts of bias/unfairness, the knowingly making of false and misleading statement.

Court of Common Pleas
Case # 2023-CP-45-344
#2024-CP-45-00436
Appellant Case # 2025-001183

I humbly ask this court to timely consider this Motion to Alter or Amend Order setting Appeal bond or in Alternative Reconsideration of Bond.

Respectfully Submitted,



LaSheila Mitchum Green
208 Madison Ave.
Kingstree, SC 29556

FILED

2025 AUG 27 PM 4:55

DETRA M JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC



Court of Common Pleas
Case # 2023-CP-45-344
#2024-CP-45-00436
Appellant Case # 2025-001183

EXHIBIT A

FILED

2025 AUG 27 PM 4: 55

DETRA H. JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC

FILED

2025 AUG 27 PM 4: 55

DETRA H. JOHNSON
CLERK OF COURT
STATE OF SOUTH CAROLINA
WILLIAMSBURG COUNTY, SC

Court of Common Pleas
Case # 2023-CP-45-344
#2024-CP-45-00436

CCOUNTY OF WILLIAMSBURG

LaSheila Mitchum Green
Appellant

MOTION TO ALTER
OR AMEND

Genevieve Framer, Jacqueline King,
Ruth Richburg
Respondent

2025 AUG -4, PM 2: 36
DETRA H. JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC

FILED

DATE OF HEARING	May 29, 2025
PRESIDING JUDGE	Clifton Newman
APPLANT	Pro Se
ATTORNEY FOR RESPONDENT	Williams Joseph Virgil Barr
COURT REPORTER	Juli Emerson

Appellant, LaSheila Mitchum Green, files this Motion to Alter or Amend Order. The Attorney, for the Respondent, was instructed to write up/draw up the Order. Because the deadline for Motion 59 has expired, This Motion is in pursuant of Rule 60(b) and/or Rule 3.3.

INTRODUCTION

This matter was before the Court on May 29, 2025, for an Appeal of an Ejectment, Motion to Reconsider for a WITHDRAWAL, and an added Motion for Injunctive Relief filed by counsel for Respondent. The filing of the Motion for Injunction identified the Respondents as they were the Defendants not the Plaintiffs. This error was misleading in the role of them as the Plaintiff and may mislead in other actions such as the Plaintiff has one action to recover possession.

The court heard arguments from the Appellant and Counsel for the Respondent along with the Respondent Witnesses. EXHIBIT A

FILED

2025 AUG 27 PM 4: 55

STATE OF SOUTH CAROLINA
CLERK OF COURT
WILLIAMSBURG COUNTY, SC
COUNTY OF WILLIAMSBURG

FILED

2025 AUG -5 PM 4: 25

DETRA M JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC

Court of Common Plea

Case # 2023- CP-45-344

Case #2023-CP-45-00436

LaSheila Mitchum Green
Plaintiff

VS

Genevieve Farmer, Jacqueline King, Ruth Richburg
Defendants

MOTION TO RECONSIDER
Ex Parte Possession and Injunction

I, LaSheila Mitchum Green, respectfully ask this Honorable Court to reconsider its order of May 29, 2025, granting Defendant's Motion for Ex Parte Possession of real Property and Temporary Injunction of Plaintiff from 208 Madison Avenue, Kingstree, SC 29556. This Motion was filed by the Defendants. This Motion was intertwined with an already established case on Appeal along with a Motion to Reconsider, which proved for a misinterpretation and misunderstanding even of the role of Plaintiff and Defendant.

There was sufficient evidence that supported not granting of the Motion for Ex Parte Possession, Temporary Injunction and Ejectment.

