

RECEIVED

Jul 24 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Vernon F. Dunbar – Civil

2025-002298
2025-CP-23-6831
2025-CV-23-1010-1556

Torques Mingo.Appellant

v.

Flats At Haywood.Respondent

RESPONDENT’S PARTIAL MOTION TO DISMISS APPEAL AND FOR SANCTIONS

Torques Mingo
75 Mall Connector Rd. Unit 203
Greenville, SC 29607
Pro Se Appellant

D. Andrew Turman, Esquire
P.O. Box 488
Gastonia, NC 28053
(704) 864-6751
Attorney for Respondent

TABLE OF AUTHORITIES

STATUTES

S.C. Code Ann. § 15-36-10 (4).....p 3

CASES

Flexon v. PHC-Jasper, Inc., 413 S.C. 561, 776 S.E.2d 397 (2015).....p 3

NOW COMES RESPONDENT and Moves this Court to dismiss a portion of Appellant's Appeal of The Honorable Judge Vernon F. Dunbar's Order of July 21, 2026, filed July 23, 2026.

In support of said Motion, Respondent shows the Court:

BACKGROUND

1. Appellant is a tenant of the Respondent, The Flats at Haywood, an apartment complex operated by COW, LLC, d/b/a The Flats at Haywood, located at 75 Mall Connector Road, Greenville, SC 29607, with its office located at 245 West Main Avenue, Gastonia, NC 28052.

2. On September 18, 2025, Respondent commenced an eviction action against Appellant in the West Greenville Summary Court for failure to pay rent when due or demanded. After two unsuccessful personal service attempts, the Rule to Vacate or Show Cause was posted at Appellant's residence and a copy was mailed.

3. Appellant requested a hearing, which was held on October 10th, the Hon. Darrell S. Fisher presiding. Judge Fisher ordered Appellant to vacate or pay the balance in full by October 15th or a Writ of Ejectment would be issued.

4. Appellant appealed the court's decision to the Circuit Court (Ex. A), and a bond hearing was held on October 27, 2025, before Magistrate Judge, The Hon. Jonathan A. Horne. Judge Horne ordered Appellant to pay a bond equal to the alleged rental arrears of \$4,243.50 by 5pm on November 3rd and November's rent amount of \$1,125.00 by November 6th. (Ex. B)

5. Appellant failed to make his bond payment and The Hon. Perry H. Gravely issued an Order/Form 4 dismissing Appellant's appeal to the Circuit Court on November 9, 2025. (Ex. C).

6. Judge Horne signed a Writ of Ejectment on November 12, 2025. (Ex. D)

7. Appellant appealed this Order to the Court of Appeals on November 13, 2025, where it is still pending. (Ex. E)

8. Appellant did not move for writ of supersedes staying enforcement of Judge Horne's Writ of Ejectment.

9. Nevertheless, The West Greenville Summary Court granted Appellant a de facto stay during the pendency of his appeal.

10. Due to the Stay, Respondent filed a Petition for a Writ of Mandamus with the Court of Appeals on March 18, 2026.

11. On May 21, 2026, the Honorable Judge Stephanie P. McDonald, South Carolina Court of Appeals, issued an Order denying Respondent's Motion but clarifying that there was not a stay in place pending Respondent's appeal. (Ex. F)

12. Appellant then filed *Defendant's Motion to Stay Enforcement of the Circuit Court's Order Pending Appeal* on May 26, 2026, in contravention of Judge McDonald's May 21, 2026, Order. (Ex. G)

13. Judge Dunbar issued an Order on July 20, 2026, denying Appellant's Motion and sanctioning him for the same. (Ex. H)

14. Item 1 of Judge Dunbar's Order states:

"Defendant-Appellant's "Motion to Stay Enforcement of the Circuit Court's Order Pending Appeal" is DENIED."

15. Appellant appealed Judge Dunbar's Order on July 23, 2026. (Ex. I)

ARGUMENT

16. Appellant's argument that the Court should have granted a stay of enforcement of Judge Horne's Writ of Ejectment, is contrary to the law-of-the-case doctrine.

Under the law-of-the-case doctrine, a party is precluded from relitigating, after an appeal, matters that were either not raised on appeal, but should have been, or raised on appeal, but expressly rejected by the appellate court." *Judy v. Martin*, 381 S.C. 455, 458, 674 S.E.2d 151, 153 (2009) (citing 5 C.J.S. *Appeal & Error* § 991 (2007)).

