

The South Carolina Court of Appeals

Attia Elbadawy and Lynne Chatlos, Appellants,

v.

D.R. Horton, Inc., Respondent.

Appellate Case No. 2025-001299

ORDER

On July 18, 2025, Appellants filed a motion to stay the circuit court's May 6, 2025 and June 23, 2025 orders, which respectively denied Appellants' motion for a temporary injunction and/or preliminary injunction and denied Appellants' motion to reconsider the circuit court's order denying Appellant's motion for temporary injunction and/or preliminary injunction. On July 30, 2025, this court construed Appellants' motion as a petition for a writ of supersedeas pursuant to Rule 241 of the South Carolina Appellate Court Rules requesting a temporary injunction, to which no return had been filed. The order imposed a temporary injunction and ordered Respondent to file a return and Appellants to file a reply, explaining the request for a writ of supersedeas would be considered upon receipt of the requested filings. Upon receipt of the filings, this court ruled to continue the temporary injunction and remand to the circuit court to allow the circuit court to expeditiously review the petition for a writ of supersedes, return, and reply, and determine whether the exhibits provided in those filings were part of the record before the court at its January 21, 2025 hearing. The order also stated, "Appellants shall provide this court with a copy of the circuit court's written order making this determination within ten days of receipt," and explained that following the circuit court's written order making this ruling, this court would consider the petition for a writ of supersedeas.

On December 17, 2025, the circuit court ruled on the matter before it on remand. Appellants did not provide this court with a copy of the circuit court's order as required.

On May 13, 2026, Respondent filed a motion to vacate the temporary injunction and provided a copy of the December 17, 2025 order. The order determined that of the 493 pages of exhibits that this court received in support of its request for a temporary injunction before this court, only 64 pages had been filed in the circuit court, the "overwhelming majority" of which "were not introduced or relied upon by the Appellants at the time of the January 21, 2025 Motion hearing." Appellants filed a return, opposing the motion to lift the temporary injunction. Respondent did not file a reply. On June 9, 2026, this court lifted the temporary injunction.

On June 16, 2026, Appellants filed a "Petition for Review and Reinstatement of Writ of Supersedeas Pursuant to Rule 241(d)(7), SCACR," which we construe as a petition for a panel review of this court's May 4, 2026 order. *See* Rule 241(d)(2), SCACR ("Upon the issuance of a final order by an individual judge or justice, an aggrieved party may petition the full appellate court for review of that decision."). No return was filed.

After careful consideration, the petition is denied.

	J.
	J.
	J.

Columbia, South Carolina

cc:
Attia Elbadawy
Lynne Chatlos
Mark Anthony Bible, Jr., Esquire
John T. Crawford, Jr., Esquire

FILED
Jul 10 2026