

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 Respondents 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 Respondents would be required to pay \$8,000 into the court and the master-in-equity would issue a master's deed.

On November 5, 2025, Appellant filed a motion to stay in this court, stating she had not attended the hearing on the bond motion because she was hospitalized and that she did not receive timely notice of the bond order. On November 6, 2025, this court granted a temporary stay of the master's order and requested a return. On November 10, 2025, Respondents filed a return. On November 11, 2025, Appellant filed a reply. On November 13, 2025, this court denied Appellant's motion to alter the master's bond order. *See* Rule 241(c)(2), SCACR ("In determining whether an order should issue pursuant to this Rule, the lower court, administrative tribunal, appellate court, or judge or justice of the appellate court should consider whether such an order is necessary to preserve jurisdiction of the appeal or to prevent a contested issue from becoming moot."); 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.").

On November 17, 2025, Appellant filed a motion for an "emergency hearing," in which she requested this court revise its prior ruling. We construe Appellant's motion as a petition to rehear this court's November 13 order. After careful consideration of the petition for rehearing, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

Stephanie P. McDonald

_____ J.

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_____ J.

[Signature]

_____ J.

Columbia, South Carolina

cc:
Tomeka Shayron Middleton
Bruce Alan Berlinsky, Esquire

FILED
Dec 09 2025