

The South Carolina Court of Appeals

Tomeka Shayron Middleton, Appellant,

v.

Frederick Fields, Anna White, Robert Fields, Jr., Juanita Pickney, Abraham Fields, Joseph Fields, Jerome Johnson, Robert Johnson, Mildred Johnson, Vanessa Johnson, Florence Singleton, Edward Givens, Delores Skipper, Phillip Johnson, Claudine Johnson, Kathleen Clement, Dean Clement, Corvetta Grant, Deedra Grant and JOHN DOE, adults, RICHARD ROE, infants, insane persons, incompetents and persons in the military service of the United States of America, being fictitious names designating as a class any unknown person or persons who may be an heir, distribute, devisee, legatee, widower, widow, assign, administrator, executor, creditor, successor, personal representative, issue or alienee of Robert Fields, Ella Walker, Jerome Johnson, Robert Johnson, Mildred Johnson, Oliver Clement and Florence Singleton all of whom are deceased, and any other or all other persons or legal entities, known and unknown, claiming any right, title, interest or estate in or lien upon the parcel of real estate described in the Lis Pendens and Complaint herein filed, Defendants,

of whom Frederick Fields, Anna White, Robert Fields, Jr., Juanita Pickney, Abraham Fields, and Joseph Fields are the Respondents.

Appellate Case No. 2025-001058

ORDER

On May 28, 2025, Appellant filed a notice of appeal from a final order issued by the master-in-equity ordering the Fields Family to pay Appellant \$8,000 for her 1.66% undivided interest in real property that was the subject of the litigation. The order required Appellant to vacate the property within thirty days. According to the public index, on July 1, 2025, Respondents filed a motion for bond in the circuit court, and the hearing was scheduled for July 30, 2025. Further, the public index shows the master-in-equity issued an order for bond on August 11, 2025, requiring Appellant to post an appeal bond in the amount of \$425,000 with two good sureties no later than August 25, 2025. It also ordered that if Appellant failed to post bond by August 25, 2025, then the Fields Family would be required to pay \$8,000 into the court and the master-in-equity would issue a master's deed.

The public index shows the August 11, 2025 order for bond was mailed to Appellant at "3092 River Road" on September 10, 2025. Additionally, an affidavit of service of the order for bond and electronic signature on Appellant at "3092 Rivers Road" was filed on September 11, 2025. It also shows an affidavit of service of a "letter dated September 30, 2025, copy of master[']s deed, affidavit, final order, [and] electronic signature page" on Appellant on October 1, 2025, at "3092 River Road." Finally, the public index shows a supplemental order for eviction filed on October 13, 2025, directing the Sheriff of Charleston County to eject and remove Appellant from the premises.

On November 5, 2025, Appellant filed a motion to stay in this court and the circuit court. Appellant stated she was unable to attend the hearing on the motion for bond due to her hospitalization and that she was not served with the bond order, noting the proof of service used the wrong address for her. Also, on November 5, 2025, Appellant filed a motion for an emergency hearing in which she stated she had been served with an eviction notice "to be executed less than 10 days away." Further, in her motion for an emergency hearing, she indicated the bond order was sent to "3092 River Road," which is not her address. Appellant stated her address is "3074 River Road." This court notes that the public index lists Appellant's address as "3074 River Road" in 2021-CP-10-05234 in the court of common pleas, but it lists her address as "3092 River Road" in 2021-CP-10-05234 in the master-in-equity court.¹

After careful consideration, we grant Appellant's motion for a temporary stay of the eviction. Within ten days of the date of this order, Respondents shall serve and

¹ It appears previous court filings were served directly on her former attorney of record.

file a return to Appellant's motion to stay and motion for an emergency hearing. Appellant shall have five days after service of Respondents' return to serve and file a reply. Thereafter, this court will consider Appellant's motion to stay.


_____. J.
FOR THE COURT

Columbia, South Carolina

cc:
Tomeka Shayron Middleton
Bruce Alan Berlinsky, Esquire

FILED
Nov 06 2025