

The South Carolina Court of Appeals

Jamar Stark and Tyla McNeill, Appellants,

v.

Southern Touch Properties, Respondent.

Appellate Case No. 2023-000630

ORDER

Upon receipt of an undertaking from Appellants, this court granted Appellants' motion to stay the circuit court's order. *See* S.C. Code Ann. § 27-40-800(f)(1) (2007) ("Upon appeal to the Supreme Court or to the court of appeals, it is sufficient to stay execution of a judgment for ejectment that the tenant sign an undertaking that he will pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered. The judge of the court having jurisdiction shall order stay of execution upon the undertaking."). Thereafter, Appellants informed this court that they missed a bond payment by one day and asked this court to allow the stay to remain in place despite the missed bond payment. Appellants explained—and provided documentation to support that—the deadline was missed due to the hospitalization of their infant child. Respondent filed a return, asking this court to deny Appellants' request to continue the stay. Appellants filed a reply and subsequently informed this court that they had continued to pay their bond as required by the undertaking. After careful consideration, we grant Appellants' motion to continue the stay during the pendency of the appeal as long as Appellants comply with the undertaking.



C.J.

FOR THE COURT

Columbia, South Carolina

cc:

Jamar Stark

Tyla McNeill

Richard C. Jones, Esquire

FILED
Dec 30 2025