

**THE STATE OF SOUTH CAROLINA**

**IN THE SUPREME COURT**

**Case No. \_\_\_\_\_**

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**RECEIVED**

**May 21 2026**

**SC Court of Appeals**

**APPEAL FROM THE STATE OF SOUTH CAROLINA**

**In The Court of Appeals**

**Appellate Case No. 2025-001651**

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**APPEAL FROM CHARLESTON COUNTY**

**Court of Common Pleas**

**Dale E. Van Slambrook, Circuit Court Judge**

**Case No. 2025-CP-10-01379**

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**APPEAL FROM CHARLESTON COUNTY**

**Court of Common Pleas**

**Maite Murphy, Circuit Court Judge**

**Case No. 2025-CP-10-01379**

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**APPEAL FROM CHARLESTON COUNTY**

**Magistrates Court**

**Cheryl Perry Magistrates Court Judge**

**Case No: 2025-CV-10-11200030**

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**EMERGENCY**  
**PETITION FOR WRIT OF SUPERSEDEAS,**  
**EMERGENCY MOTION FOR STAY,**  
**RELIEF REQUESTED ON OR BEFORE FRIDAY, MAY 22, 2026**

*ENFORCEMENT WILL CAUSE SEIZURE OF AN ACTIVE LAW PRACTICE,  
PRIVILEGED CLIENT FILES, AND PROFESSIONAL RECORDS*

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**Hill Family 2008 Trust of Arizona and Yvonne Herold,**

Respondents,

**v.**

**Teresa Hill,**

Petitioner / Appellant,

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**I. EMERGENCY STATEMENT AND NATURE OF RELIEF SOUGHT**

Petitioner Teresa Hill, a licensed South Carolina attorney appearing pro se, urgently petitions this Court for a writ of supersedeas under Rule 241(d), SCACR, and moves for an immediate temporary stay of the April 9, 2026 Order of the Charleston County Court of Common Pleas (the “April 9 Order,” attached as **Exhibit B**).

The April 9 Order requires Petitioner to post a bond of \$265,074.48—a sum she cannot pay—and, upon her failure to do so, authorizes the Charleston County Sheriff’s Office to physically remove Petitioner from her thirty-seven-year law office. The April 9 Order makes no provision for the safe removal, preservation, or transfer of the active client files, legal documents, computers containing client data, other electronic equipment, privileged communications, professional libraries, equipment, or furniture that are present in the building. These are the operating assets of an ongoing South Carolina law practice, not the personal effects of a residential tenant. The contents of the building belong not only to Teresa Hill but to a law practice which is not associated with or owned by the trust. These active client files, legal documents, computers containing client data, other electronic equipment, privileged communications, professional libraries, equipment, or furniture that are present in the law office building.

On May 11, 2026, the Circuit Court denied Petitioner’s timely Rule 59(e) motion (Ex. C). On Monday, May 18, 2026, the Court of Appeals denied Petitioner’s Rule 241(d) Petition for Supersedeas (Ex. A). Petitioner has now exhausted every available avenue for emergency relief below. Enforcement of the April 9 Order may proceed at any time. There is no further procedural step that can stop it absent intervention by this Court.

Rule 241(c)(2), SCACR provides that supersedeas may issue “to preserve jurisdiction of the appeal or to prevent a contested issue from becoming moot.” Both grounds apply with extraordinary force here. Enforcement of the April 9 Order will moot the underlying appeal pending in the Court of Appeals (Case No. 2025-001651) by physically displacing Petitioner from the very property whose ownership is in dispute before the merits of that appeal have been heard. Enforcement will also cause harm that cannot be undone by any subsequent appellate ruling: the dispersal, loss, or compromise of an active law firm’s client files and privileged materials in violation of Rules 1.6, 1.15, 5.4, and 5.5 of the South Carolina Rules of Professional Conduct.

This is not a routine landlord-tenant matter. This is the threatened forcible seizure of a thirty-seven-year South Carolina law practice by an out-of-state Trust whose existence has never been proven in any forum, in proceedings that originated in a magistrate court whose Return (**Ex. H**) contains neither the trust instrument nor a deed. The threshold defects in case of Respondent trust are jurisdictional. The harm to clients and to the orderly administration of legal services in this State is imminent and irreparable. This Court’s intervention is required.

**A. Specific Relief Requested on an Emergency Basis**

Petitioner respectfully requests that this Court enter, on or before the close of business on Friday, May 22, 2026, an immediate temporary stay enjoining any enforcement of the April 9, 2026, Order pending this Court’s consideration of the full Petition for Supersedeas. (**Ex. B**). Petitioner further requests that the writ of supersedeas issue on terms that preserve the status quo at 6209 Savannah Highway, Ravenel, South Carolina, including Petitioner’s continued occupancy and operation of the law practice located at that address, pending final disposition of the underlying appeal in the Court of Appeals.

