

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY

The Honorable Maite Murphy
Circuit Court Judge

Appellate Case No. 2025-001651

Hill Family 2008 Trust and Yvonne Herold, Respondents,

v.

Teresa Hill, Appellant.

RESPONDENTS' MOTION TO DISMISS APPEAL AND ENFORCE EJECTMENT

Pursuant to Rule 240, SCACR, Respondents Hill Family 2008 Trust and Yvonne Herold, Trustee, by and through their undersigned attorney, hereby move to dismiss this appeal and enforce the court-ordered ejectment in this action. The grounds for this motion are as follows: 1) Appellant has failed to post the statutorily-required bond to maintain an appeal pursuant to S.C. Code Ann. § 27-37-130 and the time for doing so has expired, 2) ejectment orders are not stayed on appeal pursuant to Rule 241(b)(10), SCACR, and 3) Appellant has refused to vacate the property despite the court-ordered ejectment.

PROCEDURAL BACKGROUND

The Charleston County Magistrate Court issued a Writ of Ejectment on March 7, 2025 (Case No. 2025CV1011200030), ordering Appellant to vacate Respondents' property at 6209

Savannah Highway, Ravenel, South Carolina. (Writ of Ejectment and Magistrates Return, Exhibit A).

On March 13, 2025, Appellant appealed to the Circuit Court. However, Appellant did not post a bond within five days from the March 7, 2025 ejectment order, as expressly required by S.C. Code Ann. § 27-37-130 to maintain an appeal.¹ (Notice of Appeal to Circuit Court, Exhibit B). On July 16, 2025, the Circuit Court affirmed the Magistrate’s Ejectment Order, finding “no error of law or of fact.” (Circuit Court Order, Exhibit C). The Circuit Court denied Appellant’s Motion to Reconsider on August 7, 2025.

Appellant filed a subsequent appeal to this Honorable Court on August 14, 2025 and continues to wrongfully occupy Respondents’ property.

ARGUMENT

I. The Appeal Must Be Dismissed Because Appellant Failed to Post the Statutorily-Required Bond to Maintain an Appeal.

S.C. Code § 27-37-130 expressly mandates that an appeal bond must be posted to maintain an ejectment appeal. As quoted below, the statute provides that an appeal will not stay ejectment without a bond and that failure to file the required bond within five days requires dismissal of the appeal (“such appeal *shall* be dismissed.”).

The plain language of this statute sets forth two clear requirements, which Appellant has failed to meet:

1. An appeal bond must be posted “at the time of appealing” to obtain a stay, and

¹ S.C. Code Ann. § 27-37-130 provides: “An appeal in an ejectment case will not stay ejectment unless at the time of appealing the tenant shall give an appeal bond as in other civil cases for an amount to be fixed by the magistrate and conditioned for the payment of all costs and damages which the landlord may sustain thereby. In the event the tenant shall fail to file the bond herein required within five days after service of the notice of appeal such appeal shall be dismissed by the trial magistrate.” (Emphasis added).

2. Failure to file the bond within five days requires dismissal of the appeal.

Here, Appellant has failed to post any bond whatsoever. She did not post a bond at the time of the initial appeal to Circuit Court, she did not post one during the Circuit Court proceedings, and she has not posted one upon appeal to this Court. “The cardinal rule of statutory construction is to ascertain and effectuate the intent of the legislature. Under the plain meaning, it is not the court’s place to change the meaning of a clear and unambiguous statute. Where the statute’s language is plain and unambiguous, and conveys a clear and definite meaning, the rules of statutory interpretation are not needed and the court has no right to impose another meaning. What a legislature says in the text of a statute is considered the best evidence of the legislative intent or will. Therefore, the courts are bound to give effect to the expressed intent of the legislature.” *Hodges v. Rainey*, 341 S.C. 79, 85, 533 S.E.2d 578 (2000) (internal citations omitted). The legislature’s intent is clear: without a bond, there is no stay, and the appeal *shall* be dismissed if the appellant does not post a bond within five days after service of the notice of appeal. Accordingly, Respondents respectfully request that this Court dismiss the appeal and enforce the ejectment action.

