

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON)	CASE NO.: 2025-CP-10-01379
)	
HILL FAMILY 2008 TRUST,)	
YVONNE H. HEROLD, TRUSTEE,)	
Respondent/Plaintiff,)	
)	ORDER GRANTING RESPONDENTS'
vs.)	MOTION TO REQUIRE BOND
)	AND/OR ENFORCE EJECTMENT
TERESA K. ZACHRY, fka, TERESA Z. HILL,)	
Appellant/Defendant.)	

THIS MATTER comes before the Court for a hearing on March 23, 2026, upon the Respondents’, the Hill Family 2008 Trust, Yvonne H. Herold, Trustee, (hereinafter “Respondents”) Motion to Require Appellant to Post a Bond and/or Enforce Ejectment. Present at the hearing were the following: Anna E. Richter, Esq., and Daniel S. Slotchiver, Esq., counsel for the Respondents; the Respondents, the Hill Family 2008 Trust, Yvonne H. Herold, Trustee; and Appellant Teresa K. Zachry, fka Teresa Z. Hill, Esq., *Pro se*, (hereinafter “Appellant”).¹

After reviewing the pleadings, exhibits, the record, and applicable law, and considering arguments of counsel and the parties, the Court makes the following findings of fact and conclusions of law:

1. Pursuant to a Quit-Claim Deed recorded with the Charleston County Register of Deed’s office, the property located at 6209 Savannah Highway, Ravenel, South Carolina, in Charleston County (hereinafter “the Property”), is owned by the Respondents, the Hill Family 2008 Trust.

RECEIVED
Apr 14 2026
SC Court of Appeals

¹ All findings of fact and conclusions of law indicated in this Order are made for the purpose of ruling on this motion only.

2. On March 7, 2025, the Charleston County Magistrate Court issued a Writ of Ejectment ordering Appellant to vacate the property located at 6209 Savannah Highway, Ravenel, South Carolina, in Charleston County.
3. On March 13, 2025, Appellant filed a Notice of Appeal from the Magistrate Court's Ejectment Order.
4. Appellant failed to post an appeal bond within five (5) days of service of the Notice of Appeal, as required by S.C. Code Ann. § 27-37-130.
5. On July 16, 2025, the Circuit Court affirmed the Magistrate Court's Ejectment Order, finding "no error of law nor of fact."
6. The Circuit Court further denied Appellant's Motion to Reconsider on August 7, 2025.
7. Thereafter, on August 8, 2025, Appellant filed an appeal to the Court of Appeals and continues to wrongfully occupy the Property owned by Respondents.
8. On September 19, 2025, Respondents moved to dismiss the appeal and enforce the Ejectment Order in the Court of Appeals, contending that Appellant failed to post the statutorily-required bond to maintain an appeal. Appellant did not file a return to Respondents' Motion.
9. On November 19, 2025, the Court of Appeals issued an Order denying Respondents' motion to dismiss the appeal and enforce ejectment. However, regarding Respondents' request for Appellant to post a bond, the Court of Appeals held that "...consideration of a bond—or the lack of a bond—is a motion more properly made to the circuit court." The appeal remains pending before the Court of Appeals.

10. On January 29, 2026, pursuant to the Court of Appeals' Order, Respondents filed a Motion to Require Appellant to Post a Bond and/or Enforce Ejectment in the Circuit Court, and a hearing was held on March 23, 2026.
11. This Court has jurisdiction over the parties and the subject matter of this action, in light of the Court of Appeals' Order dated November 19, 2025.
12. Appellant has refused to vacate the property despite the Ejectment Order and has continued to occupy the premises without payment of rent or security.
13. Respondents have been deprived of the use, possession, and full rental value of the Property since March of 2025.
14. S.C. Code § 27-37-130 expressly mandates that an appeal bond must be posted to maintain an ejectment appeal. The statute provides that an appeal will not stay ejectment without a bond and that failure to file the required bond within five (5) days requires dismissal of the appeal ("such appeal *shall* be dismissed.").
15. The Court finds that Appellant has failed to post any bond whatsoever. Appellant did not post a bond at the time of the initial appeal to Circuit Court, she did not post one during the Circuit Court proceedings, and she has not posted one upon appeal to the Court of Appeals.
16. "The cardinal rule of statutory construction is to ascertain and effectuate the intent of the legislature. Under the plain meaning, it is not the court's place to change the meaning of a clear and unambiguous statute. Where the statute's language is plain and unambiguous, and conveys a clear and definite meaning, the rules of statutory interpretation are not needed and the court has no right to impose another meaning. What a legislature says in the text of a statute is considered the best evidence of the legislative intent or will.