**II. WHY THIS COURT MUST ACT NOTWITHSTANDING THE COURT OF APPEALS’ DENIAL**

On Monday, May 18, 2026, the Court of Appeals denied Petitioner’s Petition for Supersedeas (**Ex. A**). That denial does not, and cannot, foreclose this Court’s authority under Rule 241(d), SCACR. Rule 241(d) explicitly contemplates that this Court may issue a writ of supersedeas where lower-court action is insufficient to preserve the appeal or prevent mootness. That contingency has now arrived.

The Court of Appeals’ order recites the procedural history and Respondents’ opposition, then states only that “After careful consideration, Appellant’s Petition for Supersedeas... is denied in its entirety.” The order does not specifically address—and Petitioner’s prior submissions below did not fully develop—the threshold jurisdictional questions arising from the contents of the Magistrate’s Return itself (**Ex. H**): that the Return contains no trust instrument, no Certification of Trust under S.C. Code Ann. § 62-7-1013, and no deed. That defect is not merely an evidentiary failing; it goes to the existence of a properly constituted plaintiff. Standing is jurisdictional and may be raised at any time, including for the first time in this Court. See *Brown v. State*, 343 S.C.

342, 540 S.E.2d 858 (2001) (“issues related to subject matter jurisdiction may be raised at any time, including for the first time on appeal in this Court”).

The Court of Appeals’ order also does not address what may be the most public-interest-laden feature of this case: the April 9 Order (**Ex. B**), as written, authorizes the physical seizure of an active South Carolina law practice, its client files, privileged communications, original wills and estate planning documents, and operating records. That cannot be the law of this State. The conduct of the practice of law in South Carolina is committed to the regulatory authority of the South Carolina Supreme Court alone. S.C. Const. art. V, § 4. No magistrate court summary ejection, no Circuit Court bond order, and no Court of Appeals denial of supersedeas can authorize what the Rules of Professional Conduct of this Court forbid.

This Court therefore has both the jurisdiction and the duty to act.

### **III. STATEMENT OF FACTS AND PROCEDURAL HISTORY**

#### ***A. Petitioner’s Thirty-Seven-Year Law Practice***

Petitioner Teresa Hill is a licensed South Carolina attorney. She has practiced law continuously since 1990 when the doors at 6209 Savannah Highway, Ravenel, South Carolina (the “Property”) opened. In 1989–1990, Petitioner and her then-law partners, W. McAlister (“Mackie”) Hill and G. Thomas (“Tommy”) Hill, working out of a home on Martin Street in Ravenel financed, designed, and constructed the building under a partnership arrangement. Petitioner appeared at the bank with her law partners to secure construction financing, selected the architectural design, and moved into the building when it opened in 1990. Teresa, Tommy and their four children lived in the attic of the building so that financial sacrifices could be made to pay for the building they built in 1989-1990. The law firm in which Teresa Hill was a partner which built the building at 6209 Savannah Highway was Hill, Hill, and Hill, also known as Hill & Hill and Hill Law Firm. The partnership agreement contemplated that the law office property, building and the law practice would pass to the younger partners, Tommy and Teresa, after a period of work and financial contribution which term she has exceeded by two and a half decades. Petitioner Teresa Hill has never paid rent to any person or entity. She has never signed a lease. She has never acknowledged any landlord.

The contents of the offices at 6209 Savannah Highway are not all Petitioner’s personal effects. The contents are also the operating assets of an active law practice and include, without limitation: active client files; documents held in safekeeping for clients; original records; computers containing client data and privileged communications; other electronic equipment contain client data and privileged information; professional libraries; office furniture and other equipment; and supplies. These items are held by Petitioner subject to fiduciary and professional duties imposed by the South Carolina Rules of Professional Conduct, including Rules 1.6 (confidentiality), 1.15 (safekeeping of property), 1.16(d) (protection of client interests on termination), 5.4 (professional independence of the lawyer), and 5.5 (unauthorized practice of law).

***B. The Magistrate’s Return Contains No Trust Instrument, No Certification of Trust, and No Deed.***

On January 27, 2025, Respondent Trust filed an Application for Ejectment in the Ravenel Magistrate Court, Case No. 2025-CV-10-11200030 (**Ex. J**). On March 7, 2025, Magistrate Sheryl M. Perry issued a Writ of Ejectment.