II. Ejectment Orders Are Expressly Excepted from Automatic Stays.

Rule 241(b)(10) of the South Carolina Appellate Court Rules carves out a specific exception to the general rule regarding automatic stays on appeal. While the general rule provides that “the service of a notice of appeal in a civil matter acts to automatically stay matters decided in the order,” Rule 241(b)(10) expressly excepts: “Ejectment orders as provided in S.C. Code Ann. § 27-37-130 and S.C. Code Ann. § 27-40-800.” This is an ejectment action pursuant to S.C. Code § 27-37-130. Accordingly, there is no automatic stay.

This exception applies at every level of appeal. The ejectment order is not stayed and continues to be enforceable despite the pendency of this appeal. Despite this requirement, Appellant, who is a lawyer and has chosen to represent herself, has refused to evacuate the premises for over six months causing great harm to Respondents. Respondents respectfully submit that this Honorable Court should enforce the ejectment because Appellant has failed to post a bond to maintain this appeal and the statutory timeframe for doing so has expired and because orders for ejectment are not automatically stayed by the filing of an appeal.

III. Respondents Have Been Prejudiced by the Ongoing Delay.

Respondents have been deprived of the use, possession, and ability to collect rent on their property since March 2025. Every additional day of delay compounds this prejudice. The bond requirement exists precisely to protect property owners in this situation, and Appellant's failure to comply with this requirement while continuing to occupy the property constitutes ongoing harm to Respondents.

CONCLUSION

For over six months, Appellant has occupied Respondents' property while pursuing appeals without posting any bond as required by the express language S.C. Code § 27-37-130. Despite knowing that ejectment orders are not automatically stayed on appeal, Appellant, who is a practicing attorney, has refused to vacate the property.

South Carolina law is clear and unambiguous: an appeal in an ejectment case does not stay the ejectment and appellants are required to post a statutorily-required bond within five days of appeal in order to maintain the appeal. Appellant has failed to post a bond or evacuate the property. Therefore, this Court should:

1. Dismiss this appeal pursuant to Section 27-37-130 for failure to post the required bond within the statutory timeframe; and
2. Direct immediate enforcement of the ejectment order issued by the Magistrate Court and affirmed by the Circuit Court.

In the alternative, if this Court does not dismiss the appeal, Respondents request that Appellant be required to immediately post a bond in the amount of \$720,000 to cover potential damages during the pendency of this appeal, representing reasonable rent of \$20,000 per month for the anticipated duration of appellate proceedings.²

Respectfully submitted,

THE LAW OFFICE OF JESSE SANCHEZ, LLC

s/Jesse Sanchez

Jesse Sanchez (SC Bar No. 101906)
751 Johnnie Dodds Boulevard, Suite 200
Mount Pleasant, South Carolina 29464
(843) 814-8181
jesse@jessesanchezlaw.com

**Attorney for Respondents Hill Family 2008 Trust and
Yvonne Herold, Trustee**

September 15, 2025
Mount Pleasant, South Carolina

² Respondents assert that reasonable rent for 6209 Savannah Highway is \$20,000 per month and the pendency of an appeal will likely last three years. Thus, a bond in the amount of \$720,000 is appropriate.

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
)
)
)

2025CV1011200030
CIVIL CASE NUMBER

Exhibit A

IN THE MAGISTRATE'S COURT

WRIT OF EJECTMENT

Hill Family 2008 Trust
6010 Martin Street
Ravenel, SC 29470
(843) 693-7594

PLAINTIFF(S)

Vs
Teresa K Zachry
6209 Savannah Hwy Suite A
Ravenel, SC 29470

DEFENDANT(S)

TO THE SHERIFF/MAGISTRATE'S CONSTABLE:

Upon Judgment of this Court, rendered on the 7th day of March, 2025, you are hereby Ordered to proceed to the premises located at **6209 Savannah Hwy Suite A Ravenel, SC 29470.**

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.

