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Apr 13 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA	)	IN THE MAGISTRATE'S COURT
	)	
COUNTY OF DORCHESTER	)	Case No.: 2025-CP-18-07026
	)	
BPREP SFR Owner LLC,	)	
Plaintiff(s)	)	
	)	
vs	)	EMERGENCY MOTION TO STAY
	)	
Kiana Sanders,	)	WRIT OF POSSESSION
Defendant	)	
	)	

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COMES NOW the Defendant, Kiana Sanders, appearing pro se, and respectfully moves this Court for an emergency, temporary stay of execution of the Writ of Ejectment, pursuant to the Court's equitable authority, SCRCP Rule 60(b), and applicable Magistrate Court practice, and states as follows:

1. A Judgment for Possession was entered on or about February 12, 2026, and a Writ of Ejectment issued on or about February 24, 2026.
2. Defendant does not seek to relitigate the merits of the possession judgment and acknowledges that South Carolina law does not require a landlord to accept a post-writ cure. See *In re Turki* (Bankr. D.S.C. 2023).
3. Defendant seeks only a short, equitable stay of execution prior to physical eviction to prevent immediate homelessness and to allow imminent third-party rental assistance to be processed.
4. Defendant is a single mother with minor children, and execution of the writ without a brief stay will result in immediate homelessness, constituting irreparable harm.
5. Defendant has an active and open rental-assistance application with Origin SC – Homeless Prevention Department, which has confirmed in writing that the application remains open and is pending landlord completion of required forms.

6. The delay in funding is not caused by Defendant, but by administrative non-completion of landlord paperwork.
7. Courts retain equitable authority prior to execution of a writ to temporarily stay enforcement in exceptional circumstances to prevent grave injustice, particularly where children and imminent funding are involved. See persuasive authority discussed in Defendant's attached affidavit and memorandum (including *Super Nova 330 LLC v. Gazes* and analogous hardship-stay cases).
8. A brief stay of 7–14 days, conditioned on Defendant's continued cooperation and proof of assistance processing, will not materially prejudice Plaintiff, while denial will cause irreversible harm.

WHEREFORE, Defendant respectfully requests that this Court:

- A. Enter an immediate stay of execution of the Writ of Ejectment for 7–14 days;
- B. Condition the stay on Defendant providing proof of continued rental-assistance processing;
- C. Grant such other and further relief as equity and justice require.

Date: \_\_\_\_\_

Respectfully submitted,

/s/ \_\_\_\_\_

Kiana Sanders  
Defendant, Pro Se  
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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM Dorchester COUNTY  
Court of Common Pleas

1st Circuit, Circuit Court Judge

Case No. 2026-CP 18-0012

Bnep Str owner  
llc,

Appellant/Respondent,

v.

Kiana Sanders  
,

Appellant/Respondent.

MOTION

Motion on another page in details.

Date: 4/13/2026

s/ \_\_\_\_\_

Name: Kiana Sanders  
Address: 153 Stratton drive  
Charleston SC 29420

Phone: (843) 224 - 0407

Email: Kiana.Sanders87@gmail.com

Appellant

Other Counsel of Record:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone: ( ) -  
Respondent/Attorney for Respondent