The Magistrate’s Return certified to the Charleston County Court of Common Pleas in Case No. 2025-CP-10-01379 (**Ex. H**) constitutes the complete official record of the proceedings before the Magistrate. Petitioner has inspected that Return. The Return contains no trust instrument purporting to create the “Hill Family 2008 Trust of Arizona. The Return contains no trust instrument purporting to create the “Hill Family 2008 Trust. It contains no Certification of Trust under S.C. Code Ann. § 62-7-1013. It contains no document identifying Yvonne Herold as a duly appointed Trustee of any trust, evidencing her acceptance of any trusteeship, or establishing her authority to act on behalf of any trust. It contains no Quit-Claim Deed or any other document evidencing the alleged Trust’s purported interest in the Property. The Magistrate issued a Writ of Ejectment on a record that contained no documentary proof either of the plaintiff’s existence or of the plaintiff’s claim to the Property.

To Petitioner’s knowledge, the trust instrument has never been produced in any forum at any point in these proceedings. It has not been filed with any court in South Carolina. It has not been recorded with the Charleston County Register of Deeds. Petitioner filed a Motion to Compel

Production of the Trust Instrument in the Court of Common Pleas on July 30, 2025 (**Ex. K**). That motion has never been heard.

***C. The Quit-Claim Deed Was Concealed for Fifteen Years.***

Respondents' claim of ownership purports to rest on a Quit-Claim Deed recorded at Book 1204, Page 792 of the Charleston County Register of Deeds (**Ex. I**). The deed bears a date of August 8, 2008, but was not recorded until September 25, 2023—a concealment of over fifteen (15) years. The deed was prepared and notarized by G. Thomas Hill, Petitioner's former husband and law partner, who is the brother of the purported Trustee, Yvonne Herold. Preparation of this deed was a conflict of interest at best, G. Thomas Hill. It certainly was not the fiduciary duty owed to the law firm, his law partner and wife Teresa Hill. By the time of recording, one grantor/law partner (W. McAlister Hill) was deceased, and the other grantor (Mable T. Hill) was severely incapacitated by Alzheimer's disease. The deed was not part of the Magistrate's Return File (**Ex. H**), neither was the trust.

***D. Judge Murphy Heard the Appeal and Did Not Impose a Bond. Respondents Did Not Seek Reconsideration or Appeal.***

Petitioner timely filed her Notice of Appeal to the Court of Common Pleas on March 13, 2025. The Honorable Maite Murphy heard the appeal on June 26, 2025. At that hearing, Respondents' counsel orally requested an appeal bond. Judge Murphy declined to order one. This was omitted from the transcript of the court. On July 16, 2025, Judge Murphy entered an Order affirming the Magistrate (**Ex. D**). The Order contains no bond requirement. Petitioner filed a Motion to Reconsider, which Judge Murphy denied on August 7, 2025 (**Ex. E**). Judge Murphy's denial of reconsideration likewise contains no bond requirement. Respondents filed no motion under Rule 59(e), SCRCF to reconsider Judge Murphy's ruling on bond. Respondents did not appeal the order which did not order a bond.

***E. The Court of Appeals' November 19, 2025 Order.***

Petitioner filed a timely Notice of Appeal to the Court of Appeals on August 8, 2025 (Appellate Case No. 2025-001651). On September 19, 2025, Respondents moved in the Court of Appeals to dismiss the appeal and enforce ejectment, and alternatively asked the Court of Appeals to require Petitioner to post a bond of \$720,000. On November 19, 2025, the Court of Appeals denied Respondents' motion to dismiss and to enforce ejectment, and denied Respondents'

alternative request for bond, noting that “*consideration of a bond—or the lack of a bond—was a motion more properly made to the circuit court*” (**Ex. F**).

***F. The April 9, 2026 Order, the May 11, 2026 Denial of Reconsideration, and the Court of Appeals’ May 18, 2026 Denial of Supersedeas.***

On January 29, 2026, Respondents filed in the Circuit Court a Motion to Require Bond and/or Enforce Ejectment. The motion was heard on March 23, 2026, before the Honorable Dale E. Van Slambrook—a different judge from Judge Murphy. At the hearing, Respondents presented no witnesses, no sworn affidavit, and no Certification of Trust. They produced no trust instrument. The only evidence supporting the \$7,363.18 monthly rental figure was an unsigned email from a generic Gmail account. The author was not present in court, was not sworn, was not qualified as an expert, and was not available for cross-examination. Petitioner’s pending Motion to Compel Production of the Trust Instrument, filed July 30, 2025 (**Ex. K**), was not heard.

On April 9, 2026, Judge Van Slambrook entered the April 9 Order (**Ex. B**), requiring Petitioner to post a \$265,074.48 bond within five days and authorizing law enforcement to remove Petitioner upon her failure to post the bond. On April 10, 2026, Petitioner filed a Rule 59(e) motion with the Charleston County Court of Common Pleas. On April 13, 2026, Petitioner filed in this Court a Petition for Writ of Mandamus and Emergency Stay (Appellate Case No. 2026-000894). On April 14, 2026, this Court declined original jurisdiction and directed Petitioner to seek supersedeas in the circuit court and/or court of appeals (**Ex. G**). On April 14, 2026, Petitioner filed a Petition for Supersedeas in the Court of Appeals. On May 11, 2026, Judge Van Slambrook denied Petitioner’s Motion to Reconsider (**Ex. C**). On Monday, May 18, 2026, the Court of Appeals denied the Petition for Supersedeas in its entirety (**Ex. A**). Enforcement of the April 9 Order of the eviction may now occur at any time.

