

# The South Carolina Court of Appeals

David Hayes and Brooks A. Hayes, Respondents,

v.

Miranda Mitchum, Appellant.

Appellate Case No. 2025-001820

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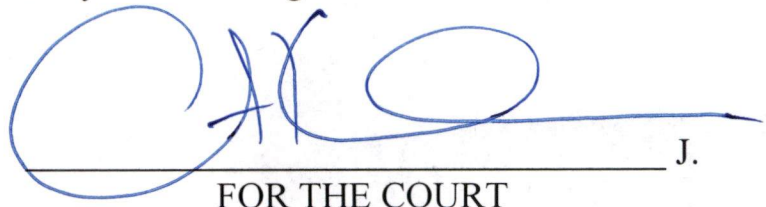
## ORDER

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On September 8, 2025, Appellant filed a notice of appeal from a Form 4 circuit court order that indicated it was not the final order. On October 9, 2025, Appellant sought to amend her notice of appeal to include the circuit court's September 29, 2025 final order that (1) granted summary judgment in favor of Respondents on their declaratory judgment action for termination of the contract between the parties; (2) bared and foreclosed Appellant from any right, title, interest and equity of redemption in the mobile home and leased lot; (3) determined the judgment entered in Respondents' favor in the amount of \$25,622.40 through September 5, 2025; and (4) ordered and directed the local sheriff to immediately eject and remove from the mobile home and leased lot all occupants and their personal property. After careful consideration, the motion to amend the notice of appeal is granted.

On October 21, 2025, Appellant moved to stay the September 29, 2025 order pending the appeal. After careful consideration, Appellant's motion to stay the eviction and money judgment is temporarily granted. We remand this case to the circuit court for an expedited hearing on Appellant's motion to stay and determination of any appeal bonds for the eviction and money judgment. This remand to the circuit court will not put the appeal in abeyance. *See* S.C. Code Ann. § 27-47-110 (2007) ("The provisions of the Residential Landlord and Tenant Act in Chapter 40 of Title 27 shall apply to tenancies in manufactured home parks if such application is not inconsistent with or contrary to the provisions of th[e] South Carolina Manufactured Home Park Tenancy Act."); S.C. Code Ann. § 27-40-800(f)(1) (2007) ("Upon appeal to the [s]upreme [c]ourt or to the court of

appeals, it is sufficient to stay execution of a judgment for ejectment that the tenant sign an undertaking that he will pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered. The judge of the court having jurisdiction shall order stay of execution upon the undertaking."); S.C. Code Ann. § 18-9-130(A)(1) (2014) ("A notice of appeal from a judgment directing the payment of money does not stay the execution of the judgment unless the presiding judge before whom the judgment was obtained grants a stay of execution."). Appellant shall provide this court with status updates every thirty days. Further, Appellant shall provide this court with a copy of the circuit court's order ruling on the motion to stay and request for appeal bonds within ten days of receiving notice of the order. Appellant's failure to provide this court with status updates every thirty days or to provide this court with the circuit court's ruling within ten days of receiving notice of the order will result in dismissal of this appeal.

  
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FOR THE COURT J.

Columbia, South Carolina

cc:

Miranda Mitchum

Chad D. Shelton, Esquire

John Samuel West, Esquire

The Honorable Thomas J. Rode

The Honorable Leah Guerry Dupree

**FILED**  
**Oct 22 2025**