Flexon v. PHC-Jasper, Inc., 413 S.C. 561, 571, 776 S.E.2d 397, 403, 2015 S.C. App. LEXIS 152, *15, 40 I.E.R. Cas. (BNA) 750 (2015)

17.

The "law of the case" rule is based on the salutary and sound public policy that litigation should come to an end. It is predicated on the premise that "there would be no end to a suit if every obstinate litigant could, by repeated appeals, compel a court to listen to criticisms on their opinions or speculate of chances from changes in its members," and that *it would be impossible for an appellate court "to perform its duties satisfactorily and efficiently" and expeditiously "if a question, once considered and decided by it were to be litigated anew in the same case upon any and every subsequent appeal" thereof.*

While the "law of the case" doctrine is not an inexorable command, a decision of a legal issue or issues by an appellate court establishes the "law of the case" and must be followed in all subsequent proceedings in the same case in the trial court or on a later appeal in the appellate court, unless *the evidence on a subsequent trial was substantially different*, controlling authority has since made a contrary decision of the law applicable to such issues, or the decision was clearly erroneous and would work a manifest injustice. *White v. Murtha*, 377 F.2d 428, 431-32 (5th Cir. 1967)

Ibid. at 573-574, 404, 2015

18. Appellant has abused the appellate process to delay his eviction while presenting no meritorious arguments in support of his position. He appealed an Order from the Court of Appeals to the Court of Common Pleas and is now appealing it back again to the Court of Appeals. S.C. Code Ann. § 15-36-10 (4) allows for the award of sanctions against a pro se litigant for filing a frivolous pleading, motion, or document if, "a reasonable attorney in the same circumstances would believe that under the facts, his claim or defense was clearly not warranted under existing

law and that a good faith or reasonable argument did not exist for the extension, modification, or reversal of existing law”. Respondent therefore prays attorney’s fees be assessed against Appellant for appealing the denial of the Stay of Ejectment.

CONCLUSION

Appellant’s first issue on appeal, regarding Judge Dunbar’s denial of his Motion to Stay Appeal, has already been decided in Judge McDonald’s Order. Appellant has presented no argument as to why Judge McDonald’s May 21, 2026, Order was “erroneous or would work a manifest injustice.” Therefore, Appellant’s first issue on appeal is the law of this case, Appellant should be barred from relitigating this matter, and Appellant’s first issue on appeal be dismissed and the matter remanded back to the West Greenville Summary Court for immediate execution of Judge Horne’s Writ of Ejectment.

Appellant has now utilized the Court system to stay over eight months in Respondent’s complex without paying rent. Because of the time sensitive nature of Respondent’s Motion for Partial Dismissal of Appellant’s Appeal, Respondent prays that this matter be ruled upon on an expedited basis and that Appellant be sanctioned by this Court for abuse of the appellate process to deliberately cause delay.

Respondent furthermore prays that Appellant’s remaining four issues on Appeal be combined for determination with Appellant’s initial filing, which is still pending before this Court and that the case record be added to the Record on Appeal, which is currently due on August 7, 2026. (Ex. J)

Respectfully Submitted, this, the 24th day of July 2026.



D. Andrew Turman
SC State Bar No.: 68181
MULLEN HOLLAND & COOPER, P.A.
Attorneys for Respondent Flats at Haywood
301 South York Street / P.O. Box 488
Gastonia, NC 28053-0488
Telephone: (704) 864-6751
Telecopier: (704) 861-9384

CERTIFICATE OF SERVICE

I hereby certify that I have this 24th day of July 2026, served a copy of the foregoing Amendment to Respondent's Petition for a Writ of Mandamus in the foregoing civil action by directing to the following individual(s) by electronically filing via the Court's electronic filing system and/or Electronic Mail and/or United States Mail, postage paid, in a properly addressed envelope addressed as follows:

Torques Mingo
75 Mall Connector Road, Unit 203
Greenville, SC 29607
kmingo07@yahoo.com
Pro Se Appellant



D. Andrew Turman
SC State Bar No.: 68181
MULLEN HOLLAND & COOPER, P.A.
Attorneys for Respondent Flats at Haywood
301 South York Street / P.O. Box 488
Gastonia, NC 28053-0488
Telephone: (704) 864-6751
Telecopier: (704) 861-9384

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Flats At Haywood

Plaintiffs/Respondents

v.

Torgues Mingo,

Defendants/Appellant.