**IV. STANDARD FOR SUPERSEDEAS**

Rule 241(d), SCACR authorizes this Court to issue a writ of supersedeas. The rule directs that supersedeas should issue where “necessary to preserve jurisdiction of the appeal or to prevent a contested issue from becoming moot.” Rule 241(c)(2), SCACR. “Generally, the effect of a supersedeas or stay is to suspend proceedings and preserve the status quo pending the determination of the appeal.” *Melton v. Walker*, 209 S.C. 330, 336, 40 S.E.2d 161, 164 (1946).

In assessing a petition for supersedeas, South Carolina appellate courts traditionally consider four factors: (1) the petitioner’s likelihood of success on the merits of the underlying appeal; (2) whether the petitioner will suffer irreparable harm without a stay; (3) the balance of hardships; and (4) the public interest. In this case all four factors weigh decisively in Petitioner’s favor.

## V. ARGUMENT

A. *THE WRIT OF EJECTMENT ISSUED ON AN EMPTY MAGISTRATE’S RETURN. THE RETURN CONTAINS NO TRUST INSTRUMENT, NO CERTIFICATION OF TRUST, AND NO DEED. EVERY ORDER FLOWING FROM THAT WRIT—INCLUDING THE APRIL 9 ORDER—IS VOID FOR LACK OF STANDING AND SUBJECT-MATTER JURISDICTION.*

This is the threshold question, and it is dispositive. Ejectment is a summary statutory proceeding. S.C. Code Ann. § 27-37-10 et seq. The Magistrate Court has no discovery mechanism. A defendant in a magistrate ejectment proceeding has no procedural tool to compel production of a plaintiff’s foundational documents. The plaintiff therefore bears the entire burden of establishing standing, capacity to sue, and proof of right to possession from the face of its initial filing and the record before the Magistrate.

That makes the contents of the Magistrate’s Return decisive. The Return (**Ex. H**) certified to the Court of Common Pleas contains:

- (i) no trust instrument purporting to create the “Hill Family 2008 Trust of Arizona”;
- (ii) no Certification of Trust under S.C. Code Ann. § 62-7-1013;
- (iii) no document identifying Yvonne Herold as a duly appointed Trustee of any trust, evidencing her acceptance of any trusteeship, or establishing her authority to act on behalf of any trust;
- (iv) no Quit-Claim Deed or any other document evidencing the Trust’s purported interest in the Property; and
- (v) no other documentary proof of Respondent Trust or Trustee’s capacity to sue or right to possession.

A trust is not a legal entity that can sue in its own name. Only a trustee, acting in a representative capacity, may bring an action on behalf of a trust. To proceed in that capacity, the purported trustee must establish on the record (1) that the trust exists, and (2) that she holds the office of trustee with authority to act. South Carolina law expressly provides the mechanism for that proof. S.C. Code Ann. § 62-7-1013 authorizes the trustee to furnish a sworn Certification of Trust—identifying the trust, its date of creation, the currently acting trustee, and the trustee’s powers—in lieu of producing the full instrument. Respondents have produced neither the trust instrument nor a Certification of Trust at any stage of these proceedings.

Standing is jurisdictional. It may be raised at any time, including for the first time in this Court, and may be raised sua sponte. See *Brown v. State*, 343 S.C. 342, 540 S.E.2d 858 (2001). A plaintiff bears the burden of establishing standing. Where a plaintiff has failed to prove its existence or capacity to sue, the court has no jurisdiction to grant it relief, and any judgment in its favor is void.

The Magistrate adjudicated a property dispute and issued a Writ dispossessing a thirty-seven-year occupant in favor of a plaintiff that produced no document proving it exists. The Court of Common Pleas then affirmed that Writ on review of the same empty record (**Ex. D**). The April 9 Order (**Ex. B**) then imposed a \$265,074.48 bond requirement—and authorized physical ejectment—in favor of the same unproven plaintiff. Each step in that chain rests on the original defect: a Writ that issued on a Return containing no proof of standing and no proof of any property interest.

No party in this State may be dispossessed of her home, her thirty-seven-year law office, or her active law practice by an entity that has not produced a single document—in any forum, in any court, in any jurisdiction—proving that it exists and has authority to act.

