

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
Robin Scott,)
Appellant,)
-vs-)
Michaels Organization, Harbison Elderly)
Association,)
Respondent.)

IN THE COURT OF COMMON PLEAS
S.C. Ct. App. No.: 2026-000028

Civil Action No.: 2025-CP-40-04887

Magistrate Case No.: 2025CV4010502214

MOTION TO SET APPEAL BOND
(S.C. Code of Laws § 27-40-800 (f)(1))
(Rules 205 & 241, SCACR)

0921-25-0001

TO: ROBIN SCOTT, *PRO SE* APPELLANT:

YOU WILL PLEASE TAKE NOTICE that pursuant to S.C. Code of Laws § 27-40-800 (f)(1), the undersigned attorney for the Respondent, will, ten (10) days from the service of this Motion, or as soon thereafter as counsel may be heard, move before The Honorable Presiding Judge for Richland County for an order setting an initial appellate bond in the amount of \$1,014 per month in certified funds due on the 1st of each month as required by South Carolina Code of Laws § 27 – 40 – 800 (f)(1) from January 7, 2026, to the date of the hearing of this Motion and, in addition, a payment of \$1,014.00 due on the 1st of each month thereafter for the period in which the instant appeal is pending.

The grounds for this motion are as follows:

1. Appellant entered into a lease with Respondent on or about September 21, 2018 for a contemplated term beginning September 21, 2018 and ending September 30, 2019. Appellant has been a month-to-month tenant since the expiration of the term of tenancy.
2. Until August 31, 2025, Appellant was in a Department of Housing and Urban Development subsidy program through which Appellant was only personally responsible for a portion of the stated rent. As of September 1, 2025, Appellant ceased to be a part of said program or any other subsidy program, and as such became responsible for the entirety of the stated market monthly rent of \$1,014.00 per month.

3. An Application for Ejectment was filed by Respondent against Appellant in the Richland County Magistrate's Court on June 6, 2025. Said matter was assigned Magistrate's Case No.: 2025CV4010502214 (the "Eviction").
4. On or about July 10, 2025, a bench trial was held in the Eviction matter and a ruling was entered in favor of the Plaintiff. Appellant was ordered to vacate the subject leased premises on July 16, 2025.
5. Appellant filed a Notice of Appeal to the South Carolina Court of Common Pleas in the Eviction on July 15, 2025. Said matter was assigned C/A No. 2025-CP-40-04887 (the "Circuit Court Appeal").
6. On December 12, 2025 a hearing was held upon Appellant's Circuit Court Appeal. An Order affirming the judgment of the magistrate court was filed in said matter on January 5, 2026.
7. On or about January 7, 2026 the instant appeal was filed in the South Carolina Court of Appeals.
8. That South Carolina Code of Laws Section 27 – 40 – 800(f)(1) states that it is sufficient to stay execution of a judgment for ejectment to the tenant sign an undertaking that he will pay to landlord the amount of the rent, determined by the 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".
9. Rule 205, SCACR provides in relevant part: "the lower court or administrative tribunal shall have jurisdiction to entertain petitions for writs of supersedeas as provided by Rule 241. Nothing in these Rules shall prohibit the lower court, commission or tribunal from proceeding with matters not affected by the appeal."

Wherefore, Respondent moves for an order setting an appellate bond in the amount of \$1,014.00 per month in certified funds due on the 1st of each month as required by South Carolina Code of Laws § 27 – 40 – 800 (f)(1) from July 29, 2024, to the date of the hearing of this Motion and, in addition, prospective payments of \$1,014.00 due on the 1st of each month thereafter for the period in which the instant appeal is pending.

CRAWFORD & VON KELLER, LLC

BY: /s/ Jason M. Hunter
B. Lindsay Crawford, III
B. Lindsay Crawford, IV
Jason M. Hunter; S.C. Bar No. 101501
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ATTORNEYS FOR RESPONDENT

Columbia, South Carolina
January 14, 2026