IN THE COURT OF COMMON PLEAS
FOR GREENVILLE COUNTY

NOTICE OF APPEAL

**FROM MAGISTRATE COURT
C/A No. 2025CV2310101556**

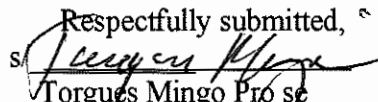
Appeal No: 2025CP2306831

25 OCT 17 PM 4:22
BY GREENVILLE CO CLERK SC

NOW COMES Torgues Mingo pursuant to the provisions in the South Carolina Landlord Tenant Act, and pursuant to the South Carolina Rules of Civil Procedure, upon this Notice of Appeal to this Honorable Court seeking an appellate review of the procedures and decision of the Greenville County Magistrate Court.

For good cause shown, the Appellant prays that this Honorable Court accept this Notice of Appeal in all respect.

Respectfully submitted,


Torgues Mingo Pro se
75 Mall Connector Rd
Unit 203
Greenville, SC 29607
Appellant

**EXHIBIT
A**

October 17, 2025



SOUTH CAROLINA
JUDICIAL BRANCH

STATE OF SOUTH CAROLINA
COUNTY OF Greenville

Flate at Haywood,
Landlord

v.

Toques Mingo,
Tenant(s)

IN THE MAGISTRATES COURT

BOND TO STAY EXECUTION
ON APPEAL

Civil Case No. 2025CV2310101556

2025-CP-23-06811

TO: Circuit Court

Now comes the Tenant(s) in the above-entitled action and respectfully shows the Court that a Judgment of Execution was issued against the Tenant(s) and for the Landlord on October 10, 2025, by the Magistrate. Tenant(s) has appealed the Judgment to the Circuit Court.

Pursuant to the findings of the Magistrate, the Tenant(s) is obligated to pay rent in the amount of \$_____, per month, due on the first day of each month.

Tenant(s) hereby undertakes to pay the periodic rent hereinafter due according to the aforesaid findings of the Court and moves the Circuit Court to stay execution on the Judgment for Ejection until this matter is heard on appeal and decided by the Circuit Court.

Bond: \$ _____, due within five (5) days of today's date. Rent in the amount of \$ _____, is due on the 1st day of the month and is late after the 5th day of the month. All monies are due via certified funds until the appeal is resolved. All litigants must comply with the Bond to Stay until the appeal is resolved.

Dated on _____, 20__:

Tenant(s)

Address: _____

Phone: _____

Upon execution of the above bond, execution on the judgment of Ejectment is hereby stayed until the action is heard appeal and decided by the Circuit Court. If Tenant(s) fails to make any rental payment within five days of the due date, upon application of the Landlord, the stay of execution shall dissolve, the appeal by the Tenant(s) to the Circuit Court on issues dealing with possession must be dismissed, and the Sheriff may dispossess the Tenant(s).

Dated on _____, 20__:

JUDGE

(COURT)

Address: _____

Phone: _____

**EXHIBIT
B**

*Must pay \$4243.50
by 5:00 pm on or
before 11-3-25. Nov. Rent by the 6th.*

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Greenville
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2025CP2306831

Torques Mingo
PLAINTIFF(S)

Flats At Haywood
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED** (*CHECK REASON*): ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled);
☐ Other
- ☐ **ACTION STRICKEN** (*CHECK REASON*): ☐ Rule 40(j), SCRPC; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
☐ Other
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☒ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT** (*CHECK APPLICABLE BOX*):
☐ Affirmed; ☐ Reversed; ☐ Remanded;
☒ Other Appellant failed to satisfy bond

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

Appellant failed to satisfy the terms of the appeal bond. At the request of the Magistrate's Court, this appeal is hereby dismissed.

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

☐ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 11/09/2025 .

Flats At Haywood for Flats At Haywood
West Greenville Summary Court
Torques Mingo for Torques Mingo
Flats At Haywood for Flats At Haywood
Torques Mingo for Torques Mingo

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

EXHIBIT
C



Greenville Common Pleas

Case Caption: Torques Mingo VS Flats At Haywood

Case Number: 2025CP2306831

Type: Order/Electronic Form 4

So Ordered

Hon Perry H. Gravely, Chief Administrative
Judge-Civil

Electronically signed on 2025-11-09 20:12:57 page 3 of 3

STATE OF SOUTH CAROLINA,
COUNTY OF GREENVILLE

IN THE SUMMARY COURT,
THIRTEENTH JUDICIAL CIRCUIT

TORQUES MINGO

2025-CP-23-06831

vs.