Defendants failed to produce any incident directed to them from the Plaintiff
Plaintiff holds and maintains he property adjoined to 208 Madison Avenue
Defendants admitted to not doing maintenance, repairs, replacements or upkeep to the property
Defendants admitted to NO contact from 2005-2016 (Abandonment) (It was 2004-2019)
Defendants admitted to not ensuring/providing/access essentials (running water for 10 years heat for 24 years) Violation of the Landlord Tenant Act

Defendants testify they entered the dwellings in 2019 without permission (Not to do repairs and not an emergency)

Defendant's testimony varied from 2023

Defendants were contacted by Zoning in October 2024 as they are Owner of Records, concerning health and safety issues. Plaintiff was under a Rent Bond to stay.

Defendants' Motion state that the Zoning Ordinance lead to Motion (Retaliation)
Defendants failed to comply with Zoning Ordinance to permitting them to enter the property
Defendants failed to contact when they would drive by and see kids playing in the yard but did not stop to contact me or to do repair but did see the paint peeling from the windows

Defendants could have made contact as I hand delivered Rent Bond payment to Attorney
Defendants deny invitation of the Plaintiff to enter the property as they place her in a hotel
Defendants failed to show legal basis

Defendants failed to have shown likelihood of success on the merits

(9)

FILED

2025 AUG 27 PM 4: 55

DEITRA M JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY

STATE OF SOUTH CAROLINA

WILLIAMSBURG COUNTY

FILED

2025 AUG -5 PM 4: 25

DEITRA M JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC

COURT OF COMMON PLEAS

Case # 2023-CP-45-344

2024-CP-45-00436

LaSheila Mitchum Green

Plaintiff

Genevieve Farmer, Jacqueline King
Ruth Richburg

Defendants

NOTICE OF MOTION

AND

MOTION OF

WRIT OF SUPERSEDEAS

Appellant, LaSheila Mitchum Green, respectfully petition this Honorable Court for a Writ of Supersedeas. Seeking stay of enforcement of the judgement/Order for the Injunction/Ejectment entered by the Court of Common Pleas, on July 1, 2025 (Verbal Order May 29, 2025), pending appeal pursuant Rule 241(d).

The Williamsburg County Magistrate Court Lacked Jurisdiction and was contested, when the action was brought before the court September 15, 2023. The Answer claiming adverse possession and an Undertaken were submitted in response for the Summons for a Rule to Vacate or Show Cause for an Ejectment.

The Motion filed for Ex Parte Possession of Real Property, Temporary Injunction, or, in the Alternative, Emergency Hearing. The role of the Plaintiff and the Defendant were misrepresented. The Defendants received a Zoning Ordinance Violation notice from the Town of Kingstree, dated October 30, 2024. This Motion is a retaliation to that notice. The Motion was based upon a false and out dated information. The Property was never condemned. The issues that caused concerns for unfit for habitation were corrected in December 2024. The Defendants were made aware of the corrections. Repairs cited to the Defendants were made and are in process of being made by Ms. Green. The Emergency was filed six months after the notice.

FILED



SOUTH CAROLINA JUDICIAL BRANCH

2025 AUG 27 PM 4:56

STATE OF SOUTH CAROLINA
CLERK OF COURT
WILLIAMSBURG COUNTY, SC
COUNTY OF Williamsburg

LaSheila Mitchum Green
Plaintiff,

vs.
Genevieve Farmer
Sacqueline King Ruth Richberg
Defendant.

IN THE Court of Common Pleas

3 JUDICIAL CIRCUIT

MOTION AND AFFIDAVIT TO
PROCEED IN FORMA PAUPERIS

2023-CP-45-344

FILE NO. 2024-CP-45-00436

Motion for Waiver of Costs and Fees

I, LaSheila Green, am unable to pay the costs of filing and service in the present matter and request that the court waive the costs and allow me to proceed *in forma pauperis*.

Plaintiff submits the following financial declaration and affidavit in support of the above motion.

