

IN THE SOUTH CAROLINA COURT OF APPEALS

Appellate Case No. 2026-001485

Appeal From Richland County

Stephanie N. Lawrence, Master-in-Equity

U.S. Bank Trust Company, National Association, as Trustee
for Velocity Commercial Capital Loan Trust 2023-1,
Respondent,

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SC Court of Appeals

v.

V&M Properties of S.C. LLC; Deshandria Cruse; V&M S.C. LLC;
Point Arcadia Horizontal Property Regime, Inc.; Palmetto Citizens
Federal Credit Union; Nancy Cooper f/k/a Nancy Vance Ashmore,
Defendants,

and

Dr. Michael A. Addison,
Appellant.

Lower Court Case No. 2024-CP-40-05584

**VERIFIED EMERGENCY PETITION FOR STAY AND WRIT OF SUPERSEDEAS
PURSUANT TO RULE 241, SCACR**

Appellant, Dr. Michael A. Addison, appearing pro se, respectfully petitions this Court under Rule 241, SCACR, for an emergency stay and writ of supersedeas staying enforcement of the Writ of Assistance and the scheduled ejectment of Unit Q-190, 6905 Cleaton Road, Columbia, South Carolina, set for July 9, 2026, at 9:00 a.m. Appellant also asks this Court to review and reset the undertaking amount fixed by the lower court at \$70,644.96 in its June 29, 2026 order.

FACTUAL AND PROCEDURAL BACKGROUND

1. The lower-court Writ of Assistance was entered on May 13, 2026, ordering possession of Unit Q-190 to Respondent and requiring the property to be vacated within thirty days of entry.
2. Appellant timely moved under Rule 59(e), SCRCR, to alter or amend the Writ of Assistance, and also moved for stay and supersedeas pending appeal.

3. A hearing on those motions was held on June 23, 2026. Unlike the May 8, 2026 Rule to Show Cause hearing, Appellant provided a court reporter for the June 23 hearing, and the record of that hearing was preserved.

4. On June 29, 2026, the Master-in-Equity entered an Order Denying Dr. Michael A. Addison's Rule 59(E) Motion to Alter or Amend Writ of Assistance and Setting Bond on Appeal. The order denied the motion to alter or amend, denied a stay of eviction, and set a surety bond of \$70,644.96.

5. The June 29 order states: "This amount is based on a proportional amount of the debt as established in the Master's Order and Judgment of Foreclosure and Sale filed on June 12, 2025."

6. Appellant has filed and served a Notice of Appeal from the June 29, 2026 order. The South Carolina Court of Appeals appellate case number is 2026-001485.

7. Appellant has been informed that ejectment is scheduled for July 9, 2026, at 9:00 a.m. Absent emergency relief, Appellant's possession will be terminated before this Court can review the legality of the June 29 undertaking order.

GROUND FOR RELIEF UNDER RULE 241

Rule 241(b)(4), SCACR, identifies judgments "directing the sale or delivery of possession of real property" as an exception to the general automatic stay rule. In such a case, supersedeas must be sought under Rule 241(c). Rule 241(d)(1) ordinarily requires application to the lower court first; that requirement has been satisfied here because the lower court ruled on June 29, 2026, denying a stay absent the \$70,644.96 undertaking.

A. The June 29 bond amount appears to use the wrong legal measure.

Section 18-9-170 of the South Carolina Code provides that when the appealed judgment directs the sale or delivery of possession of real property, execution is not stayed unless an undertaking is posted to secure against waste and, if the judgment is affirmed, to pay the value of the use and occupation of the property from execution of the undertaking until delivery of possession, up to an amount fixed by the judge. The June 29 order instead ties the undertaking to "a proportional amount of the debt," which is a different measure.

