

The South Carolina Court of Appeals

Kevin Smith, Appellant

v.

Eagleview 3430 East LLC, Respondent.

Appellate Case No. 2025-000042

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SC Court of Appeals

ORDER

On January 8, 2025, Appellant filed a notice of appeal and a motion to stay the writ of ejectment issued by the magistrate court. This court temporarily granted the stay and remanded for the circuit court to hold a bond hearing. Subsequently, this court dismissed the appeal on March 4, 2025, after Appellant failed to order the transcript as required by Rule 207 of the South Carolina Appellate Court Rules (SCACR) and this court's letter dated February 19, 2025. On March 13, 2025, Appellant moved to reinstate the appeal, explaining there is no transcript because the circuit court dismissed his case based on his failure to pay the notice of appeal filing fee. Appellant also sought to stay a second writ of ejectment. A review of the public index shows that after the circuit court had set the appeal bond, Appellant failed to comply with the terms of the bond, and the circuit court dismissed the appeal on the basis Appellant failed to comply and ordered the magistrate to issue a new writ of ejectment. After careful consideration, we deny Appellant's motion to stay the second writ of ejectment, but we grant Appellant's motion to reinstate the appeal. Within thirty days of the date of this order, Appellant shall serve and file Appellant's initial brief and designation of matter.


FOR THE COURT

Columbia, South Carolina

FILED
May 15 2025

cc:

Kevin Smith

Eagleview 3430 East LLC



South Carolina Court of Appeals

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SC Court of Appeals

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