CASE: 2025CV2310101556

FLATS AT HAYWOOD

MAGISTRATE RETURN & DISMISSAL

On September 18, 2025 the Flats at Haywood commenced an eviction action against Mr. Mingo for failure to pay rent when due or demanded. The arears amount was \$2,857.25 at the time of filing. After two unsuccessful personal service attempts, the Rule to Vacate or Show Cause was posted at Mr. Mingo's residence and a copy was mailed. Mr. Mingo requested a hearing and on October 10 the Hon. Darrell S. Fisher presided and ordered Mr. Mingo to vacate or pay the balance in full by October 15 or the Writ of Ejectment would be issued.

Mr. Mingo appealed the Court's decision and a Bond Hearing was held on October 27. The Hon. Darrell S. Fisher ordered Mr. Mingo to pay the current rental arears of \$4,243.50 by 5pm on Monday, November 3 and November's rent amount of \$1,125.00 by November 6. To date Mr. Mingo hasn't paid the bond or rent as ordered by this Court and this Court respectfully asks for Mr. Mingo's appeal to be dismissed.

Respectfully submitted,

Jonathan A. Horne

The Hon. Jonathan A. Horne,
West Greenville Summary Court

This 7th day of November, 2025

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

2025CV2310101556
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

WRIT OF EJECTMENT

Flats At Haywood

PLAINTIFF(S)

Vs

Torques Mingo & All Occupants
75 Mall Connector Road Unit 203
Greenville, SC 29607

DEFENDANT(S)

TO THE SHERIFF/MAGISTRATE'S CONSTABLE:

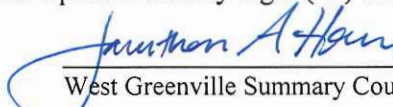
Upon Judgment of this Court, rendered on the 10th day of October, 2025, you are hereby Ordered to proceed to the premises located at **75 Mall Connector Road Unit 203 Greenville, SC 29607.**

Announce your identity and purpose and serve on the defendant(s) and all occupants a copy of this Writ of Ejectment. Inform them they have **twenty four (24) hours to voluntarily vacate** the premises. **If the premises appear unoccupied and no one responds** to your announced identity and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.

If after 24 hours following the service or posting of the Writ, the occupants have not voluntarily vacated the premises, **a deputy sheriff may enter the premises** using only as much force as is necessary to effectuate the Ejectment.

Upon gaining access, you shall **remove from the premises any occupants and all items of personal property found on the premises. Such property may be deposited beside the public street or roadway.** All personal property removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty eight (48) hours.

November 12, 2025


West Greenville Summary Court

_____, being duly sworn state that:

- ☐ I personally served a copy of this Writ on _____, an occupant of the rental unit
- ☐ On _____ 20____, at _____ the rental unit appeared unoccupied and no one responded when I announced my identity and intentions. I attached a copy of this Writ to a conspicuous part of the premise.
- ☐ On _____ 20____, at _____, which was not less than 24 hours from the posting date and time, I returned to the rental unit for the purpose of ejectment.
- ☐ Under my supervision, I had all persons and personal property removed and evicted from the rental unit placing all personal property beside the roadside.
- ☐ The rental unit was unoccupied. The Tenant and all occupants had vacated the unit.
- ☐ Informed by Plaintiff that case is settled.

Date: _____, 20____

Sheriff/Deputy Sheriff/Constable

EXHIBIT
D

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

2025CV2310101556
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

WRIT OF EJECTMENT

Flats At Haywood

PLAINTIFF(S)

Vs
Torques Mingo & All Occupants
75 Mall Connector Road Unit 203
Greenville, SC 29607

DEFENDANT(S)

TO THE SHERIFF/MAGISTRATE'S CONSTABLE:

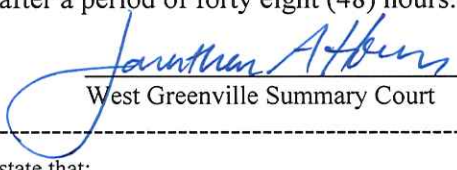
Upon Judgment of this Court, rendered on the 10th day of October, 2025, you are hereby Ordered to proceed to the premises located at **75 Mall Connector Road Unit 203 Greenville, SC 29607.**

Announce your identity and purpose and serve on the defendant(s) and all occupants a copy of this Writ of Ejectment. Inform them they have **twenty four (24) hours to voluntarily vacate** the premises. **If the premises appear unoccupied and no one responds** to your announced identity and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.

