

EMERGENCY MOTION TO STAY ENFORCEMENT OF WRIT OF EJECEMENT

SOUTH CAROLINA COURT OF APPEALS

CENTRE POINTE CHARLETON, LLC v. AVIS JOHNSON

APPELATE CASE NO. 2024-001520

COMES NOW, the Appellant, Avis Johnson, and respectfully moves this Honorable Court for an immediate stay of enforcement of the writ of ejectment currently scheduled for execution on February 18, 2026 at 7:00am, and states as follows:

1. Appellant has a pending Motion to Recall the Remittitur currently before this Court.
2. The writ of ejectment has been issued by the North Area Magistrate Court 1, and enforcement is scheduled for 7:00am on February 18, 2026.
3. If enforcement proceeds prior to this Court ruling on the pending Motion to Recall. Appellant and the minor children currently residing in the residence will suffer immediate and irreparable harm, including displacement from their residence.
4. A stay id necessary to preserve the status quo and protect this Court's jurisdiction while the Motion to Recall the Remittitur remains under consideration.
5. This motion is made in good faith and solely to prevent irreparable harm pending this Court's review.

WHEREFORE, Appellant respectfully requests that this Court issue an immediate stay of enforcement of the writ of ejectment pending resolution of the Motion to Recall the Remittitur, and for such other relief as the Court deems just and proper.

Respectfully Submitted,

Avis Johnson

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SC Court of Appeals