**VI. THE APRIL 9 ORDER, AS WRITTEN, AUTHORIZES THE SEIZURE OF AN ACTIVE SOUTH CAROLINA LAW PRACTICE BY NON-LAWYERS. THIS COURT’S EXCLUSIVE AUTHORITY OVER THE PRACTICE OF LAW REQUIRES ITS INTERVENTION.**

The April 9 Order (**Ex. B**) authorizes the Charleston County Sheriff to enforce the Writ of Ejectment against “Appellant” and to remove her from the Property. It does so without joinder of, notice to, or any opportunity to be heard by, the law firm whose operations are located at the

Property. It does so without any provision for the protection, preservation, or orderly transfer of active client files, original documents, records, computers containing client data, or privileged communications. It does so notwithstanding that Respondents have produced no documentation of any kind establishing that the alleged Trust is qualified, authorized, or permitted under South Carolina law to take custody of the operating assets of a law practice.

This Court alone has constitutional authority over the practice of law in South Carolina. S.C. Const. art. V, § 4. The South Carolina Rules of Professional Conduct—promulgated by this Court—impose a series of duties and prohibitions that the April 9 Order, if enforced, will violate:

Rule 1.6 (Confidentiality of Information): “A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent...” Enforcement of the April 9 Order will place client files, privileged communications, and protected information into the physical custody of non-lawyer agents of the Trust during the seizure and removal process.

Rule 5.4 (Professional Independence of the Lawyer): A lawyer “shall not share legal fees with a nonlawyer” and “shall not form a partnership with a nonlawyer if any of the activities of the partnership consist of the practice of law.” Enforcement of the April 9 Order, as written, would effectively transfer control of an active law practice and its operating assets to a non-lawyer Trust—a transfer the Rules expressly prohibit.

Rule 5.5 (Unauthorized Practice of Law): A lawyer must not assist any person in the unauthorized practice of law. If a non-lawyer takes custody of an active practice’s files and operations, the resulting situation is precisely the unauthorized practice the Rule forbids.

Arizona, the state in which Respondents’ alleged trust beneficiary “Bubba Hill” told Charleston County Deputies that the state of Arizona is where the Trust is domiciled. Arizona permits non-lawyer ownership of law firms under that State’s recently enacted rules. South Carolina does not. The seizure of an active South Carolina law practice by a Trust claiming domicile in Arizona is therefore not merely procedurally improper—it is substantively incompatible with this Court’s exclusive regulatory authority over the practice of law in South Carolina.

Independent of every other argument in this Petition, this Court should intervene to prevent the seizure of a law practice by non-lawyers under conditions that no order of this Court would ever sanction. The April 9 Order cannot, consistent with the Rules of Professional Conduct, be enforced as written. At minimum, this Court should clarify that the Order does not authorize, and the Sheriff is not authorized to execute, any action that would dispossess the Hill Law Firm of its client files, privileged materials, or operating assets, or that would transfer custody of those materials to Respondents or their agents.

**VII. THE MAGISTRATE COURT LACKED SUBJECT-MATTER JURISDICTION BECAUSE NO LANDLORD-TENANT RELATIONSHIP HAS EVER EXISTED.**

Even if Respondents could prove the existence of their Trust (they have not), the Magistrate Court lacked subject-matter jurisdiction. Ejectment under S.C. Code Ann. § 27-37-10 et seq. lies only where a landlord-tenant relationship has been established as a matter of fact. The statute repeatedly uses the words “landlord” and “tenant.” South Carolina defines “tenant” as “a person entitled under a rental agreement to occupy a dwelling unit.” S.C. Code Ann. § 27-40-210(15).

Neither Petitioner Teresa Hill nor the law firm, which is not named in the Magistrates Court case, has never entered into any rental agreement, written or oral, with any person or entity. She has never paid rent. She has occupied the Property continuously since 1990 as a co-owner under a partnership arrangement. The Application for Ejectment filed by Respondents in the Magistrate Court (Ex. J) itself admits there is no lease, and lists as the sole ground that “permission to occupy building and land are withdrawn.” A permissive license to occupy is not a tenancy. Without a tenancy, the Magistrate Court had no jurisdiction to order ejectment under Chapter 37 of Title 27.

That jurisdictional defect is also fatal to the April 9 Order (**Ex. B**). The bond requirement of S.C. Code Ann. § 27-37-130 applies by its terms to “the tenant” appealing from “the trial magistrate.” Petitioner is not a tenant. The statute has no application. The Circuit Court had no authority to impose a bond under § 27-37-130 or ejectment against a party the statute does not reach.

**VIII. THE HILL LAW FIRM IS A NECESSARY AND INDISPENSABLE PARTY THAT HAS NEVER BEEN JOINED OR SERVED.**

The Hill Law Firm (Also known as Hill, Hill, & Hill, and Hill & Hill), an active South Carolina law practice, is not a party to this action. It has never been named. It has never been served. It has never had any opportunity to be heard. Yet the April 9 Order (**Ex. B**), by directing the Sheriff to remove “Appellant” and to enforce the Writ at 6209 Savannah Highway, operates in practical effect against the law firm whose offices, equipment, files, and ongoing operations are located there.

