

RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LANCASTER COUNTY
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

Case No. 2024-001696

Felicia and Graham Underwood,

v.

Heartland Realty,

and Clayton Lamar Hall,

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JAN 27 2026

SC Court of Appeals

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SC Court of Appeals

Appellants

Respondent

Intervenor,
Respondent

RECORD ON APPEAL

Felicia Underwood and Graham Underwood
Pro Se
Appellants
1722 Baskins Hill Road
Heath Springs, SC 29058
803-283-2524

Donovan M. Steltzner, Esq.
454 Anderson Road S, Suite 302
Rock Hill, SC 29730
Attorney for Respondent

INDEX

Application for Ejectment.....1
Answer.....2
Writ of Ejectment.....3
Notice of Appeal.....4
Form 4 Dismissing Appeal.....5
Statement of Appellant Felicia Underwood.....6
Certificate of Appellant.....7

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

2024CV2910101352
CIVIL CASE NUMBER
IN THE MAGISTRATE'S COURT

Heartland Realty
PO Box 86
Kershaw SC 29067
PLAINTIFF(S)

APPLICATION FOR EJECTMENT
(Eviction)

vs.
Graham & Felicia Underwood / All
1722 Baskins Hill Rd
Heath Springs SC 29058
DEFENDANT(S)

Occupants

I, Heartland Realty, plaintiff in this action, state that I am the landlord-lessor of premises within the jurisdiction of Lancaster County Centralized Magistrate Court which are described as: (address and description of premises - apartment, house, etc.)

1722 Baskins Hill Rd
Heath Springs SC 29058 Single family home

I further state that, with regard to the above described premises, a landlord-tenant relationship exists between myself and the defendant Graham/Felicia/Occupants the tenant-lessee, as evidenced by the following: (Attach lease papers or other written proof.)

Sworn to before me this 6th

day of June, 20 24
Suffiani J. Cook
Magistrate or Notary Public for
South Carolina
My Commission Expires: 05-01-33

A.M.
PLAINTIFF (or his attorney)
Telephone 803 415 6629 MC-45

STATE OF SOUTH CAROLINA)
COUNTY OF LANCASTER)
Heartland Realty)
PLAINTIFFS)

CIVIL CASE NUMBER
IN THE MAGISTRATE'S COURT

vs.
Graham & Felicia Underwood
All occupants)
DEFENDANT(S)

RULE TO VACATE OR
SHOW CAUSE
(Eviction)

Upon the Application for Ejectment filed by the plaintiff, Heartland Realty which states that: was given 30 day notice 4/5/24 to vacate by 5/31/24 has not moved out You, Graham, Felicia & Occupants, the defendant and lessee of the premises located at:

1722 Baskins Hill Rd, Heath Springs
are ordered to vacate the premises immediately or to contact Central Court IN WRITING at 761 Lancaster Bypass East before the 1st day of July, 20 24, for the purpose of showing why you should not be ejected from these premises.

Failure to vacate the premises or to respond before the above date, may result in the issuance of a writ of ejectment.
DATE: 6/6/24 MAGISTRATE: [Signature]

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

ANSWER TO EVICTION

PLAINTIFF(S)/LANDLORD

PHONE #

vs Heartland Realty

Felicia Underwood

DEFENDANT(S)/TENANT

PHONE # (803) 762-2954

On June 20, 2024 I was served with a APPLICATION FOR EJECTMENT requiring me to answer before the final day listed on my eviction. My Answer, which hereby filed with the Lancaster County Summary Court, is as follows:

A. I disagree with why I am being evicted because: the home is supposed to be mine and my family and I have no where to move to w/ 2 kids. We have q/l looked and rent is too high & aren't able to get a loan for the home due to bad credit + income.

YOU MUST FILE THIS DOCUMENT WITH THE COURT BEFORE 5:00PM ON THE DATE THAT YOUR EVICTION EXPIRES.

THE DEFENDANT/PLANTIFF STATES THAT THE INFORMATION CONTAINED IN THIS ANSWER IS TRUE AND CORRECT TO THE BEST OF HIS/HER KNOWLEDGE.

Felicia Underwood
SIGNATURE OF DEFENDANT(S) (OR ATTORNEY)

7/1/24
DATE

IF MORE THAN ONE DEFENDANT, ALL MUST FILE ANSWER

PLEASE RETURN TO:

Lancaster County Magistrate
761 Lancaster Bypass East
Lancaster, SC 29720
Phone: (803) 283-3983 Fax: (803) 416-9407

Clocked in at Central Court
Date: 7-1-24

2024-2-0930

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)
)
)

2024CV2910101352
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT
WRIT OF EJECTMENT

Heartland Realty
Po Box 86
Kershaw, SC 29067
(803) 475-6639

PLAINTIFF(S)

Vs
Graham Underwood
1722 Baskins Hill Rd
Heath Springs, SC 29058

Felicia Underwood
1722 Baskins Hill Rd
Heath Springs, SC 29058

DEFENDANT(S)