March 7, 2025


Ravenel Magistrate

_____, being duly sworn state that:

- I personally served a copy of this Writ on _____, an occupant of the rental unit
- On _____ 20____, at _____ 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 _____ 20____, at _____, 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: _____, 20____

Sheriff/Deputy Sheriff/Constable

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)
))
))
HILL FAMILY 2008 TRUST)
YVONNE H. HEROLD TRUSTEE,)
Respondent/Plaintiff)
))
vs)
))
TERESA K. ZACHRY, fka, TERESA Z. HILL)
Appellant/Defendant)
_____)

COURT OF COMMON PLEAS
CASE NO: 2025-CP-10-1379

MAGISTRATE’S RETURN

MAGISTRATE’S COURT CASE NO.
2025CV1011200030

FILED
2025 JUN 25 AM 8:50
JULIE J. ARMSTRONG
CLERK OF COURT


COMES NOW, Sheryl M. Perry, Magistrate in and for Charleston County, South Carolina, who offers this as her return to the Notice of Appeal filed by the named Defendant, Teresa K. Zachry, fka, Teresa Z. Hill appealing this court’s order.

The Plaintiff, Hill Family 2008 Trust/Yvonne H. Herold, Trustee, filed an Application for Ejectment on January 27, 2025, at the Ravenel Magistrate Court. In the Plaintiff’s Complaint, the grounds for Ejectment where permission to occupy building and land are withdrawn. Service paperwork and the Application for Ejectment were issued to the court’s constable for service on the Defendant. Service of the Ejectment papers were attempted on two different dates and times by the court constable, Cassie Watson. The first attempt of service was on Tuesday, January 28, 2025, at 1430 hrs. and the second attempt was on Friday, January 31, 2025, at 0935 hrs. Constable Watson was unable to serve the Defendant on both attempts. The court then notified the Plaintiff, Yvonne H. Herold, Trustee, that Constable Watson was unable to personally serve the Defendant and a fee of \$5.00 was due to complete and verify a Non-Service Mailing to the Defendant. (See section 27-40-710 2000

Supplement of SC Code of Laws and Section 8-21-1010 as amended.) The Plaintiff paid the \$5.00 and a certified letter was mailed to the Defendant, Teresa K. Zachry, fka, Teresa Z. Hill on February 5, 2025, asking her to contact the Magistrate's court immediately to avoid her possessions being removed from the premises. The Defendant refused the certified mail attempts and did not respond to the court by phone, written notice nor did she appear personally to the court. After 21 days from the date of February 3, 2025 the court issued the Writ of Ejectment on March 7, 2025. Constable Watson then posted the Writ of Ejectment on the Defendant's door at 6209 Savannah Hwy, on March 12, 2025 at 1222hrs. On March 13, 2025 Constable Watson and the plaintiff Yvonne H. Herold, Trustee met at 6209 Savannah Hwy, Ravenel, SC. to proceed with the eviction and the removal of the Defendants possessions. The defendant was able to file an appeal and present it to the court and at that time the court stopped the eviction.

Now having fully answered the appeal, Judge Sheryl M. Perry, prays that the court affirm this Court's decision.

Respectfully Submitted,



THE HONORABLE SHERYL M. PERRY
CHARLESTON COUNTY MAGISTRATE

This 23rd day of June, 2025

Charleston County, South Carolina

**STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON**

Teresa K Zachry
6209 Savannah Hwy Suite A
Ravenel, SC 29470

RE: Hill Family 2008 Trust

Vs Teresa K Zachry

PLAINTIFF(S)

DEFENDANT(S)

CASE #: 2025CV1011200030

ADDRESS: 6209 Savannah Hwy Suite A

A Court Order has been issued to evict you and your possessions from this property. You must contact this Court immediately to avoid your possessions being removed from the premises.

**Ravenel Magistrate
5962 Highway 165, Suite 200
Ravenel, SC 29470
Phone: (843) 889-8332 Fax: (843) 889-9202**

February 3, 2025

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)
)
)

2025CV1011200030
CIVIL CASE NUMBER
IN THE MAGISTRATE'S COURT
AFFIDAVIT OF SERVICE

Hill Family 2008 Trust
6010 Martin Street
Ravenel, SC 29470
(843) 693-7594

PLAINTIFF(S)

Vs

Teresa K Zachry
6209 Savannah Hwy Suite A
Ravenel, SC 29470

DEFENDANT(S)

Yvonne H Herold
6010 Martin Street
Ravenel, SC 29470
(843) 693-7594

PERSONALLY PREPARED BEFORE ME, the undersigned deponent, who being duly sworn
says that (s)he served the Writ of Ejectment in this action

(Describe document(s) served)

on Teresa K. Zachry by delivery to
(Name of party served)

_____ personally;
(Name of party served)

_____ the _____ of the party served,
(Name of person served) (Note relationship to party)

and a person of discretion residing at the residence of the party served;

_____ the _____ of _____
(Name of person served) (Title) (Name of corporate party served)

and leaving with (him) (her) a copy at _____
(Street address)

in Ravenel Charleston County, South Carolina,
(City or Town) County

on 12 MARCH 2025 at 1222 o'clock

that deponent knows the person so served, and that deponent is not a party of this action, is not less than eighteen (18) years of age and has no interest therein or connection therewith.