If after 24 hours following the service or posting of the Writ, the occupants have not voluntarily vacated the premises, **a deputy sheriff may enter the premises** using only as much force as is necessary to effectuate the Ejectment.

Upon gaining access, you shall **remove from the premises any occupants and all items of personal property found on the premises. Such property may be deposited beside the public street or roadway.** All personal property removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty eight (48) hours.

November 12, 2025



West Greenville Summary Court

_____, being duly sworn state that:

- ☐ I personally served a copy of this Writ on _____, an occupant of the rental unit
- ☐ On _____ 20____, at _____ the rental unit appeared unoccupied and no one responded when I announced my identity and intentions. I attached a copy of this Writ to a conspicuous part of the premise.
- ☐ On _____ 20____, at _____, which was not less than 24 hours from the posting date and time, I returned to the rental unit for the purpose of ejectment.
- ☐ Under my supervision, I had all persons and personal property removed and evicted from the rental unit placing all personal property beside the roadside.
- ☐ The rental unit was unoccupied. The Tenant and all occupants had vacated the unit.
- ☐ Informed by Plaintiff that case is settled.

Date: _____, 20____

Sheriff/Deputy Sheriff/Constable

RECEIVED

Nov 13 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

GREENVILLE COUNTY
Court of Common Pleas

Honorable Perry H. Gravely
Greenville County Circuit Judge

Magistrate Case No: 2025-cv-23-1010-1556
Common Pleas Case No. 2025-CP-23-6831

Flats At Haywood

Respondent,

v.

Torgues Mingo

Appellant.

NOTICE OF APPEAL

I, Torgues Mingo, hereby appeals the order of the Honorable Perry H. Gravely, the Greenville County Circuit Judge, Appellant received written notice of this Order on November 12, 2025

November 13, 2025

s/Torgues Mingo

Torgues Mingo
75 Mall Connector Rd Unit 203
Greenville, South Carolina 29607
Appellant-Pro se

Brooke

SB 8- 3050

(3047)

Court of appeals: 2025-002298

EXHIBIT
E

The South Carolina Court of Appeals

Torgues Mingo, Appellant,

v.

Flats at Haywood, Respondent.

Appellate Case No. 2025-002298

ORDER

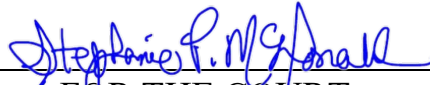
On March 18, 2026, Respondent filed a petition for a writ of mandamus, requesting this court direct the magistrate to execute a writ of ejectment. On April 16, 2026, Appellant filed a return, opposing the request. On April 24, 2026, Respondent filed a supplemental pleading to its petition for a writ of mandamus, which we construe as a reply to the return.

After careful consideration, we deny Respondent's petition for a writ of mandamus. *See Wilson v. Preston*, 378 S.C. 348, 354, 662 S.E.2d 580, 582 (2008) ("The primary purpose of a writ of mandamus is to enforce an established right and to enforce a corresponding imperative duty created or imposed by law."); *id.* at 354, 662 S.E.2d at 583 ("To obtain a writ of mandamus requiring the performance of an act, the petitioner must show: (1) a duty of respondent to perform the act; (2) the ministerial nature of the act; (3) the petitioner's specific legal right for which discharge of the duty is necessary; and (4) a lack of any other legal remedy."); *id.* ("Mandamus is based on the theory that an officer charged with a purely ministerial duty can be compelled to perform that duty in case of refusal."); *id.* ("The duty is ministerial when . . . it is defined by law with such precision as to leave nothing to the exercise of discretion."); *id.* ("In contrast, a quasi-judicial duty requires the exercise of reason in the adaptation of means to an end, and discretion in determining how or whether the act shall be done or the course pursued."); *City of Rock Hill v. Thompson*, 349 S.C. 197, 200, 563 S.E.2d 101, 103 (2002) ("Issuance of a particular decision by a judge is typically a matter of discretion and, therefore, not proper for mandamus."); *Strickland v. Richland Co. Legis. Delegation*, 440 S.C. 438, 446, 892 S.E.2d 288, 292 (2023) (explaining that

EXHIBIT F

"[w]hen the legal right is doubtful, or the performance of duty rests in discretion, or when there is another adequate remedy,' a court must not issue a writ of mandamus" (quoting *City of Rock Hill*, 349 S.C. at 199-200, 563 S.E.2d at 102)).