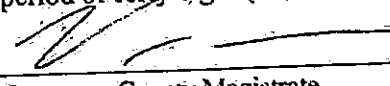
TO THE SHERIFF/MAGISTRATE'S CONSTABLE:

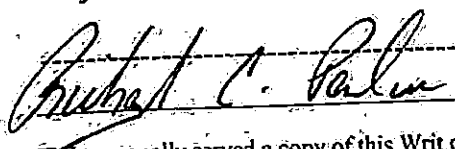
Upon Judgment of this Court, rendered on the 19th day of July, 2024, you are hereby Ordered to proceed to the premises located at **1722 Baskins Hill Rd Heath Springs, SC 29058.**

Announce your identity and purpose and serve on the defendant(s) and all occupants a copy of this Writ of Ejectment. Inform them they have **twenty four (24) hours to voluntarily vacate the premises. If the premises appear unoccupied and no one responds to your announced identity and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.**

If after 24 hours following the service or posting of the Writ, the occupants have not voluntarily vacated the premises, a deputy sheriff may enter the premises using only as much force as is necessary to effectuate the Ejectment. Upon gaining access, you shall remove from the premises any occupants and all items of personal property found on the premises. Such property may be deposited beside the public street or roadway. All personal property removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty-eight (48) hours.

July 19, 2024


Lancaster County Magistrate



being duly sworn state that:

I personally served a copy of this Writ on Felicia Underwood, an occupant of the rental unit

7-22-24 4:15 PM

On _____, 20____, at _____ the rental unit appeared unoccupied and no one responded when I announced my identity and intentions. I attached a copy of this Writ to a conspicuous part of the premise.

On _____, 20____, at _____, which was not less than 24 hours from the posting date and time, I returned to the rental for the purpose of ejectment.

Under my supervision, I had all persons and personal property removed and evicted from the rental unit placing all personal property beside roadside.

The rental unit was unoccupied. The Tenant and all occupants had vacated the unit.

Informed by Plaintiff that case is settled.

Date: _____, 20____

Sheriff/Deputy Sheriff/Constable

FILED
OFFICE OF
CLERK OF COURT

STATE OF SOUTH CAROLINA)
 COUNTY OF Lancaster)
Felicia + Fitzham Underwood)
 APPELLANT(S))
 VS.)
Heartland Realty)
 RESPONDENT(S))

2024CP2900993
COMMON PLEAS CASE NUMBER

2024 CV 291010135A
MAGISTRATE CIVIL CASE NUMBER

IN THE COURT OF COMMON PLEAS
 NOTICE OF CIVIL APPEAL

The plaintiff defendant (circle one), Felicia Underwood hereby gives notice of appeal from the judgment of the magistrate's court in the above action, to the Circuit Court of Common Pleas, in the county of Lancaster/Heath Springs

This notice of appeal is made subsequent to personal notice of the judgment which was received on the 19th day of July, 2024.

The appellant's exceptions to the judgment of the magistrate are set forth as follows:

Home was supposed to be mine and my families when my Grandmother passed away. My uncle, my Grandmas son, ended up getting it in the Will but was supposed to sign it over to me but refuses to. Has changed rent and agreements 7 or 8 times in the last 7 months. We paid rent on time every month. My kids, husband and I have tried to find another place to live but its not affordable due to us being on a fixed income and rent everywhere we have tried looking at is more then our husbands disability check every month. My uncle, Clayton Hall in front of my attorney said we would pay 2 years rent at \$300 a month then he would give us the deed to our home. Not even a week later he hired a realty agency and went up on the rent and now wants us out, but we have nowhere to go.

Felicia Underwood
Appellant (or his attorney)

Dated: 8/1/2024

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Oct 16 2024

STATE OF SOUTH CAROLINA
COUNTY OF Lancaster
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2024CP2900993

Felicia & Graham Underwood
PLAINTIFF(S)

Heartland Realty
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON): Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON): Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Dismissed due to failure to prosecute.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 10/08/2024 .

Felicia & Graham Underwood for Felicia & Graham Underwood
Heartland Realty for Heartland Realty
Heartland Realty for Heartland Realty
Felicia & Graham Underwood for Felicia & Graham Underwood

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Electronically Filed - 2024 Oct 08 12:55 PM - LANCASTER - COMMON PLEAS - CASE#2024CP2900993

To Whom it May Concern,

I, Felicia N. Underwood took the Appeal for Court to the Magistrates office for Heartland Realty and the Magistrates office told me they would call to notify Heartland Realty about the Appeal and they would send a copy to them as well. My husband, Graham Underwood and I were told that's all we had to do.

Elyse Underwood 10-8-2024

James Davis 10-8-2024

JAMES A. DAVIS
Notary Public, State of South Carolina
My Commission Expires 8/20/2032

FILED
OFFICE OF
CLERK OF COURT
2024 OCT - 8 A 9:19
CLERK OF COURT
LANCASTER, SC

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

January 20, 2026

s/Felicia Underwood and Graham Underwood

Felicia Underwood and Graham Underwood

Pro Se

1722 Baskins Hill Road

Heath Springs, South Carolina 29058

803-283-2524

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JAN 27 2026

SC Court of Appeals