B. Current South Carolina authority supports a use-and-occupation measure, not a debt-fraction measure.

In *Montgomery Holdings, LLC v. Merlo*, Op. No. 6135 (S.C. Ct. App. filed Feb. 11, 2026), the Court of Appeals quoted section 18-9-170 and reiterated that the undertaking secures waste and the value of use and occupation during the appeal, up to an amount fixed by the judge. In *C-Sculptures, LLC v. Brown*, Op. No. 4827 (S.C. Ct. App. filed Apr. 27, 2011), rev'd on other grounds, 403 S.C. 53, 742 S.E.2d 359 (2013), the Court of Appeals recognized that section 18-9-170 is the statute that applies to judgments directing sale or delivery of possession of real property, including foreclosure-related orders.

C. The lower court had discretion to set less than \$50,000.

Section 18-9-190 expressly authorizes the lower court, in its discretion, to limit the security required in a section 18-9-170 case and to set an amount below \$50,000. The June 29 order does not discuss that statutory discretion.

D. Immediate appellate intervention is needed to prevent mootness and irreparable harm.

Rule 241(c)(2) directs the court to consider whether supersedeas is necessary to preserve appellate jurisdiction or prevent a contested issue from becoming moot. If ejectment occurs on July 9, 2026, before this Court can review the June 29 order, Appellant's possession will be lost and the stay issue will be functionally moot.

RELIEF REQUESTED

1. Issue an immediate stay and writ of supersedeas under Rule 241 staying the scheduled July 9, 2026, 9:00 a.m. ejectment and any enforcement of the Writ of Assistance while this Court considers the supersedeas issue and the appeal.

2. Review the June 29, 2026 undertaking order and reset the supersedeas security to an amount consistent with sections 18-9-170 and 18-9-190.

3. Specifically, vacate or suspend the \$70,644.96 debt-based undertaking and either:

(a) set security at an amount tied to the value of use and occupation during the appeal and protection against waste; or

(b) remand with instructions that any undertaking be recalculated under sections 18-9-170 and 18-9-190 rather than as a proportional share of foreclosure debt.

4. In light of the record that Appellant's monthly payment/use figure has been \$1,000, and absent evidence of a higher use-and-occupation value, set a materially lower supersedeas amount than \$70,644.96 and, in any event, consider the lower court's statutory discretion to set less than \$50,000.

5. Grant such other and further relief as may be just and proper, including approval of an appropriate reduced corporate surety undertaking or other court-approved security consistent with Rule 241(c)(3) and South Carolina law.

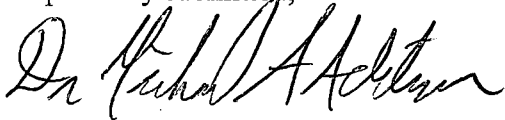
EXHIBITS FILED CONTEMPORANEOUSLY

Exhibit A - June 29, 2026 Order Denying Rule 59(e) Motion and Setting Bond on Appeal.

Exhibit B - Notice of Appeal with proof of service.

Exhibit C - Lower-court ruling denying stay absent the \$70,644.96 undertaking (reflected in Exhibit A).

Respectfully submitted,



Dr. Michael A. Addison, Appellant Pro Se

P.O. Box 507

Orangeburg, SC 29116

6905 Cleaton Road, Unit Q-190

Columbia, SC 29206

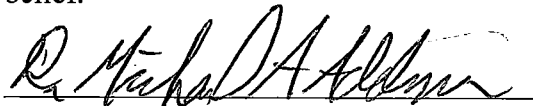
drmike821@gmail.com

(803) 596-9040

Date: July 08, 2026

VERIFICATION

I, Dr. Michael A. Addison, verify that I am the Appellant in the above-captioned matter; that I have read the foregoing Verified Emergency Petition for Stay and Writ of Supersedeas; and that the factual statements contained in it are true and correct to the best of my knowledge, information, and belief.



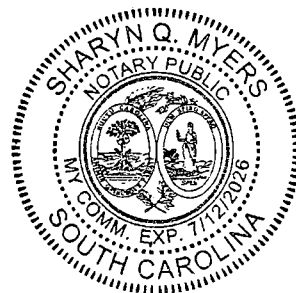
Dr. Michael A. Addison

Sworn to before me this 8th day of July, 2026.



Notary Public for South Carolina

My Commission Expires ~~My Commission Expires~~ July 12, 2026



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