Unable to locate and serve the above process on the defendant after diligent efforts to do so. The process is returned unexecuted.

Sworn to and Subscribed before me
this 12th day of March, 2025) [Signature]
)
) Signature of Deponent

[Signature]
Notary Public for South Carolina)
My Commission expires May 27, 2032) Entered in the Sheriff's Service Book on _____
) Book _____ Page _____ Number _____

Return to:
Ravenel Magistrate
5962 Highway 165, Suite 200
Ravenel, SC 29470
Phone: (843) 889-8332
Fax: (843) 889-9202

May 27, 2032
May 27, 2032

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

7016 1370 0000 6432 4824

Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____

Postmark Here

Sent To Teresa K. Zachry

Street and Apt. No., or PO Box No. 6209 Savannah Hwy

City, State, Zip+4® Ravenel SC 29470

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



RAVENEL/ADAMSTON/HOLLYWOOD MAGISTRATE COURT
 5962 Hwy. 165, Ste. 200
 Ravenel, SC 29470
 Return Service Requested

Teresa K Zachry
 6209 Savannah Hwy Suite A
 Ravenel, SC 29470

294 709 5583 30

CERTIFIED MAIL®



7016 1370 0000 6432 4824

US POSTAGE
 ZIP 29405 \$009.64
 02 4W
 0000389541FEB 05 2025

Teresa Zachry
2/18/25
ins

NIXIE 296 DE 1 0002/20/25
 RETURN TO SENDER
 REFUSED
 UNABLE TO FORWARD
 BC: 29470559050 *2927-03026-05-40

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS LABEL AT POSTAGE

2025CV1011200030

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature</p> <p>X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (<i>Printed Name</i>) C. Date of Delivery</p>																
<p>1. Article Addressed to:</p> <p style="font-size: 1.2em; margin-left: 20px;">Teresa K. Zachry 6209 Savannah Hwy. Suite A Ravenel, SC 29470</p> <div style="text-align: center;">  9590 9402 2327 6225 3294 89 </div>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
<p>2. Article Number (<i>Transfer from service label</i>)</p> <p style="font-size: 1.2em; margin-left: 20px;">7016 1370 0000 6432 4824</p>	<p>3. Service Type</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Registered Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Registered Mail Restricted Delivery (00)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Registered Mail		<input type="checkbox"/> Registered Mail Restricted Delivery (00)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
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<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Registered Mail																	
<input type="checkbox"/> Registered Mail Restricted Delivery (00)																	

PS Form 3811, July 2015 PSN 7530-02-000-9053

2025CV1011200030

Domestic Return Receipt

Exhibit B



STATE OF SOUTH CAROLINA
COUNTY OF Charleston

IN THE COURT OF COMMON PLEAS

Civil Action Coversheet

Teresa Hill
Plaintiff(s) Appellant

v.
Hill Family Trust 2008 (Arizona)
Defendant(s) Respondent

Case No. 2025-CP-10-1379

Submitted By: Teresa Hill
Address: 6304 Savannah Blvd
Rowlett, SC 29470

SC Bar Number: 15798
Telephone #: 843-531-2261
Fax #: _____
Other: _____
Email: Zachry Law Firm Epm, me

Hill Family Trust 2008 - Arizona
Verbone Herald - 6010 Meridian St Rowlett, SC

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing cases that are NOT E-Filed. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint. **This form is NOT required to be filed in E-Filed Cases.**

2025 MAR 13 PM 4:12
CLERK OF COURT

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint.
- NON-JURY TRIAL demanded in complaint.
- This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is exempt from ADR. (Certificate Attached)

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRPC, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

