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May 28 2026

SC Court of Appeals

THE SOUTH CAROLINA COURT OF APPEALS

Reliance First Capital, LLC,

Appellate Case No. 2026-000306

Respondent,

v.

Nikia Renee Noisette and
Arbor Oaks Homeowners Association,
Defendants, of which
Nikia Renee Noisette is the appellant

May 28, 2026

**EMERGENCY MOTION TO STAY ENFORCEMENT
PENDING APPEAL**

Appellant, Nikia Renee Noisette, respectfully moves this Honorable Court for emergency temporary stay relief pending appeal, including any issuance or execution of a Writ of Assistance concerning the real property presently at issue in this appellate matter, and respectfully states as follows:

1. This appeal remains active and pending before the South Carolina Court of Appeals under Appellate Case No. 2026-000306.
2. Appellant timely served and filed the Appellant's Initial Brief and Designation of Matter pursuant to this Court's Order filed May 14, 2026.
3. The pending appeal raises substantial issues concerning:
 - a. service of process;
 - b. personal jurisdiction;

- c. due process protections under the United States Constitution and the South Carolina Constitution;
 - d. transcript accuracy;
 - e. completeness and integrity of the Record on Appeal; and
 - f. proceedings affecting the validity and integrity of the underlying foreclosure action, including issues concerning standing and enforcement authority.
4. Appellant has previously filed motions seeking settlement and correction of the Record on Appeal pursuant to Rule 210(j), SCACR, including unresolved matters concerning omissions, transcript inaccuracies, jurisdictional objections, and material filings not properly reflected in the appellate record.
 5. On or about May 19, 2026, Respondent filed a Petition for Writ of Assistance in the lower court seeking dispossession of Appellant from the real property presently at issue in this pending appeal. A true and correct copy of said Petition is attached hereto as Exhibit A.
 6. The Petition seeks authorization for sheriff enforcement, removal of occupants, removal of personal property, and transfer of possession pending appellate review. (Exhibit A).
 7. Subsequent communications from the Clerk for the Master-in-Equity reflected uncertainty regarding whether the lower court presently retains jurisdiction to proceed upon the requested Writ of Assistance while this appeal remains pending before this Court. A true and correct copy of said communication is attached hereto as Exhibit B.
 8. Upon information and belief, Respondent has indicated an intent to submit a memorandum of law attempting to establish lower court jurisdiction notwithstanding the pendency of this appeal. A true and correct copy of said communication is attached hereto as Exhibit C.
 9. Respondent contemporaneously filed a Protecting Tenants at Foreclosure Act Affidavit together with the Petition for Writ of Assistance, further demonstrating Respondent's intent to proceed with dispossession notwithstanding the pendency of substantial unresolved appellate, jurisdictional, and Rule 210 record issues presently before this Court. A true and correct copy of said Affidavit is attached hereto as Exhibit D.

10. The South Carolina Court of Appeals thereafter issued correspondence dated May 27, 2026 concerning the continued appellate proceedings pursuant to Rule 210, SCACR. A true and correct copy of said correspondence is attached hereto as Exhibit E.

11. Absent immediate temporary stay relief from this Court, Appellant faces imminent and irreparable harm, including:

a. dispossession from the real property presently at issue in this pending appeal, which Appellant continues to occupy as her primary residence;

b. removal of personal property;

c. disturbance of the status quo pending appellate review;

d. impairment of meaningful appellate relief; and

e. potential mootness complications affecting the integrity of appellate review.

12. The balance of equities weighs strongly in favor of preserving the status quo pending final appellate determination.

13. A temporary stay will not materially prejudice Respondent, whereas denial of relief may result in irreversible consequences to Appellant before the pending appellate and jurisdictional issues are resolved.

14. Preservation of appellate jurisdiction, judicial economy, and the orderly administration of justice favor temporary restraint of enforcement proceedings pending review by this Court so that meaningful appellate review may occur before dispossession is undertaken.

15. Equity favors maintaining the present status of the parties where substantial jurisdictional and appellate issues remain unresolved, particularly where immediate enforcement risks impairing meaningful appellate review before such issues may be fully adjudicated.

16. Appellant respectfully submits that temporary stay relief is necessary to preserve meaningful appellate review and to prevent enforcement proceedings from substantially impairing this Court's ability to fully adjudicate the pending appeal.

WHEREFORE, Appellant respectfully requests that this Honorable Court:

1. Immediately stay enforcement proceedings relating to the Petition for Writ of Assistance;
2. Stay issuance and/or execution of any Writ of Assistance pending resolution of this appeal;

3. Preserve the status quo pending appellate review; and
4. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,



Nikia Renee Noisette

Appellant, In Propria Persona

402 Arbor Oaks Drive

Summerville, South Carolina [29485]

EXHIBIT LIST

Exhibit A

Petition for Writ of Assistance filed by Respondent.

Exhibit B

Email communication from Clerk for the Master-in-Equity concerning jurisdictional uncertainty during pendency of appeal.

Exhibit C

Email communication from Respondent's counsel indicating intent to submit memorandum of law regarding jurisdiction.

Exhibit D

Protecting Tenants at Foreclosure Act Affidavit.