Address 208 Madison Ave. Kingstree SC 29556
Age 62
Occupation Unemployed
Employer _____
Employer Address _____

Gross Monthly Income

- 1) Earnings (attach recent pay stubs)
 - 2) Overtime
 - 3) Social Security, VA Benefits,
Workers' Comp or Disability (SSI)
 - 4) Unemployment
 - 5) Alimony / Child Support (receiving)
 - 6) Other (Specify) Child Support - \$1,000
- Total Amount (Add lines 1-6):**

Amount:

0
0
0
0
0
800
\$ 800

Assets

- 1) Cash
 - 2) Money in Bank Accounts (Checking & Savings)
 - 3) IRA / 401k / Pensions
 - 4) Other (Specify) _____
- Total Amount (Add lines 1-4):**

Amount:

200
0
0
0
\$ 200

2025 JUL 29 PM 3:42
DETRA M. JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC

FILED

Court of Common Pleas
Case # 2023-CP-45-344
#2024-CP-45-00436
Appellant Case # 2025-001183

FILED

2025 AUG 27 PM 4:56

DEBRA K. JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC

EXHIBIT B

COPY

(2023CV4510100528 Magistrate Court)
(2024CP4500436 Circuit Court)

CIVIL CASE NUMBER

STATE OF SOUTH CAROLINA
COUNTY OF Williamsburg

MAGISTRATE'S COURT

Genevieve Farmer, Jacqueline King, Ruth Richburg

LANDLORD(S)

VS.

BOND TO STAY EXECUTION
ON APPEAL

LaSheila Mitchum-Green

TENANT(S)

2025 AUG 27 PM 4:56
DETRA M JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SC

FILED

TO: Circuit Court

Now comes the Tenant(s) in the above entitled action and respectfully shows the Court that a Judgment of Execution was issued against the Tenant(s) and for the Landlord on August 8, 2023, by the Magistrate. Tenant has appealed the Judgment to the Circuit Court.

Pursuant to the findings of the Magistrate, the Tenant(s) is obligated to pay rent in the amount of \$ 700 per month, due on the 1st of each month, beginning November 1, 2024. Payments are to be made by cash, cashier's check or money order to Attorney William Virgil Barr, located at 106 North Academy Street, Kingstree, South Carolina 29556.

Tenant(s) hereby undertakes to pay the periodic rent hereinafter due according to the aforesaid findings of the Court and moves the Circuit Court to stay execution on the Judgment for Ejectment until this matter is heard on appeal and decided by the Circuit Court.

Dated on: October 31, 2024

Did not sign.

Tenant(s)

Upon execution of the above bond, execution on the Judgment of Ejectment is hereby stayed until the action is heard on appeal and decided by the Circuit Court. If Tenant(s) fails to make any rental payment 700 within five (5) days of the due date, upon application of the Landlord, the stay of execution shall dissolve, the appeal by the Tenant(s) to the Circuit Court on issues dealing with possession must be dismissed and the Sheriff may dispossess the Tenant(s).

Dated on: October 31, 2024


JUDGE Randy Brice Foxworth

2025MRV21 PM0423
DETRA M. JOHNSON
CLERK OF COURT
KINGSTREE, SC

FILED

WILLIAMSBURG COURT
MAGISTRATE OFFICE

24 NOV -4 P 4:10

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM WILLIAMSBURG COUNTY
COURT of COMMON PLEAS

Clifton Newman Circuit Court Judge

Case No. 2023-CP-45-344

2024-CP-45-00436

Appellant Case #2025-001183

LaSheila Mithum Green

Appellant

Genevieve Farmer, Jacquelyn King, Ruth Richburg

Respondent

2025 AUG 27 PM 4:55
DETRA H. JOHNSON
CLERK OF COURT
WILLIAMSBURG COUNTY, SO

FILED

PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED THE

*Motion to Alter or Amend
In Alternative Certificate For*

ON Genevieve Farmer
Ruth Richburg, Jacqueline King

Denial

A copy of it in the United States Mail, postage prepaid, on _____

Addressed to 108 N. Academy St. Kingstree, SC 294556.

*Circuit Court 125 W. Main St
Kingstree, SC 29556*

Date *August 27, 2025*

LaSheila Mitchum Green
208 Madison Avenue
Kingstree, SC 29556