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Jul 21 2026

S.C. SUPREME COURT

IN THE SUPREME COURT OF SOUTH CAROLINA

Sylecia McIntyre,

Petitioner,

v.

State of South Carolina,

Respondent.

) EMERGENCY MOTION FOR
SUPERSEDEAS AND STAY
Rule 245, SCACR

Magistrate Ticket No. 20262581000361)

Circuit-Court Case No. 2026-CP-42-01706

Petitioner moves, pursuant to Rule 245, for an order staying execution of the \$647 fine and any contempt or incarceration threatened in the above matter while the accompanying Petition for Writ of Certiorari is pending.

GROUND

1. Unfiled circuit-court order. The Spartanburg Clerk confirms no written order has been entered or served in Case 2026-CP-42-01706 since 19 June 2026, yet the magistrate relies on an unsigned order allegedly dated 15 July 2026.
2. Illegal tag-light stop. No Uniform Traffic Ticket was issued for the tag-light violation; without that citation the stop lacks probable cause.
3. No official DMV suspension notice. The certified DMV record shows no suspension notice was ever issued before the 6 January 2026 DUS citation.
4. Appeal-bond refusal followed by coercive custody. When the appeal was first filed in June 2026 Petitioner attempted to post a supersedeas bond for the full amount of the fine; the magistrate blocked the payment. At the hearing on 20 July 2026 the magistrate acknowledged that he had refused the June bond, then asked whether Petitioner had paid the

fine after the appeal was dismissed, and — upon her answer of "no" — ordered deputies to place her in handcuffs for approximately thirty minutes for failure to pay on an order that had never been filed or served, and directed that the \$647 be paid within two days.

5. Imminent irreparable harm. A show-cause hearing is set for 22 July 2026; the magistrate has stated Petitioner "will go to jail" if the fine is not paid in full. Petitioner lacks the means to pay \$647.

RELIEF REQUESTED

- A. Stay collection of the \$647 fine and any contempt or incarceration arising from Ticket No. 20262581000361 until the certiorari petition is resolved;
- B. In the alternative, direct the magistrate to accept a recognizance supersedeas bond or to set a reasonable payment plan under S.C. Code § 17-25-323;
- C. Grant such further relief as the Court deems just.

Respectfully submitted,

McIntyre, Sylecia

Sylecia McIntyre, pro se

1855 E Main St., Ste 14-219

Spartanburg, SC 29307

864-266-5077

SyleciaMcIntyre@gmail.com

Date: 21 July 2026

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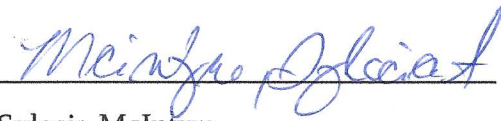
Jul 21 2026

CERTIFICATE OF SERVICE

S.C. SUPREME COURT

I certify that on 21 July 2026 I served a true and correct copy of this filing and all attachments in the following manner:

- By electronic mail to the South Carolina Supreme Court Clerk:
supctfilings@sccourts.org
- By first-class U.S. mail to the Spartanburg County Solicitor's Office,
180 Magnolia Street, 5th Floor, Spartanburg, SC 29306
- By first-class U.S. mail to the Spartanburg County Magistrate Court,
180 Magnolia Street, Spartanburg, SC 29306


Sylecia McIntyre

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PROOF OF SERVICE

S.C. SUPREME COURT

I, Sylecia McIntyre, certify that on 21 July 2026 I served the Petition for Writ of Certiorari, Emergency Motion for Supersedeas / Stay, Motion and Affidavit to Proceed In Forma Pauperis, and Appendix as follows, in accordance with Rule 267, SCACR:

By electronic mail to the Clerk of the Supreme Court of South Carolina:
supctfilings@sccourts.org

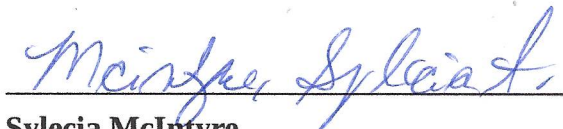
By first-class U.S. Mail, postage prepaid to:

Spartanburg County Solicitor's Office
180 Magnolia Street, 5th Floor
Spartanburg, SC 29306

Spartanburg County Magistrate Court
180 Magnolia Street
Spartanburg, SC 29306

The sealed envelopes were deposited in a United States Postal Service collection box located near my residence at approximately 3:00 p.m. on 21 July 2026.

I declare under penalty of perjury that the foregoing is true and correct.



Sylecia McIntyre
1855 E Main St., Ste 14-219
Spartanburg, SC 29307
864-266-5077 •
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Date: 21 July 2026