Exhibit E

South Carolina Court of Appeals correspondence dated May 27, 2026 concerning Rule 210, SCACR and appellate proceedings.

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF DORCHESTER

C/A No.: 2024-CP-18-00207

Reliance First Capital, LLC,

Plaintiff,

vs.

PETITION FOR A WRIT OF ASSISTANCE

Nikia Renee Noisette; Arbor Oaks Homeowners Association

Defendant(s).

BCP No.: 25-43411

The Motion of the Plaintiff above named would respectfully show unto this Honorable Court:

1. The Plaintiff successfully completed a mortgage foreclosure against the Defendant(s) affecting the following property:

ALL that piece, parcel or lot of land, lying, situate and being in the Town of Summerville, County of Dorchester, State of South Carolina, shown and designated as "LOT 94" and being more specifically shown on a plat prepared by Trico Engineering Consultants, Inc., entitled "PLAT SHOWING ARBOR OAKS, PHASE 2B, 13.466 ACRES, A PORTION OF TMS 152-00-00-052, PROPERTY OF GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT COMPANY, LOCATED IN THE TOWN OF SUMMERVILLE, DORCHESTER COUNTY, SOUTH CAROLINA", dated August 8, 2003, and recorded January 22, 2004 in the ROD Office for Dorchester County in Plat Book K at Page 87.

THIS BEING the same property conveyed to Nikia Renee Noisette by deed of David W. Moore and Allyson M. Moore dated November 4, 2021 and recorded November 22, 2021 in the Dorchester County ROD Office in Book 13817 at Page 98.

Parcel No. 152-04-14-006
Property Address: 402 Arbor Oaks Drive
Summerville, SC 29485

2. A Master in Equity's Order and Judgment of Foreclosure and Sale was issued by this Court on May 23, 2024, and the subject property was sold at public auction in accordance therewith on May 6, 2025. The successful bidder at the sale was the Plaintiff. The property was conveyed to the

Plaintiff by Master in Equity's Deed dated May 22, 2025, and recorded on May 28, 2025, in Book 15905 at Page 88 in the Dorchester County Register of Deeds Office.

3. The proceedings in regard to the foreclosure action are preserved in the Office of the Clerk of Court and/or RMC/ROD for Dorchester County.

4. The Defendant(s) or others claiming through the Defendant(s) still occupy and have within the premises certain items of personal property which they have failed and refused to remove from the premises although they have been given notice that the property is now owned by the Movant herein.

5. The Plaintiff is informed and believes that it is entitled to possession of the property as the successful bidder at the said sale in accordance with the Judgment of Foreclosure and Sale:

“It is further ORDERED, ADJUDGED, AND DECREED that in the event the successful bidder is other than the Defendant(s) in possession herein, upon full compliance with the bid, and only upon issuance of a Writ of Assistance by this court, the Sheriff of Dorchester County may be ordered and directed to eject and remove from the premises the occupant(s) of the property sold, together with all personal property located thereon, and put the successful bidder to whom the deed of conveyance has been issued or his assigns in full, quiet and peaceable possession of said premises without delay, and to keep said successful bidder or his assigns in such peaceable possession.”

6. The Plaintiff is informed and believes that it is entitled to a Writ of Assistance to remove the said Defendant(s), together with any and all persons claiming under them, and all the personal property from the subject premises, and to put the Plaintiff in possession thereof.

WHEREFORE, the Movant prays that this Court do issue its Writ of Assistance, requiring the Defendant(s) and/or occupants together with any and all persons claiming under them, to show cause why a Writ of Assistance should not be issued to the Sheriff of Dorchester County for the removal of said Defendant(s) and/or occupants or any persons claiming under them, and all personal property on the subject property, including manufactured housing or similar personal property.

s/J. Martin Page
J. Martin Page, Esq. (SC Bar: 100200)
Morgan Ames, Esq. (SC Bar: 106058)
Bell Carrington Price & Gregg, LLC

Exhibit
A

339 Heyward Street, 2nd Floor
Columbia, SC 29201
Phone 803.509.5078
Attorney for the Plaintiff

ELECTRONICALLY FILED - 2026 May 19 4:15 PM - DORCHESTER - COMMON PLEAS - CASE#2024CP1800207

Exhibit B



nikia noisette <nikianoisette@gmail.com>

writ of assistance

2 messages

Meagan Kizer <MKizer@dorchestercountysc.gov>
To: Martin Page <mpage@bellcarrington.com>
Cc: "nikianoisette@gmail.com" <nikianoisette@gmail.com>

Wed, May 27, 2026 at 9:22 AM

Please see the message from Judge Chellis regarding the proposed write of assistance:

In the referenced, you have proposed a writ of assistance. I am uncertain as to my jurisdiction since the case, I understand, is on appeal.

Please file a memorandum of law supporting this Court's jurisdiction. Also, if this court has jurisdiction, I would like to schedule a hearing on your motion.