Submitting Party Signature: [Signature]
Date: 3/13/2025



Nature of Action (Check one box below)

Contracts

- Constructions (100)
- Debt Collection (110)
- General (130)
- Breach of Contract (140)
- Fraud/Bad Faith (150)
- Failure to Deliver/Warranty (160)
- Employment Discrim (170)
- Employment (180)
- Other (199)

Torts- Professional Malpractice

- Dental Malpractice (200)
 - Legal Malpractice (210)
 - Medical Malpractice (220)
 - Notice of Intent Case #
-
- Notice File. Med Mal (230)
 - Other (299)

Torts- Personal Injury

- Conversion (310)
- Motor Vehicle Accident (320)
- Premises Liability (330)
- Products Liability (340)
- Personal Injury (350)
- Wrongful Death (360)
- Assault/Battery (370)
- Slander/Libel (380)
- Other (399)

Inmate Petitions

- PCR (500)
- Mandamus (520)
- Habeas Corpus (530)
- Other (599)

Real Property

- Claim & Delivery (400)
- Condemnation (410)
- Foreclosure (420)
- Mechanic's Lien (430)
- Partition (440)
- Possession (450)
- Building Code Violation (460)
- Other (499)

Judgments/Settlements

- Death Settlement (700)
- Foreign Judgment (710)
- Magistrate's Judgment (720)
- Minor Settlement (730)
- Transcript Judgment (740)
- Lis Pendens (750)
- Transfer of Structured Settlement Application Payment Rights (760)
- Confession of Judgment (770)
- Petition for Workers Compensation Settlement Approval (780)
- Incapacitated Adult Settlement (790)
- Other (799)

Administrative Law/Relief

- Reinstate Driver's License (800)
- Judicial Review (810)
- Relief (820)
- Permanent Injunction (830)
- Forfeiture- Petition (840)
- Forfeiture- Consent Order (850)
- Other (899)

Special/Complex/Other

- Environmental (600)
- Automobile Arb. (610)
- Medical (620)
- Pharmaceuticals (630)
- Unfair Trade Practices (640)
- Out of State Depositions (650)
- Motion to Quash Subpoena in an Out of County Action (660)
- Pre-Suit Discovery (670)
- Permanent Restraining Order (680)
- Interpleader (690)
- Other (699)

Appeals

- Arbitration (900)
- Magistrate- Civil (910)
- Magistrate- Criminal (920)
- Municipal (930)
- Probate Court (940)
- SCDOT (950)
- Worker's Comp (960)
- Zoning Board (970)
- Public Service Comm. (990)
- Employment Service Comm. (991)
- Other (999)



Effective January 1, 2016, Alternative Dispute Resolution (ADR) is mandatory in all counties, pursuant to Supreme Court Order dated November 12, 2015.

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

Pursuant to the ADR Rules, you are required to take the following action(s):

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs.
4. Cases are exempt from ADR under ADR Rule 3(b) upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals;
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. Cases may also be exempt from ADR under ADR Rule 3(c) upon motion to and approval by the court.
6. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
7. Application of a party to be exempt from payment of neutral fees due to indigency should be filed with the Clerk of Court prior to the scheduling of the ADR conference.

Please Note: You must comply with the Supreme Court Rules regarding ADR.



SOUTH CAROLINA
JUDICIAL BRANCH

Failure to do so may affect your case or may result in sanctions.

)	<u>2025-CP-10-1379</u>
)	COMMON PLEAS CASE NUMBER
STATE OF SOUTH CAROLINA)	
)	2025cv1011200030
COUNTY OF CHARLESTON)	MAGISTRATE CIVIL CASE NUMBER
)	
TERESA ZACHRY HILL)	
)	IN THE COURT OF COMMON PLEAS
APPELLANT(S))	
)	NOTICE OF CIVIL APPEAL
VS.)	
)	
HILL FAMILY TRUST 2008 of ARIZONA)	
)	
RESPONDENT(S))	

The defendant Teresa Zachry Hill hereby gives notice of appeal from the judgment of the magistrate's court in the above action, to the Circuit Court of Common Pleas, in the County of Charleston.

This notice of appeal is made subsequent to personal notice of the judgment, which was received left on my office door at 6209 Savannah Hwy., Ravenel, South Carolina on the 12 day of March, 2025.

