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Apr 14 2026

SC Court of Appeals

IN THE COURT OF APPEALS
STATE OF SOUTH CAROLINA

Sophia V. Brown,

Appellant,

v.

**Deutsche Bank Trust Company Americas, as Trustee for Residential Accredit Loans, Inc.,
Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS10,**

Respondent.

Appeal From Horry County

Case No. 2024-CP-26-07321

EMERGENCY MOTION FOR STAY PENDING APPEAL

(Rule 241, SCACR)

Appellant Sophia Brown moves this Court for an Emergency Stay Pending Appeal to preserve the status quo and prevent irreparable harm while the appeal is pending.

BASIS FOR EMERGENCY RELIEF

Appellant filed a timely Notice of Appeal on March 30, 2026, following the entry of the Master in Equity's Final Order and Judgment of Foreclosure and Sale (filed March 17, 2026). Appellant simultaneously filed a Motion to Stay Pending Appeal in the lower court.

The lower court has not ruled on the Motion to Stay Pending Appeal or on several other pending motions. The Horry County Clerk of Court informed Appellant that:

"We do not transmit anything to the Court of Appeals."

Because the clerk refused to transmit the Notice of Appeal and associated filings, Appellant has filed a **Notice of Clerk's Refusal** per

Rule 203(d)(3), SCACR.

Without a stay, Appellant faces immediate and irreparable harm through the loss of her home before appellate review can occur.

Emergency relief is therefore required.

PENDING MOTIONS IN THE LOWER COURT

The following motions and filings remain **unruled upon** in the lower court:

1. Motion to Stay Pending Appeal
2. Motion to Strike
3. Motion for Judicial Notice
4. Motion to Expunge
5. Letters requesting clarification of rulings
6. Any filing treated as a Rule 59(e) motion for reconsideration

No written orders have been issued disposing of these matters.

Per Rule 203(b)(1), SCACR, the **appeal clock has not begun to run**, and the judgment is not yet final.

ARGUMENT

A. The Appellant satisfies all four factors of the standard for a Stay Pending Appeal per Rule 241(b)(1), SCACR

B. The Appellant has presented sufficient evidence to support the requested relief

The appeal raises substantial issues, including:

- Whether the Plaintiff established standing as the real party in interest;
- Whether the chain of title and endorsements were properly authenticated;
- Whether the lower court failed to rule on multiple motions;
- Whether the judgement is final, where unresolved motions remain pending.

These issues are appropriate for appellate review and satisfy the prima facie standard.

C. Appellant Will Suffer Irreparable Harm Without a Stay

Without a stay:

- Appellant's home may be sold at foreclosure before appellate review.
- Loss of real property constitutes irreparable harm under South Carolina law.
- No monetary remedy can restore possession of the home once sold.

This factor favors granting a stay.

D. A Stay Will Not Prejudice Respondents

- Respondent has waived deficiency judgment.
- Interest continues to accrue.
- The property remains insured and maintained.
- There is no substantial harm to Respondent.

E. The Public Interest Favors a Stay

The public interest is served when:

- appellate rights are preserved,
- lower-court rulings are reviewed before irreversible action, and
- foreclosure sales do not proceed while jurisdictional issues remain unresolved.

REQUEST FOR RELIEF

For the reasons stated above, Appellant respectfully requests that this Court:

1. Grant an Emergency Stay Pending Appeal
2. Stay any foreclosure sale or enforcement of the Final Judgment;
3. Preserve the status quo until the appeal is resolved; and
4. Grant such other and further relief as this Court deems just and proper.

Respectfully,

Sophia V. Brown

1140 Woodruff Rd. Ste. 106-155

Greenville, SC 29607

Newcandy2010@gmail.com

864-325-6354

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APPELLATE CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **Notice of Clerk's Refusal / Failure to Transmit, Emergency Motion for Stay Pending Appeal, Motion to Proceed In Forma Pauperis / Affidavit of Indigency, and attached copies of the Final Order and Judgment of Foreclosure and Sale and the Supplemental Certificate of Service for the Notice of Appeal** on the respondents listed below by depositing a copy in the United States Mail, first-class postage prepaid, addressed as follows:

Chad W. Burgess

Counsel for Deutsche Bank Trust Company Americas

Brock & Scott, PLLC

WESTPARK CENTER

3800 Fernandina Road, Ste 110

Columbia, SC 29210

Served on: April 14, 2026

Michael H. Sartip

Counsel for Conway Hospital Inc. d/b/a Conway Medical Center

P.O. Box 808

Myrtle Beach, SC 29578

Served on: April 14, 2026

North Mill Equipment Finance LLC

c/o Robert Alan Bernstein

P.O. Box 20519

Charleston, SC 29413

Served on: April 14, 2026

Republic Finance LLC

c/o Christopher John Neeson

Indianapolis, IN 46290

Served on: April 14, 2026

Respectfully submitted,

Sophia V. Brown

1140 Woodruff Rd. Ste. 106-155, Greenville, SC 29607

Newcandy2010@gmail.com/ 864-325-6354/ **April 14, 2026**