Meagan Kizer
Clerk Of Master-In-Equity

Dorchester County
5200 East Jim Bilton Blvd, St. George, SC 29477
Office: (843) 563-0100 or (843) 832-0100
Email: MKizer@dorchestercountysc.gov



Martin Page <mpage@bellcarrington.com>
To: Meagan Kizer <MKizer@dorchestercountysc.gov>
Cc: "nikianoisette@gmail.com" <nikianoisette@gmail.com>

Wed, May 27, 2026 at 9:39 AM

Exhibit C

Ms. Kizer,

We will draft a memorandum of law.

Thanks,

Martin

J. Martin Page, Esq.

Bell Carrington Price & Gregg, LLC
339 Heyward Street, 2nd Floor
Columbia, SC 29201
(803) 509-5078



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From: Meagan Kizer <MKizer@dorchestercountysc.gov>
Sent: Wednesday, May 27, 2026 9:22 AM
To: Martin Page <mpage@bellcarrington.com>
Cc: nikianoisette@gmail.com <nikianoisette@gmail.com>
Subject: writ of assistance

[Quoted text hidden]

STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

Reliance First Capital, LLC

Plaintiff,

vs.

Nikia Renee Noisette; Arbor Oaks
Homeowners Association

Defendant(s).

IN THE COURT OF COMMON PLEAS

C/A No.: 2024-CP-18-00207

**PROTECTING TENANTS AT FORECLOSURE
ACT 2009 - AFFIDAVIT**

BCP No.: 25-43411

PERSONALLY appeared before me the undersigned, who, being duly sworn, deposes and states as follows:

1. I am over the age of eighteen and competent to make this affidavit.
2. I am an attorney duly licensed in the State of South Carolina and have been retained by and represented the Plaintiff in this matter.
3. On April 30, 2026, in compliance with the Protecting Tenants at Foreclosure Act of 2009, a 'Notice to Vacate Foreclosed Property' was sent to the property address informing any known or unknown occupants (a) of the start of this eviction action, and (b) that they could have protections afforded to them under the Protecting Tenants at Foreclosure Act of 2009.
4. As of the signing of this affidavit, no communication has been received from any known or unknown occupant of the subject property. This excludes any legal filings of Nikia Noisette in relation to her foreclosure suit.
5. Plaintiff has complied with the Protecting Tenants at Foreclosure Act of 2009 and a Writ of Assistance should be issued.

[CONTINUED ON NEXT PAGE]

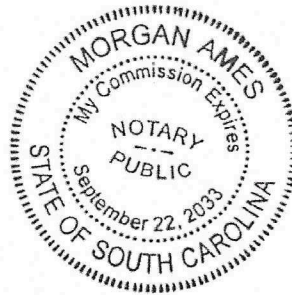


J. Martin Page, Esq. (SC Bar: 100200)
Morgan Ames, Esq. (SC Bar: 106058)
Bell Carrington Price & Gregg, LLC
339 Heyward Street, 2nd Floor
Columbia, SC 29201
Phone 803.509.5078
Attorney for the Plaintiff

Sworn to and subscribed before me this 19 day
of May, 2026.

Morgan Ames
Notary Public for South Carolina

My Commission Expires: 9/22/33





The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29201
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May 27, 2026

Nikia Renee Noisette
402 Arbor Oaks Dr.
Summerville SC 29485

Re: Reliance First Capital, LLC v. Nikia Renee Noisette
Appellate Case No. 2026-000306

Dear Ms. Noisette:

The Court is in receipt of your letter, emails, and attachments filed May 19, 2026, which we construe as an attempt to file the record on appeal. Now is not the time to file the record on appeal. Accordingly, the Court will not take action on these filings.

Respondent may file and serve an initial brief and designation of matter within thirty (30) days of the date you served your initial brief and designation matter upon Respondent. Thereafter, you must serve Respondent with the record on appeal within thirty (30) days after Respondent serves and files Respondent's initial brief. *See* Rule 210, SCACR.

Very truly yours,

Jasmine D. Smith, Deputy
CLERK

cc: James Martin Page, Esquire

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Emergency Motion to Stay Enforcement Pending Appeal, together with attached exhibits, was served upon counsel for Respondent by United States Mail and/or electronic mail this 28th day of May, 2026, addressed as follows:

J. Martin Page, Esq.
Bell Carrington Price & Gregg, LLC
339 Heyward Street, 2nd Floor
Columbia, South Carolina 29201
mpage@bellcarrington.com

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May 28 2026
SC Court of Appeals



Nikia Renee Noisette,

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May 28 2026

SC Court of Appeals

May 28, 2026

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Appellate Case No. 2026-000306
Reliance First Capital, LLC v. Nikia Renee Noisette, et al.

Dear Ms. Kitchings:

Please accept this correspondence as notice that Appellant has electronically filed an Emergency Motion to Stay Enforcement Pending Appeal in the above-referenced appellate matter.

Appellant further respectfully advises that the required filing fee for said Motion is being placed in the United States Mail today for delivery to the South Carolina Court of Appeals Clerk's Office.

This notice is provided in good faith to ensure the Court is aware that payment is being promptly remitted contemporaneously with the filing of the Motion.

Respectfully submitted,



Nikia Renee Noisette
Appellant, Appearing In Propria Persona
402 Arbor Oaks Drive
Summerville, South Carolina [29485]