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Sep 25 2025

SC Court of Appeals

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

**Attia Elbadawy and Lynne Chatlos,
Plaintiffs–Appellants,**

v.

**D.R. Horton, Inc. and Dorchester County,
Defendants–Respondents.**

**Appeal from Dorchester County
Case No: 2024-CP-18-01459**

**APPELLANTS' EMERGENCY MOTION TO ENFORCE APPELLATE
JURISDICTION
AND TO STAY/ENJOIN LOWER COURT HEARINGS SCHEDULED
FOR OCTOBER 6, 2025**

Filed by:

Attia Elbadawy 493 Wise Road Summerville, SC 29483 Tel: (843) 641-8556 Pro Se Appellant

Lynne Chatlos 493 Wise Road Summerville, SC 29483 Pro Se Appellant

Date: 09/25/2025

MOTION TO ENFORCE APPELLATE JURISDICTION AND TO STAY LOWER COURT HEARINGS

NOW COME the Appellants, **Attia Elbadawy** and **Lynne Chatlos**, and move this Honorable Court, pursuant to the South Carolina Appellate Court Rules and controlling precedent, to enforce its appellate jurisdiction and to stay all proceedings currently scheduled in the Dorchester County Circuit Court for October 6, 2025.

1. Background

1. On June 28, 2025, Appellants filed a Notice of Appeal from orders entered by the Dorchester County Circuit Court in Case No. 2024-CP-18-01459.
2. On August 13, 2025, this Court entered an order preserving the status quo and directing that the lower court not exercise jurisdiction over matters embraced by this appeal.
3. Despite this Court's order, the Dorchester County Circuit Court scheduled fourteen (14) motions for hearing on October 6, 2025, many of which directly implicate issues now on appeal.

2. Legal Basis / Jurisdiction

4. Once a Notice of Appeal is filed, jurisdiction over matters embraced in the appeal transfers to the appellate court. The lower court loses authority to proceed on those matters. See *Ex parte S.C. Dep't of Health & Env'tl. Control*, 350 S.C. 243, 565 S.E.2d 293 (2002).
5. It is well-settled that actions taken by a lower court after jurisdiction has vested in the appellate court are a nullity. *Charleston Cty. Dep't of Soc. Servs. v. Jackson*, 368 S.C. 87, 627 S.E.2d 765 (Ct. App. 2006).
6. The Court has authority under Rule 204(b), SCACR, and its inherent supervisory power, to prevent a lower court from undermining appellate jurisdiction. See *State v. Brown*, 215 S.C. 175, 54 S.E.2d 769 (1949).

3. Relief Requested

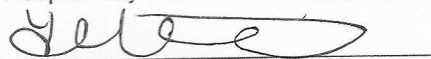
WHEREFORE, Appellants respectfully request that this Court:

- a. Enforce its appellate jurisdiction and declare that the Dorchester County Circuit Court is without authority to hear or decide the matters set for October 6, 2025;
- b. Stay, enjoin, and block the October 6, 2025 hearings in their entirety; and
- c. Grant such other and further relief as this Court deems just and proper to protect its jurisdiction and prevent violations of law.

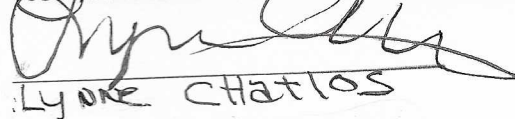
4. Emergency Nature

7. This motion is urgent. The October 6th hearings are imminent, and absent intervention, the lower court will proceed in direct violation of this Court's prior order of August 13, 2025. Such action would constitute an unlawful usurpation of appellate jurisdiction.

Respectfully submitted this 25TH day of September, 2025.



Attia Elbadawy, Pro Se
493 Wise Road Summerville, SC 29483 (843) 641-8556


LYNNE CHATLOS



PROPOSED ORDER ENFORCING APPELLATE JURISDICTION AND STAYING LOWER COURT HEARINGS

This matter comes before the Court upon the Appellants' Motion to Enforce Appellate Jurisdiction and to Stay Lower Court Hearings scheduled in Dorchester County Circuit Court for October 6, 2025.

Upon review of the filings, and noting this Court's prior order of August 13, 2025, the Court finds as follows:

1. Jurisdiction over the appealed matters lies with the Court of Appeals.
2. The Dorchester County Circuit Court is without authority to proceed on motions implicating the issues presently before this Court.
3. The October 6, 2025 hearings, if allowed to proceed, would conflict with this Court's jurisdiction and prior orders.

IT IS THEREFORE ORDERED that:

- The Dorchester County Circuit Court shall not proceed with the hearings scheduled for October 6, 2025, in Case No. 2024-CP-18-01459, or any other hearings implicating matters presently before this Court.
- The August 13, 2025 order of this Court remains in full force and effect.
- Any further relief consistent with the enforcement of this Court's jurisdiction is hereby granted.

SO ORDERED this ____ day of September, 2025.

BY THE COURT:

Judge, South Carolina Court of Appeals

SOUTH CAROLINA COURT OF APPEALS

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SC Court of Appeals

COA CASE No: 2025-001299
D C Case No:2024-CP-1801459

Attia Elbadawy AND Lynne Chatlos,
V.
D.R. Horton, Inc,
Respondents,
AND
Dorchester County,
Respondents,

**CERTIFICATE OF SERVICE
APPELLANT'S EMERGENCY MOTION
TO ENFORCE APPELLATE JURISDICTION
AND TO STAY/ENJOIN LOWER COURT
HEARING SCHEDULED ON
OCTOBER 6, 2025**

WE, Attia Elbadawy and Lynne Chatlos, hereby certify that I have served a true and correct copy of the following document: APPELLANTS EMERGENCY MOTION TO ENFORCE APPELLANT JURISDICTION AND TO STAY/ENJOIN LOWER COURT HEARING SCHEDULED FOR OCTOBER 6, 2025 on the following parties by placing the same in the United States Mail, postage prepaid, or by email, on this 25, day of September 2025:

- 1) D.R. Horton, Inc
Kenison, Dudley & Crawford, LLC
325 W. McBee Avenue, Suite#301
Greenville, SC 29601
- 2) Dorchester County
Bradley Mitchell
201 Johnson Street
St. George, SC 29477

Respectfully submitted,
Lynne Chatlos



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September 25, 2025

