

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

Appellate Case No. 2025-001447

THE STATE,

Respondent,

VS

RAY EDWARD CHESTNUT,

Defendant

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DEC 29 2025

SC Court of Appeals

MOTION TO STAY APPEAL

COMES NOW the Defendant, Ray Edward Chestnut, pro-se, and respectfully moves this court to stay the appellate proceedings pending resolution of the following critical jurisdictional issues:

1. The trial record shows that two different judges presided over separate parts of the trial without proper substitution orders. This raises a factual subject-matter jurisdiction defect, rendering the conviction and sentence void.

2. Ex parte McCardie, 74 U.S. 506 (1869), and related void-judgment principles establish that judgments entered without lawful judicial authority are void and may be challenged at any time.

3. Failure to address these jurisdictional defects prior to appeal risks irreparable harm, including waiver of claims that cannot be cured on direct appeal.

WHEREFORE, the Defendant respectfully requests that the Court:

- a) Stay all appellate proceedings; and
- b) Hold any appellate briefing deadlines in abeyance until the Court resolves the jurisdictional and void-judgment claims raised.

Respectfully submitted,

/s/ Ray Chestnut

Ray Edward Chestnut, #304094

Kirkland Correctional Institution

4344 Broad River Rd.

Columbia, SC 29210

December 15, 2025

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing "motion to stay Appeal" was served on the parties addressed below by via U.S. mail with appropriate postage on this 15th day of December, 2025.

Addressee(s):

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