Rule 19, SCRCP requires the joinder of persons “whose absence may prevent complete relief” or who claim an interest in the subject of the action. Hill Law Firm has obvious interests: its physical location, its files, its operating assets, and the ability of its clients to continue receiving legal representation. A summary ejectment proceeding in magistrate court is not a permissible vehicle to displace, by indirection, a law practice that was never sued, never served, and never heard.

**IX. THE CIRCUIT COURT’S APPELLATE JURISDICTION OVER THIS MATTER ENDED WITH JUDGE MURPHY’S JULY 16, 2025 ORDER. THE APRIL 9 ORDER IMPROPERLY REVISITED A FINAL CIRCUIT-COURT RULING.**

The Circuit Court’s appellate jurisdiction over the magistrate ejectment was exercised and concluded by Judge Murphy’s July 16, 2025 Order affirming the Magistrate (**Ex. D**). At the June 26, 2025 hearing on that appeal, Trust Respondents’ counsel orally requested an appeal bond. Judge Murphy declined ordering a bond. Judge Murphy’s written Order (**Ex. D**) contains no bond requirement. Petitioner Teresa Hill moved for reconsideration; that motion was denied on August 7, 2025 (**Ex. E**), again without any bond requirement. Trust Respondents filed no motion under Rule 59(e), SCRCP to reconsider Judge Murphy’s ruling on bond. Respondents did not appeal it. Upon Petitioner’s Notice of Appeal to the Court of Appeals on August 8, 2025, the Circuit Court’s appellate jurisdiction over this matter ended.

Six months later, Respondents filed in the Circuit Court a new motion seeking, in substance, reconsideration of Judge Murphy’s ruling on bond. The new motion was heard by a coordinate Circuit Court Judge Dale E. Van Slambrook—who entered the April 9 Order (**Ex. B**)

revisiting and effectively reversing Judge Murphy’s prior implicit determination that no bond would be required. Neither of Judge Murphy’s orders does she order a bond.

South Carolina law does not permit one Circuit Court Judge to reconsider, modify, or reverse the ruling of another Circuit Court judge in the same case. See *Charleston County Dep’t of Soc. Servs. v. Father & Mother*, 317 S.C. 283, 454 S.E.2d 307 (1995). Appellate review of a Circuit Court order lies in the Court of Appeals, not in a horizontal review by a Circuit Court Judge.

The Court of Appeals’ November 19, 2025 Order (**Ex. F**) does not authorize the April 9 Order’s circumvention of these principles. The Court of Appeals’ Order denied Trust Respondents’ motion to dismiss the appeal and denied Respondents’ alternative request for bond, noting only that bond consideration was “more properly” made to the circuit court. That observation could not, and did not, confer new appellate jurisdiction on a Circuit Court that had already exhausted its review. It could not, and did not, authorize a second Circuit Court judge to reconsider a final ruling by a fellow judge with parallel or horizontal jurisdiction. The motion heard by Judge Van Slambrook was simply a second bite at the apple. The motion including the issue of a bond and immediate eviction had already been heard by Judge Murphy. Bond and immediate eviction was not ordered by Judge Murphy.

**X. THE ENFORCEMENT PROVISION OF THE APRIL 9 ORDER EXCEEDS THE SCOPE OF THE COURT OF APPEALS’ NOVEMBER 19, 2025 ORDER.**

The Court of Appeals’ November 19, 2025 Order (**Ex. F**) denied Respondents’ motion “to dismiss the appeal and enforce ejectment.” It did not authorize enforcement of the Writ of Ejectment. It noted only that bond questions were “more properly” made to the Circuit Court. Even accepting that the Court of Appeals directed the bond question to the Circuit Court, the Court of Appeals did not—and could not consistent with its denial of Respondents’ enforcement motion—direct that the Writ be physically enforced.

The April 9 Order (**Ex. B**) goes further. It orders the Writ of Ejectment to “be immediately enforced” upon non-payment of bond and authorizes the Sheriff to physically remove Petitioner Teresa Hill. That enforcement provision exceeds the scope of the Court of Appeals’ remand. The

Court of Appeals had just refused to authorize enforcement on the merits. The Circuit Court cannot now accomplish indirectly—by attaching enforcement to a five-day bond deadline—what the Court of Appeals expressly declined to do directly.