The appellant's exceptions to the judgment of the magistrate are set forth as follows:
 Appellant was not served with the pleadings in this matter.
 The Magistrate's Court lacks jurisdiction of this matter. The matter was filed under the South Carolina Landlord-Tenant Act. Appellant is not a tenant. Appellant is an owner. Appellant has never been a tenant and therefore not subject to the South Carolina Landlord-Tenant Act.

Appellant request that the wrongful writ of ejection issued by Ravenel Magistrate Sheryl Perry be stayed pending the appeals process.

(SIGNATURE PAGE TO FOLLOW)

FILED
 2025 MAR 13 PM 4:12
 CLERK OF COURT

S/Teresa Zachry Hill

Teresa Zachry Hill, Esquire
SC 15792

6209 Savannah Highway

P.O. Box 369

Ravenel, SC 29470

(843) 889-2261 – Telephone

(843) 889-2262 – Telephone

ZachryHillFirm@pm.me

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
)
 TERESA HILL)
) Plaintiff)
 vs.)
)
 HILL FAMILY TRUST 2008 (ARIZONA))
) Defendant.)

IN THE COURT OF COMMON PLEAS
 JUDICIAL CIRCUIT

**CERTIFICATE OF TECHNICAL FAILURE
 OR TECHNICAL DIFFICULTIES**

2025 MAR 13 PM 4:12
 CLERK OF COURT

Case No.:

Pursuant to the *South Carolina Electronic Filing Policies and Guidelines*, TERESA HILL, Attorney for the plaintiff(s)/defendant(s), seeks to file the attached NOTICE OF CIVIL APPEAL by a Traditional Filing Method/Alternative Method of Submission based on the inability to Electronically File the document. The inability to Electronically File the document was caused by:

- An announced Technical Failure of the Electronic Filing System;
- A technical difficulty that prevented the successful E-Filing of this document, which is described in detail below, including a statement certifying compliance with Section 9(d) of the Policies and Guidelines;
- A Repeated Technical Difficulty, which is described in detail below, including a statement certifying compliance with Section 9(f) of the Policies and Guidelines;
- ; or
- The document is excluded from the requirement that it be E-Filed in accordance with Section 2(d) of the Policies and Guidelines.

I have served or will serve this notice and the attached NOTICE OF INTENT TO APPEAL on all parties to this action by the following means:

I declare under penalty of perjury that the foregoing is true and correct.

I attempted to file on March 13, 2025 at Notice of Intent to appeal Charleston County Magistrates Court Case 2025CV1011200030 to the Charleston County Court of Common Pleas. There were multiple attempts to file the Notice of Intent to Appeal each time an error message of 99APCV case subtype initial action required VACT00010JE2jscF_VACT00010 was received. I contacted the Charleston County Court of Common Pleas the clerk there attempted to assist me with the error. She was not able to assist me in completing the filing and provided me information that there is an issue with the filing system. She provided at my request the South Carolina Supreme Court SCCA/293 (8/2016)

support line number of 1-855-235-2500. I called and spoke with a lady who also reported issues with the e-filing system. She did walk me through another attempt to e-file. The result was the same, which was error message of 99APCV case subtype initial action required VACT00010JE2jseF_VACT00010 was received. She then directed me to this report to file with Charleston County.

S/Teresa Zachry Hill

Teresa Zachry Hill, Esquire
SC 15792
6209 Savannah Highway
P.O. Box 369
Ravenel, SC 29470
(843) 889-2261 – Telephone
(843) 889-2262 – Telephone
ZachryHillFirm@pmi.me

STATE OF SOUTH CAROLINA
COUNTY OF Charleston
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2025CP1001379

Teresa Zachry Hill
PLAINTIFF(S)

Hill Family Trust 2008 of Arizona
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This matter came before the Court on June 26, 2025 on Appeal from the Magistrate's Court. Upon review of the record, the Court finds no error of law nor of fact and affirms the holding of the lower court.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 07/08/2025 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Charleston Common Pleas

Case Caption: Teresa Zachry Hill VS Hill Family Trust 2008 of Arizona

Case Number: 2025CP1001379

Type: Order/Electronic Form 4

So Ordered

s/ Maite Murphy 2166