However, we clarify Appellant has not sought a stay of the circuit court's order, which is the subject of this appeal, from this court or the circuit court. Further, neither this court nor the circuit court has entered an order staying the circuit court's order. Thus, the circuit court's order is not stayed pending the appeal.


FOR THE COURT

J.

Columbia, South Carolina

FILED
May 21 2026

cc:

Torgues Mingo

David Andrew Turman, Esquire

STATE OF SOUTH CAROLINA
GREENVILLE COUNTY

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

FLATS AT HAYWOOD,
Respondent,
v.
TORGUES MINGO
Appellant.

Common Pleas Case No. 2025-CP-23-6831
Magistrate Case No. 2025-cv-23-1010-1556
SC Court of Appeals No. 2025-002298
*Before the Honorable Perry H. Gravely,
Greenville County Circuit Judge*

**APPELLANT'S MOTION TO STAY
ENFORCEMENT OF THE CIRCUIT
COURT'S ORDER PENDING APPEAL**
Rule 241(d)(1), SCACR

FILED: 26MAY26PM3:00
COC JAY GRESHAM OIL SC

INTRODUCTION

Appellant Torgues Mingo respectfully moves the Honorable Perry H. Gravely, Greenville County Circuit Judge, pursuant to Rule 241(d)(1) of the South Carolina Appellate Court Rules ("SCACR"), for an Order staying enforcement of this Court's Order in Common Pleas Case No. 2025-CP-23-6831 during the pendency of Appellant's appeal to the South Carolina Court of Appeals, Case No. 2025-002298. This Court retains jurisdiction under Rule 241 to entertain petitions for a stay or supersedeas even after a notice of appeal has been filed. See Rule 205, SCACR.

Rule 241(d)(1), SCACR, provides that, except where extraordinary circumstances make it impracticable, an application for a stay or supersedeas must first be made to the lower court. Appellant files this Motion in this Court first, in compliance with that requirement, before petitioning the South Carolina Court of Appeals for relief under Rule 241(d)(2), SCACR.

**EXHIBIT
G**

As set forth below, the four factors governing stay relief weigh decisively in Appellant's favor: (1) Appellant has a substantial likelihood of success on the merits; (2) Appellant will suffer irreparable harm absent a stay; (3) a stay will not substantially injure Respondent; and (4) the public interest favors a stay. Appellant also proposes conditions — including continuing payment of monthly rent — that will fully protect Respondent's financial interests during the pendency of the appeal.

PROCEDURAL POSTURE AND BASIS FOR THIS MOTION

This matter arises from a summary ejectment action initiated by Respondent Flats at Haywood in magistrate court, Magistrate Case No. 2025-cv-23-1010-1556. Judgment of eviction was entered in the magistrate court and timely appealed to this Court. This Court, the Honorable Perry H. Gravely presiding, entered the Order that is now the subject of the appeal pending before the South Carolina Court of Appeals.

Appellant received written notice of this Court's Order on November 12, 2025. Appellant filed his Notice of Appeal to the South Carolina Court of Appeals on November 13, 2025, commencing appellate proceedings in Case No. 2025-002298. Appellant filed his Appellant's Brief in the Court of Appeals on February 9, 2026.

On March 18, 2026, Respondent filed a petition for a writ of mandamus in the Court of Appeals, seeking to direct the magistrate to execute a writ of ejectment during the pendency of the appeal. On May 21, 2026, the Court of Appeals denied Respondent's mandamus petition. In its Order, the Court of Appeals expressly noted:

"Appellant has not sought a stay of the circuit court's order, which is the subject of this appeal, from this court or the circuit court. Further, neither this court nor the circuit court has entered an order staying the circuit court's order. Thus, the circuit court's order is not stayed pending the appeal."

That Order makes clear that a stay must be sought in this Court before the Court of Appeals. Consistent with Rule 241(d)(1), SCACR, Appellant now presents this Motion to this Court as the required first step. Should this Court deny this Motion or fail to rule within a reasonable time, Appellant will promptly seek relief from the Court of Appeals pursuant to Rule 241(d)(2), SCACR.

STATEMENT OF THE CASE

Appellant Torgues Mingo entered into a residential lease with Respondent Flats at Haywood on March 14, 2025, for the unit located at 75 Mall Connector Road, Unit 203, Greenville, South Carolina 29607 ("the Unit"), at a monthly rent of \$1,280.00.

