

The South Carolina Court of Appeals

Neal E. Pfeiffer and Paulette H. Pfeiffer, Plaintiffs,

v.

Don Culff Homes, Inc., Donald Cluff a/k/a Don Culff,
Christopher Petross, Maria Petross a/k/a Maria Ferguson
a/k/a Maria E. Ferguson, The M Ferguson Group LLC,
103 Woodland Circle Partners, A South Carolina General
Partnership, World Business Lenders, LLC, Dina Claire
Culff, and WBL SPO II, LLC, Defendants,

of which Christopher Petross and Maria Ferguson are the
Appellants, and World Business Lenders, LLC, Neal
Pfeiffer, Paulette Pfeiffer, and WBL SPO II, LLC, are the
Respondents.

Appellate Case No. 2025-002085

ORDER

On October 10, 2025, Appellants filed a notice of appeal from an order issued by the special referee denying a motion to stay and a motion for relief from judgment pursuant to Rule 60(b) of the South Carolina Rules of Civil Procedure. According to the order on appeal, on December 6, 2025, an order was issued granting WBL SPO II, LLC (WBL) foreclosure of its mortgage on real property, and on February 25, 2025, an order and judgment of foreclosure and sale was entered. Although these orders were appealed, the appeals were dismissed.

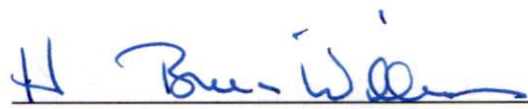
Thereafter, Appellants moved to stay the foreclosure sale of the real property and to vacate the order denying their Rule 60(b) motion. After careful consideration, we deny Appellants' motion to stay the foreclosure sale and vacate the underlying order. *See C-Sculptures, LLC, No. 3 v. Brown*, 393 S.C. 27, 31, 709 S.E.2d 705, 707 (Ct. App. 2011) (explaining "the execution of a judgment is not generally stayed by the denial of a Rule 60(b) motion because the denial of such a motion

grants 'no relief' to the movant so there is nothing to stay"); S.C. Code Ann. § 18-9-170 (2014) ("If the judgment appealed from direct[s] the sale or delivery of possession of real property, the execution of the judgment shall not be stayed unless a written undertaking be executed on the part of the appellant, with two sureties, . . . not exceeding a sum to be fixed by a judge of the court by which judgment was rendered and which shall be specified in the undertaking.").

Appellants also moved to seal the records filed in this appeal. After careful consideration, we deny Appellant's motion. *See In re Revised Ord. Concerning Pers. Identifying Info. and Other Sensitive Info. in App. Ct. Filings*, S.C. Sup. Ct. Order dated Apr. 15, 2014 (explaining that "under the Federal Constitution, our State Constitution, and our common law, court records are presumptively open to the public"); S.C. Const. art. I § 9 ("All courts shall be public . . ."); *Ex parte Capital U-Drive-It, Inc.*, 369 S.C. 1, 10, 630 S.E.2d 464, 469 (2006) (describing factors to be satisfied in order to seal court records).

Next, Appellants moved for an "extension of time for the 2024 tax sale." Appellants stated the property was sold through a county tax sale in 2024, and they were "not properly advised or represented regarding that sale." As a result, Appellants request "any action to convey or confirm title be stayed until a neutral judge can review the full chain of title." After careful consideration, we deny Appellants' motion to extend the time of the 2024 tax sale.

Finally, Appellants moved to proceed *in forma pauperis*. The right to proceed *in forma pauperis* must rest upon a statute or a fundamental constitutional right. *See Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995). Appellants have the burden of showing they are entitled to this relief, but they have not done so. Therefore, Appellants' motion is denied. The filing fee must be paid within fifteen days of the date of this order. Failure to provide the filing fee will result in dismissal of the appeal.



FOR THE COURT C.J.

Columbia, South Carolina

FILED
Nov 12 2025

cc:

Maria E. Ferguson
Chris Pettross

John Brian Kelchner, Esquire
John Sanford Kay, Esquire
Harry Alwyn Dixon, Esquire