**XI. THE \$265,074.48 BOND RESTS ON INADMISSIBLE HEARSAY AND OPERATES AS AN UNCONSTITUTIONAL DENIAL OF APPELLATE REVIEW.**

The sole evidentiary basis for the \$7,363.18 monthly rental figure underlying the bond was an unsigned email from a generic Gmail account. The author was not present in court, was not sworn, was not qualified as an expert, and was not available for cross-examination. Petitioner Teresa Hill had no opportunity to challenge authenticity, qualifications, or methodology. A bond order that operates to dispossess a litigant of her home, law office, and thirty-seven-year law practice cannot be grounded on unauthenticated hearsay accepted as if it were sworn expert testimony. In the motion hearing Teresa Hill requested to question the alleged Trustee under oath and that request was denied.

Petitioner has stated on the record that she cannot pay the bond. She also stated on the record that she is not a tenant. She has never in 37 years paid rent. She has never entered into a rental agreement or a lease. S.C. Code Section 27-37-13- applies to **tenants**. No evidence has ever been presented that Teresa Hill was a tenant. Because, in any event, no landlord-tenant relationship has ever existed, there is no legally cognizable “rental value” that can serve as a basis for any bond under § 27-37-130.

**XII. PETITIONER WILL SUFFER IRREPARABLE HARM ABSENT A STAY; THE BALANCE OF HARDSHIPS AND THE PUBLIC INTEREST DECISIVELY FAVOR SUPERSEDEAS.**

Enforcement of the April 9 Order (**Ex. B**) will cause irreparable harm of the gravest kind. First, Petitioner will lose her thirty-seven-year law office, residence, and place of business. Second, an active law practice with active clients, active matters, active deadlines, active obligations, and active fiduciary duties will be physically displaced without any provision for the safe transfer of client property or the orderly continuation of representation. Third, legal documents, and other items entrusted to Petitioner and law firm under Rule 1.15 will be placed at risk. Fourth, privileged client communications and confidential client information will be exposed to non-lawyer agents of Respondents in the course of any seizure or removal. Fifth, Petitioner’s license to practice law

could be jeopardized. Sixth, the underlying appeal pending in the Court of Appeals will be mooted, and Petitioner's constitutional right to appellate review will be permanently extinguished.

Trust Respondents, by contrast, have never occupied the Property, never received rent from the Property, and never incurred any expenses related to the Property. They have not produced a trust instrument, a Certification of Trust, or any document showing they are qualified to take custody of an active law practice. A stay imposes no genuine hardship on a party that has had no possession, no income, and no operating role at the Property for thirty-seven years.

The public interest is overwhelmingly served by a stay. Preserving appellate jurisdiction; preventing the mooted of a pending appeal; protecting clients of a licensed South Carolina attorney; safeguarding privileged communications and confidential client information; upholding this Court's exclusive regulatory authority over the practice of law; and preventing non-lawyers from taking custody of an active law practice are each independent public interests of the highest order.

### **XIII. BOND OR SECURITY FOR SUPERSEDEAS**

Petitioner respectfully requests that this Court issue the writ of supersedeas without requiring a bond, or in the alternative fix any security at a nominal amount. Petitioner does not have the funds to post substantial security. The purpose of supersedeas security is to protect the opposing party from harm during the stay. Respondents face no harm from continuation of a status quo they have never enjoyed any benefit from. Imposition of a substantial bond would constitute a de facto denial of the very appellate review the supersedeas is intended to preserve, and would compound the constitutional infirmity of the \$265,074.48 bond already imposed by the April 9 Order (**Ex. B**).

Petitioner also stated on the record that she is not a tenant. She has never in 37 years paid rent. She has never entered into a rental agreement or a lease. S.C. Code Section 27-37-13- applies to **tenants**. No evidence has ever been presented that Teresa Hill was a tenant. Because, in any event, no landlord-tenant relationship has ever existed, there is no legally cognizable "rental value" that can serve as a basis for any bond under § 27-37-130.

### **XIV. PRAYER FOR RELIEF**

WHEREFORE, Petitioner Teresa Hill respectfully requests that this Court:

1. Enter, on or before the close of business on Friday, May 22, 2026, an immediate temporary stay of the April 9, 2026 Order (**Ex. B**) in its entirety, including the bond requirement and the authorization for law enforcement to enforce the Writ of Ejectment, to remain in effect until this Court rules on the full Petition for Supersedeas;
2. Issue a Writ of Supersedeas pursuant to Rule 241(d), SCACR, staying enforcement of the April 9, 2026 Order (**Ex. B**) in its entirety pending final disposition of the underlying appeal in the Court of Appeals (Case No. 2025-001651);
3. Direct that no law enforcement officer execute or attempt to execute the Writ of Ejectment, the April 9, 2026 Order (**Ex. B**), or any related order, pending final disposition of the underlying appeal;
4. Confirm and declare that the April 9, 2026 Order (**Ex. B**) does not run against, and may not be enforced against, the Hill Law Firm, (Hill, Hill, &Hill and Hill & Hill), its attorney, client files, its privileged client communications, its original legal documents, its records, its equipment, its furniture, or any other operating asset of the law practice which is the contents of the law office located at 6209 Savannah Highway, Ravenel, South Carolina;
5. Confirm Petitioner's right to continue operating the Hill Law Firm (Hill, Hill, &Hill and Hill & Hill) in place at 6209 Savannah Highway pending disposition of the underlying appeal;
6. In the alternative, if any security is imposed, fix that security at a nominal amount and allow Petitioner a reasonable period to post it;
7. In the further alternative, if any stay is denied, issue an order allowing Petitioner not less than ninety (90) days to safely transfer client files, original wills, original deeds, original estate planning documents, trust account records, and the entire contents of the law firm to a secure location, and issue a protective order safeguarding all client files and privileged materials from access by Respondents, their attorneys, agents, or any non-lawyer;