Throughout the tenancy, Appellant made regular rent payments via online portal and money order, maintaining receipts, bank statements, money order stubs, and online payment confirmations for each payment. In approximately August 2025, Appellant discovered that Respondent's rental ledger failed to properly credit his payments. Specifically, Respondent had systematically applied Appellant's rental payments first to fees, late charges, and other miscellaneous charges before crediting any portion to monthly rent — artificially manufacturing apparent rent arrearages where none lawfully existed.

Appellant promptly attempted to resolve the accounting discrepancies with Respondent's management, providing documentary proof of payment and requesting a corrected ledger. Respondent refused to correct the ledger or provide any verified accounting of how payments were applied.

On September 18, 2025, Respondent filed an eviction complaint in magistrate court alleging that Appellant owed \$2,857.00 in unpaid rent — more than twice one month's rent — without providing any verified accounting showing how that figure was calculated. Appellant appeared at the eviction

hearing and presented his documentary evidence of payment and the disputed accounting. The magistrate court entered a judgment of eviction. Appellant appealed to this Court. This Court entered the Order now on appeal to the South Carolina Court of Appeals. Appellant received written notice of this Court's Order on November 12, 2025, and filed his Notice of Appeal on November 13, 2025.

LEGAL STANDARD

Rule 241, SCACR, governs stays and supersedeas in civil appeals. Rule 241(d)(1) requires that applications for a stay be presented first to this Court unless extraordinary circumstances make it impracticable. This Court retains authority under Rule 241 to impose or condition a stay of its own order pending appeal, and may condition any stay upon such terms as it deems appropriate, including continued payment of rent. Rule 241(c)(3), SCACR.

Rule 241(c)(2), SCACR, directs the court to consider whether a stay is necessary to preserve jurisdiction of the appeal or to prevent a contested issue from becoming moot. South Carolina courts and federal courts applying analogous standards evaluate stay requests under the following four factors:

1. Whether the movant has made a strong showing that he is likely to succeed on the merits;
2. Whether the movant will be irreparably injured absent a stay;
3. Whether issuance of the stay will substantially injure the other parties; and
4. Where the public interest lies.

Hilton v. Braunskill, 481 U.S. 770, 776 (1987); *Nken v. Holder*, 556 U.S. 418, 434 (2009); see also *Melton v. Walker*, 209 S.C. 330, 336, 40 S.E.2d 161, 164 (1946) ("[t]he general effect of a

supersedeas or stay is to suspend proceedings and preserve the status quo pending the determination of the appeal"). All four factors weigh decisively in Appellant's favor.

ARGUMENT

I. APPELLANT HAS A SUBSTANTIAL LIKELIHOOD OF SUCCESS ON THE MERITS

A movant need not demonstrate that reversal is certain; it is sufficient to show a substantial case on the merits. Hilton, 481 U.S. at 778. Appellant's pending appeal raises three independent grounds for reversal, each of which is independently substantial.

A. The Trial Court Accepted an Unverified Ledger Over Appellant's Documentary Evidence of Payment

Under S.C. Code Ann. § 27-40-710, the burden is on the landlord to prove that rent is actually owed. That burden cannot be satisfied by producing an unverified, internally inconsistent ledger when the tenant presents affirmative documentary proof of payment. At the hearing, Appellant presented:

- Receipts for payments made via online portal;
- Money order stubs and receipts;
- Bank statements confirming payment dates and amounts; and
- Online payment confirmation records.

The trial court accepted Respondent's ledger without requiring Respondent to reconcile it with Appellant's documentary evidence and without making findings of fact explaining why Respondent's ledger should be credited over Appellant's affirmative proof of payment. Under Rule

5 | Page

52, SCRCP, a trial court sitting without a jury must make findings of fact and conclusions of law. The absence of findings on this central evidentiary conflict is reversible error.

B. The Trial Court Failed to Address Respondent's Improper Payment Application Practice

Appellant presented specific evidence that Respondent systematically applied rental payments first to fees and charges before crediting rent — artificially manufacturing apparent arrearage. S.C. Code Ann. § 27-40-730 governs the landlord-tenant relationship and requires proper, accurate payment accounting. A landlord's practice of diverting rent payments to fees before crediting rent — without any lease authority or judicial approval — renders the resulting arrearage calculation legally unreliable.

