

IN THE COURT OF COMMON PLEAS  
FOR THE NINTH JUDICIAL CIRCUIT  
CHARLESTON COUNTY,  
SOUTH CAROLINA

**RECEIVED**

**Sep 23 2025**

**SC Court of Appeals**

Russell Crawford,  
Appellant, Pro Se

v.

Raymond Babich,  
Appellee.

Appellate Case No. 2022-000622

APPELLANT'S EMERGENCY MOTION  
FOR STAY OF EXECUTION PENDING  
APPEAL AND TO SET UNDERTAKING

TO THE HONORABLE JUDGE OF THE  
CIRCUIT COURT:

Appellant, Russell Crawford, respectfully moves this Court, pursuant to SC Code of Laws § 18-1-50 and Rule 225, SCACR, for an Order staying the execution of the Warrant of Ejectment and Writ of Eviction pending the final determination of his appeal currently before the South Carolina Court of Appeals (Appellate Case No. 2022-000622). In support thereof, Appellant states as follows:

## INTRODUCTION

This is an emergency motion. Appellant faces imminent, irreparable harm—the loss of his home—based on a judgment that is likely to be reversed on appeal because it was founded on a clear legal error: the application of the wrong landlord-tenant statute.

## STATEMENT OF GROUNDS

Likelihood of Success on the Merits: Appellant has a high likelihood of success on appeal. The Court's judgment was based on the Residential Landlord Tenant Act (RLTA). The governing law for this mobile home tenancy is unequivocally the Manufactured Home Park Tenancy Act

(MHPTA), S.C. Code Ann. § 27-47-10 et seq.

The MHPTA provides an exhaustive list of reasons for eviction in § 27-47-530, which does not include a “30-day no-cause notice.”

Therefore, the eviction action itself was invalid ab initio. This pure question of law is highly likely to result in a reversal.

**Irreparable Harm to Appellant:** Without a stay, Appellant will suffer catastrophic and irreparable harm. He will be physically evicted from his own manufactured home, for which he holds the title. This will render him homeless, cause severe disruption to

his health and livelihood, and terminate his five-year-old online Christian ministry.

Most significantly, it will result in a permanent transfer of his home (valued over \$30,000) to the Appellee for no compensation, constituting unjust enrichment. A later reversal of the judgment cannot remedy this harm.

No Substantial Harm to Appellee: A stay will cause no harm to Appellee. Appellant remains a responsible tenant and is current on all lawful rent obligations. Appellee will continue to receive the lot rent to which he is entitled. His property rights are not diminished by maintaining the status quo during the appeal.

Public Interest: The public interest is served by ensuring judgments are enforced only after they are final and correct. Granting a stay upholds the purpose of the MHPTA—to protect homeowners from precisely this type of action—and prevents the enforcement of a judgment likely founded on a fundamental legal error.

## UNDERTAKING

Appellant is willing to post an undertaking (bond) as set by the Court to secure any potential rent payments due during the appeal. Appellant submits that any bond should be minimal, as the only possible

damage to Appellee is the loss of rent, which is being paid and will continue to be paid by Appellant, a tenant in good standing.

WHEREFORE, Appellant respectfully prays that this Court:

a) Grant an immediate Stay of Execution of the Warrant of Ejectment and Writ of Eviction pending the final resolution of Appellate Case No. 2022-000622 before the South Carolina Court of Appeals.

b) Schedule a hearing on this Emergency Motion at the Court's earliest convenience; and

c) Set an appropriate amount.

Respectfully submitted,

/s/ Russell T. Crawford

Russell T. Crawford

4683 West Montague Ave., Lot 3

North Charleston, S.C. 29418

(843) 870-3240

russcrawfordsc@gmx.com

VERIFICATION

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

Personally appeared before me Russell T.  
Crawford, who, being first duly sworn,

states that he has read the foregoing Motion and that the facts contained therein are true and correct to the best of his knowledge, information, and belief.

Signed *Russell T Crawford*

Russell Crawford

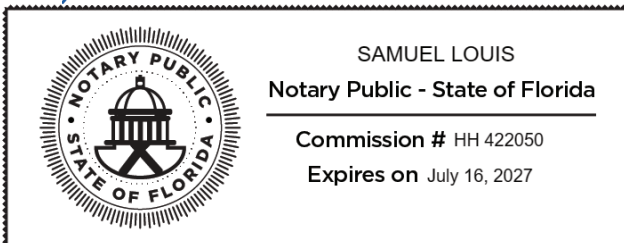
Sworn to and subscribed before me  
this 23rd day of September 2025.

Florida S.L.

Notary Public for ~~South Carolina~~

My Commission Expires: 07/16/2027

*Samuel Louis*



RECEIVED

Sep 23 2025

SC Court of Appeals

## CERTIFICATE OF SERVICE

I hereby certify that on this 23<sup>rd</sup> day of September 2025, a true and correct copy of the foregoing Emergency Motion for Stay of Execution Pending Appeal and to Set Undertaking was served upon counsel for Appellee via email to:

William B. Jung, Esq.

Attorney for Appellee

1156 Bowman Road, Suite 200

Mount Pleasant, S.C. 29464

bradjung@msn.com

/s/ Russell T. Crawford

Russell Crawford