8. Direct that the pending Motion to Compel Production of the Trust Instrument, filed July 30, 2025 in the Court of Common Pleas (**Ex. K**), be heard and resolved before any further enforcement of the Writ of Ejectment; and
9. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

*s/Teresa Hill*

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Petitioner, Pro Se

Dated: May 21, 2026

**LIST OF EXHIBITS**

The following exhibits are attached to and incorporated by reference into this Petition:

**Exhibit A** — Order of the South Carolina Court of Appeals dated May 18, 2026, denying Petitioner’s Petition for Supersedeas (Appellate Case No. 2025-001651).

**Exhibit B** — Order Granting Respondents’ Motion to Require Bond and/or Enforce Ejectment, entered April 9, 2026, by the Honorable Dale E. Van Slambrook, Charleston County Court of Common Pleas, Case No. 2025-CP-10-01379.

**Exhibit C** — Order Denying Appellant’s Motion to Reconsider, entered May 11, 2026, by the Honorable Dale E. Van Slambrook, Charleston County Court of Common Pleas, Case No. 2025-CP-10-01379.

**Exhibit D** — Order of the Honorable Maite Murphy, Charleston County Court of Common Pleas, dated July 16, 2025, affirming the Ravenel Magistrate’s Writ of Ejectment (Case No. 2025-CP-10-01379). Order contains no bond requirement.

**Exhibit E** — Order of the Honorable Maite Murphy, Charleston County Court of Common Pleas, dated August 7, 2025, denying Petitioner’s Motion to Reconsider. Order contains no bond requirement.

**Exhibit F** — Order of the South Carolina Court of Appeals dated November 19, 2025, denying Respondents’ motion to dismiss the appeal and enforce ejectment, and denying Respondents’ alternative request for bond.

**Exhibit G** — Order of the South Carolina Supreme Court dated April 14, 2026, in Appellate Case No. 2026-000894, declining original jurisdiction and directing Petitioner to seek supersedeas in the circuit court and/or court of appeals.

**Exhibit H** — Magistrate’s Return from the Ravenel Magistrate Court, Case No. 2025-CV-10-11200030, as certified to the Charleston County Court of Common Pleas. (The Return contains no trust instrument, no Certification of Trust under S.C. Code Ann. § 62-7-1013, and no deed.)

**Exhibit I** — Quit-Claim Deed recorded at Book 1204, Page 792, Charleston County Register of Deeds, bearing alleged execution date of August 8, 2008, and recording date of September 25, 2023.

**Exhibit J** — Respondents' Application for Ejectment filed in the Ravenel Magistrate Court, Case No. 2025-CV-10-11200030.

**Exhibit K** — Petitioner's Motion to Compel Production of the Trust Instrument, filed July 30, 2025, in the Charleston County Court of Common Pleas, Case No. 2025-CP-10-01379. (No ruling has been made on this motion.)

RECEIVED

May 21 2026

SC Court of Appeals

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22st day of May, 2026, a true and correct copy of the foregoing Emergency Petition for Writ of Supersedeas Pursuant to Rule 241(d), SCACR and Motion for Immediate Temporary Stay, together with Exhibits A through K, was served upon the following by electronic mail or U.S. Mail, postage prepaid:

**Counsel for Respondents:**

Daniel S. Slotchiver, Esq.  
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jesse@jessesanchezlaw.com

**Lower Court Judges:**

The Honorable Dale E. Van Slambrook, Circuit Court Judge  
Charleston County Court of Common Pleas, 100 Broad Street, Charleston, SC 29401

The Honorable Maite Murphy, Circuit Court Judge  
Charleston County Court of Common Pleas, 100 Broad Street, Charleston, SC 29401

The Honorable Sheryl M. Perry, Ravenel Magistrate  
5962 Highway 165, Suite 200, Ravenel, SC 29470

**Clerks of Court:**

Clerk, South Carolina Supreme Court  
1231 Gervais Street, Columbia, SC 29201

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
Post Office Box 11629, Columbia, SC 29211

Respectfully submitted,

s/ *Teresa Hill*

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Dated: May 21, 2026