

The South Carolina Court of Appeals

Carter Property Management, Respondent,

v.

Tyreek Wallace, Appellant.

Appellate Case No. 2026-001032

ORDER

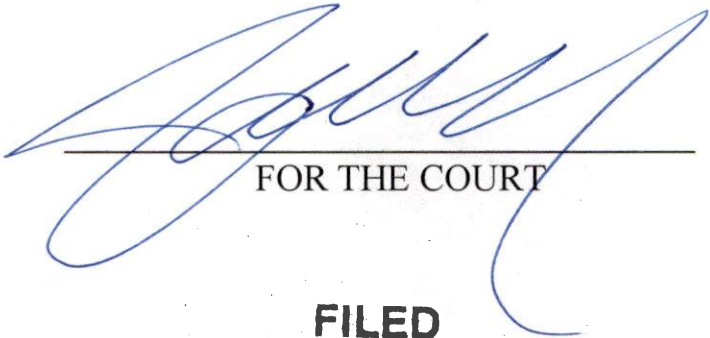
On April 27, 2026, Appellant filed a notice of appeal from an order in which the magistrate dismissed his circuit court appeal for nonpayment of his bond. See S.C. Code Ann. § 27-37-130 (2007) (providing that if a tenant fails to file the bond required, then the magistrate shall dismiss the notice of appeal); S.C. Code Ann. § 27-40-800(e) (2007) (stating that if a tenant fails to file the bond according to the order staying execution, then "the clerk, upon application of the landlord, shall issue a warrant of ejectment"). Also, on April 27, 2026, Appellant filed a motion to stay the eviction, which we interpret as a motion to stay the order on appeal. Respondent did not file a return.

After careful consideration, we grant a temporary stay and remand this case to the circuit court for an expedited hearing on Appellant's motion to stay and a determination of any appeal bond.¹ See Rule 241(d), SCACR (explaining an application for supersedeas must first be made to the lower court which entered the order on appeal); S.C. Code Ann. § 27-40-800(f)(1) (2007) ("Upon appeal . . . to the court of appeals, it is sufficient to stay execution of a judgment for ejectment that the tenant sign an undertaking that he will pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered.").

¹ Appellant asserted in his motion that he had paid all rent owed into the "court registry."

Appellant shall provide this court with status updates in writing every thirty days until the circuit court rules on his motion to stay. Further, Appellant shall provide this court with a copy of the circuit court's written order regarding the motion for a stay within ten days of receiving notice of the ruling. Appellant's failure to provide this court with status updates every thirty days or to notify this court of the circuit court's ruling within ten days of receiving notice of the ruling will result in dismissal of this appeal.

This appeal is not held in abeyance while the circuit court considers the motion to stay.



FOR THE COURT J.

Columbia, South Carolina

FILED
May 13 2026

cc:
Tyreek Wallace
Carter Property Management