Therefore, the courts are bound to give effect to the expressed intent of the legislature.”
Hodges v. Rainey, 341 S.C. 79, 85, 533 S.E.2d 578 (2000) (internal citations omitted).

17. The Court finds that the legislature’s intent is clear: without a bond, there is no stay, and the appeal *shall* be dismissed if the appellant does not post a bond within five (5) days after service of the notice of appeal.
18. On December 15, 2025, Counsel for Respondents wrote to Appellant requesting the parties coordinate a mutually agreeable date for Respondents to inspect the property so that the proper amount of rent could be determined and used for bond calculation.
19. On December 30, 2025, Appellant wrote an email response to Respondents’ counsel wherein Appellant refused to allow Respondents or their attorneys to inspect the building, and further advised “**[n]either you nor your clients will set foot in my building, my business, or my home.**”[sic].
20. The Court finds that due to Appellant’s conduct, Respondents, nor anyone on their behalf, were able to inspect the Property.
21. The Court finds that the reasonable rental value of the Property is \$7,363.18 per month as calculated and determined by the Respondent. The Appellant offered no evidence contrary to the rental value ascertained by Respondent. Further, that the Appellate process will likely take three (3) years, and that Respondents have suffered and will continue to suffer damages as a result of Appellant’s continued occupancy.
22. The Court finds, pursuant to S.C. Code § 27-37-130, that Appellant must post a bond in order to maintain her appeal. The statute further provides that failure to timely post the required bond mandates dismissal of the appeal.

23. While the general rule provides that “the service of a notice of appeal in a civil matter acts to automatically stay matters decided in the order,” Rule 241(b)(10) expressly excepts: “Ejectment orders as provided in S.C. Code Ann. § 27-37-130 and S.C. Code Ann. § 27-40-800.”
24. This is an ejectment action pursuant to S.C. Code § 27-37-130. Accordingly, the Court finds, pursuant to Rule 241(b)(10), South Carolina Appellate Court Rules, that ejectment orders are expressly excluded from the automatic stay provision applicable to civil appeal, thus there is no automatic stay.
25. Accordingly, the filing on an appeal does not stay enforcement of an ejectment order absent compliance with the statutory bond requirement.
26. Appellant’s failure to post the required bond deprives her of any entitlement to a stay of ejectment.
27. The Court finds that Appellant, who is a lawyer and has chosen to represent herself *Pro se*, has refused to vacate the Property for over a year, causing great harm to Respondents. The continued possession of the Property by Appellant without posting a bond or vacating the premises is contrary to South Carolina law and results in ongoing prejudice to the Respondents.
28. The Court finds that a bond in the amount of \$265,074.48 is reasonable and necessary to protect the Respondents’ interest during the pendency of the appeal, which is likely to last three (3) years.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED, as follows:

IT IS ORDERED that pursuant to S.C. Code Ann. § 27-37-130, Appellant shall post a bond with the Clerk of Court in the amount of two hundred sixty-five thousand seventy-four dollars and forty-eight cents (\$265,074.48) within five (5) days from the date of this Order;

IT IS FURTHER ORDERED that in the event Appellant posts the required bond, Appellant shall maintain said bond in full force and effect for the entirety of the appellate proceedings and shall file proof thereof with the Clerk of Court. Failure to maintain the required bond during the pendency of the appeal shall subject the appeal to dismissal pursuant to S.C. Code Ann. § 27-37-130;

IT IS FURTHER ORDERED that in the event that Appellant fails to post the required bond within five (5) days from the date of this Order, the Appeal shall be subject to dismissal pursuant to S.C. Code Ann. § 27-37-130;

IT IS FURTHER ORDERED that if Appellant fails to post the required bond within five (5) days from the date of this Order, the Writ of Ejectment issued by the Magistrate Court on March 7, 2025, shall be immediately enforced, including authorization for law enforcement to assist in effectuating the removal of Appellant from the Property and compliance with the Writ of Ejectment and this Order.

AND IT IS SO ORDERED!

Hon. Dale E. Van Slambrook
Circuit Court Judge
Ninth Judicial Circuit

Date: _____
Moncks Corner, South Carolina



Charleston Common Pleas

Case Caption: Teresa Zachry Hill VS Hill Family Trust 2008 of Arizona

Case Number: 2025CP1001379

Type: Order/Other

And It Is So Ordered!

s/Dale E. Van Slambrook S.C. Circuit Court Judge
#2781