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Apr 30 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.

South Carolina Court of Appeals

Case No. 2026-000925

PETITION FOR SUPERSEDEAS

(Rule 241, SCACR)

Appellant, **Sophia Brown**, respectfully petitions the South Carolina Court of Appeals for **supersedeas** staying enforcement of the **Final Order on Stay, Bond, and Related Conditions** entered by the Horry County Court of Common Pleas on **April 27, 2026**, as well as enforcement of the underlying **foreclosure judgment**, pending resolution of this appeal.

This Petition is filed pursuant to **Rule 241(a)-(b), SCACR**, to preserve the status quo and prevent enforcement actions that would render the appeal ineffective or moot.

I. Procedural Background

1. On March 17, 2026, the lower court entered a **final judgment of foreclosure**.
2. Appellant filed a **timely Notice of Appeal** on April 14, 2026.
3. On April 27, 2026, the lower court entered a **Final Written Order on Stay, Bond, and Conditions** ("Stay/Bond Order").
4. The Stay/Bond Order imposes:
 - a. a bond requirement,
 - b. monthly rental-value payments,
 - c. projected tax and insurance obligations,
 - d. a compliance deadline, and
 - e. additional findings not announced at the hearing.
5. Appellant has filed a **Supplemental Notice of Appeal** to include the April 27, 2026 Stay/Bond Order within the scope of the pending appeal.

6. Enforcement of the foreclosure judgment or the Stay/Bond Order would cause irreparable harm and would effectively deprive Appellant of meaningful appellate review.

II. Legal Standard

Under **Rule 241(a)–(b), SCACR**, the Court of Appeals may issue supersedeas to:

- stay enforcement of a judgment,
- stay enforcement of an order, and
- preserve the status quo pending appeal.

Supersedeas is appropriate where enforcement would:

- render the appeal moot,
- cause irreparable harm,
- impose obligations unsupported by the record, or
- prevent meaningful appellate review.

All of these conditions are present here.

III. Grounds Supporting Supersedeas

A. Enforcement Would Render the Appeal Ineffective or Moot

If the foreclosure judgment or Stay/Bond Order is enforced before appellate review:

- the property may be sold,
- the bond deadline may expire,
- Appellant may be deemed non-compliant,
- the appeal may be dismissed, and
- the appellate court may be unable to grant meaningful relief.

Supersedeas is necessary to prevent these outcomes.

B. The Stay/Bond Order Contains Findings Not Supported by the Record

The April 27, 2026 order includes:

- rental-value calculations,
- tax and insurance projections,
- 36-month estimates, and
- factual findings

that were **not supported by testimony or documentation** presented at the hearing.

Enforcing unsupported findings before appellate review would cause irreparable harm.

C. Enforcement Would Effectively Deny Appellant Access to Appellate Review

The Stay/Bond Order imposes financial obligations that:

- exceed Appellant's ability to comply,
- were not supported by evidence, and
- would result in immediate non-compliance if enforced.

Rule 241 exists to prevent enforcement of orders that would eliminate the ability to pursue an appeal.

D. Supersedeas Is Necessary to Preserve the Status Quo

The purpose of supersedeas is to maintain the status quo until the Court of Appeals can review:

- the foreclosure judgment,
- the evidentiary record,
- the remand scope, and
- the April 27, 2026 Stay/Bond Order.

Without supersedeas, the status quo will be irreversibly altered.

IV. Relief Requested

Appellant respectfully requests that the Court of Appeals issue an order:

1. **Granting supersedeas** staying enforcement of the **April 27, 2026 Stay/Bond Order**, including all bond requirements, rental-value payments, projected tax/insurance obligations, and compliance deadlines;
2. **Staying enforcement of the foreclosure judgment**, including any sale, deficiency proceedings, or related actions;
- 3.
4. **Staying all enforcement proceedings in the lower court** pending resolution of this appeal; and
5. **Maintaining the status quo** until the Court of Appeals issues a final decision.

V. Certificate of Service

I certify that a copy of this Petition for Supersedeas was served on the following party by electronic mail on **April 30, 2026**:

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SC Court of Appeals



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