

STATE OF SOUTH CAROLINA  
IN THE COURT OF COMMON PLEAS

COUNTY OF GREENVILLE  
CA No.: 2022CP2303012

RECEIVED

Dec 05 2025

SC Court of Appeals

PRANCETON WILLIAMS,

APPELLANT,

APPELLATE #2025-002279

VS.

WILLIAM "BILL" RHODES, and  
ELIZABETH HOLCOMB,

RESPONDENTS.

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**EMERGENCY MOTION TO STAY EXECUTION OF JUDGMENT**

TO: THE HONORABLE CIRCUIT COURT

APPELLANT Pranceton Williams, through undersigned counsel pro se, respectfully moves this Honorable Court for an emergency stay of execution of the Order Granting Summary Judgment entered on October 13, 2025, pending appeal to the South Carolina Court of Appeals.

**STATEMENT OF FACTS**

1. On October 13, 2025, the Circuit Court entered an Order Granting Summary Judgment in favor of Defendants William Rhodes and Elizabeth Holcomb.
2. The Order, in addition to entering monetary judgment, purported to evict Appellant from the property located On November 14, 2025, Appellant filed a Notice of Appeal with the South Carolina Court of Appeals, which assigned Appellate Case No. 2025-002279.at 20 Alice Farr Drive, Greenville, SC 29617, and directed Appellant to vacate within thirty days.

4. This Motion is filed within the time permitted by Rule 225(d), SCACR, which allows 10 days from the filing of the appeal to move for a stay from the lower court.

5. The eviction portion of the Order, if executed, would cause immediate and irreparable harm to Appellant and render the appeal moot with respect to possessory issues.

## **GROUND FOR RELIEF**

### **I. THE CIRCUIT COURT EXCEEDED ITS JURISDICTION BY ORDERING EVICTION IN A CIRCUIT COURT CIVIL ACTION**

6. The Circuit Court's October 13, 2025 Order purports to evict Appellant from the subject property and authorizes issuance of a Writ of Ejectment. However, the relief granted exceeds the court's jurisdiction and authority in this civil action.

7. South Carolina law provides specific statutory procedures for eviction actions. These procedures are governed by S.C. Code Ann. § 27-40-710 et seq., which establishes the exclusive remedy for landlords seeking to recover possession of residential property.

8. The statutory eviction process requires specific procedural safeguards including proper notice, a magistrate or municipal court proceeding, and specific time periods for tenant response. S.C. Code Ann. § 27-40-710(B) requires that the action be brought "in the magistrate's or municipal court having jurisdiction."

9. This case was filed in Circuit Court as a civil action seeking declaratory relief and damages. The Complaint did not seek eviction as a remedy, and

Defendants' Counterclaim, while seeking possession, did not follow the statutory eviction procedures mandated by Chapter 40 of Title 27.

10. The Circuit Court lacks subject matter jurisdiction to issue a writ of ejectment in a standard civil action where the statutory eviction procedures have not been followed. The South Carolina Supreme Court has consistently held that courts must strictly construe and apply statutes governing landlord-tenant disputes.

11. Furthermore, where a prior magistrate court eviction action was brought by these same Defendants against this same Appellant regarding this same property, and where that magistrate court action resulted in a final order on the merits, the Circuit Court cannot circumvent the statutory framework by ordering eviction as part of summary judgment relief in a separate civil action.

12. The Circuit Court's Order improperly conflates a civil judgment for damages with the distinct statutory remedy of eviction. While the Court had jurisdiction to determine the parties' contractual rights and award monetary damages, it exceeded its authority by ordering eviction and directing the Sheriff to enforce a Writ of Ejectment without compliance with the statutory eviction procedures.

## **II. APPELLANT WILL SUFFER IMMEDIATE AND IRREPARABLE HARM WITHOUT A STAY**

13. If the eviction portion of the Order is executed, Appellant will suffer immediate and irreparable harm through the loss of possession of the property where he has resided for over eleven years.

14. Forced eviction would render the possessory aspects of Appellant's appeal moot, as Appellant could not be restored to possession even if successful on appeal.

15. The monetary judgment component can be satisfied through traditional collection methods if Appellant is ultimately unsuccessful on appeal, but loss of possession cannot be adequately remedied by monetary damages.

### **III. APPELLANT HAS A SUBSTANTIAL LIKELIHOOD OF SUCCESS ON APPEAL**

16. Appellant has raised substantial legal issues on appeal, including whether the Circuit Court erred in finding that no valid option to purchase existed, whether the doctrine of res judicata properly applied, and whether summary judgment was appropriate given disputed material facts.

17. Most critically, the Circuit Court clearly exceeded its jurisdiction by ordering eviction in a standard civil action without following the mandatory statutory procedures for eviction actions. This jurisdictional defect provides a strong basis for reversal on appeal.

18. The statutory eviction procedures exist to protect tenants' possessory rights and ensure due process. The Circuit Court's Order circumvents these protections and represents a fundamental jurisdictional error.

### **IV. THE BALANCE OF EQUITIES FAVORS GRANTING A STAY**

19. The balance of equities strongly favors maintaining the status quo pending appeal. Appellant seeks only to preserve possession during the appellate process, not to avoid financial obligations.

20. Respondents' interests are adequately protected by the monetary judgment, which remains enforceable if Appellant is unsuccessful on appeal.

21. Any delay to Defendants in recovering possession is far outweighed by the irreparable harm to Appellant of being wrongfully evicted based on a potentially erroneous and jurisdictionally defective order.

22. Public policy favors allowing appellate review of significant legal issues before executing judgments that may be reversed, particularly where the judgment involves deprivation of possession of a residence.

### **LEGAL AUTHORITY**

23. Rule 225(d), SCACR provides: "A motion for stay in the trial court may be filed within ten (10) days after filing the notice of appeal."

24. The South Carolina Supreme Court has recognized that stays pending appeal should be granted where: (1) the appellant will suffer irreparable harm without a stay; (2) there is a substantial likelihood of success on the merits; and (3) the balance of equities favors a stay.

25. All three factors are satisfied here, particularly given the clear jurisdictional defect in the Circuit Court's Order regarding the eviction relief.

### **PRAYER FOR RELIEF**

WHEREFORE, Appellant Pranceton Williams respectfully requests that this Honorable Court:

A. Grant an emergency stay of execution of the eviction and Writ of Ejectment provisions contained in the October 13, 2025 Order Granting Summary Judgment, pending final resolution of the appeal in the South Carolina Court of Appeals;

B. Order that Appellant shall maintain possession of the property located at 20 Alice Farr Drive, Greenville, SC 29617 during the pendency of the appeal;

C. Alternatively, if the Court determines that any condition should be imposed as a prerequisite to the stay, schedule a hearing to determine appropriate conditions;

D. Order that the monetary judgment provisions of the October 13, 2025 Order remain enforceable and may be satisfied through traditional collection methods; and

E. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

s/Princeton Williams  
Princeton Williams, Pro Se  
20 Alice Farr Drive  
Greenville, SC 29617  
864-787-2295

December 5, 2025

## CERTIFICATE OF SERVICE

I hereby certify that on this 5<sup>th</sup> day of December, 2025, I served a copy of the foregoing Emergency Motion to Stay Execution of Judgment upon:

Hand Delivery & Email:

Gregory Alan Morton, Esquire  
4 Arborland Way  
Greenville, SC 29615

By depositing same in the United States Mail, first class postage prepaid, in an envelope addressed to the person listed above.

s/Princeton Williams  
Princeton Williams, Pro Se

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**Dec 05 2025**

**SC Court of Appeals**