The trial court made no finding as to whether Respondent's payment-application practice was lawful, whether the fees assessed were legitimate, or whether, had payments been properly applied to rent first, any actual arrearage existed. This complete failure to address a dispositive issue squarely raised and supported by documentary evidence constitutes reversible error requiring remand for proper findings.

C. Appellant's Constitutional Due Process Rights Were Violated

The right to contest a claimed debt before being deprived of one's home is protected by both the Fourteenth Amendment and Article I, Section 3 of the South Carolina Constitution. When a tenant submits credible documentary evidence disputing a landlord's accounting, constitutional due process requires the trial court to resolve the evidentiary conflict before entering judgment. The court's acceptance of Respondent's claimed amount of \$2,857.00 — more than twice the monthly

rent of \$1,280.00 — without any verified accounting or documented breakdown from Respondent denied Appellant his right to a meaningful hearing.

Because all three grounds are independently sufficient to require reversal and remand, the first factor supports a stay.

II. APPELLANT WILL SUFFER IRREPARABLE HARM ABSENT A STAY

Irreparable harm is harm that cannot be remedied by money damages or post-judgment legal relief. Appellant's harm satisfies this standard in three independent respects.

A. The Eviction Judgment Is Causing Ongoing, Permanent Damage to Appellant's Rental History

Every day this Court's Order remains uncontested and unstayed, it continues to appear on Appellant's rental history and background checks. Prospective landlords routinely reject housing applications upon discovering any eviction judgment — without inquiry into the circumstances underlying it. Since the eviction judgment was entered, Appellant has been denied housing at multiple properties based solely on the existence of the eviction record. No remand or reversal by the Court of Appeals can retroactively restore those lost opportunities or erase the reputational damage already done. This is irreparable harm in the clearest sense.

B. Physical Execution of the Writ Would Moot the Appeal

Respondent has already filed a petition in the Court of Appeals seeking to compel execution of the writ of ejectment, demonstrating an intent to forcibly remove Appellant from his home during the pendency of the appeal. If the writ is executed before the appeal is decided, Appellant's claim for reinstatement of possession may be rendered moot. Rule 241(c)(2), SCACR, directs courts to

consider whether a stay is necessary to prevent a contested issue from becoming moot — and that is precisely the situation here. A stay is the only mechanism that ensures the Court of Appeals can award Appellant meaningful relief if it agrees with any of his three grounds for reversal.

C. The Harm to Appellant's Creditworthiness and Future Housing Access Is Permanent

S.C. Code Ann. § 27-40-740 reflects the legislature's recognition that wrongful evictions cause lasting harm to tenants. The eviction judgment, if not stayed and ultimately reversed, will remain on Appellant's consumer record — visible to landlords, lenders, and employers — indefinitely. Each additional month the judgment stands uncontested is another month of compounding, irreversible harm that stay relief alone can prevent.

III. A STAY WILL NOT SUBSTANTIALLY INJURE RESPONDENT

Respondent's asserted interest is entirely monetary: it contends Appellant owes back rent. But if Appellant remains in the Unit during the pendency of the appeal, Respondent's remedy is the collection of fair market rental value — a fully compensable money judgment. Respondent will not be permanently deprived of its property; it will simply be required to await the outcome of an appeal that Appellant has substantial grounds to win.

The proposed conditions of stay set forth in Section V below — under which Appellant will continue to pay monthly rent of \$1,280.00 either directly to Respondent or into this Court's registry — eliminate any legitimate financial prejudice to Respondent during the pendency of the appeal. Respondent will continue to receive monthly rental income; it simply cannot execute an ejectment while a meritorious appeal is pending.

By contrast, Appellant faces permanent loss of housing, permanent reputational damage, and the constitutional injury of a hearing that failed to examine his evidence. These harms are not compensable by any money judgment. No fair balancing of these competing interests favors immediate execution over the modest delay that a stay entails.

This Court should also consider that Respondent's refusal to provide a corrected ledger or any accounting upon Appellant's specific written request — before litigation was ever filed — contributed materially to this dispute and is inconsistent with a party deserving accelerated equitable relief.

IV. THE PUBLIC INTEREST SUPPORTS A STAY

A. The Residential Landlord and Tenant Act Requires Enforcement of Its Tenant Protections

S.C. Code Ann. § 27-40-100 et seq. was enacted to protect residential tenants from improper and arbitrary evictions. These protections are rendered meaningless if landlords are permitted to evict tenants on the basis of unverified, internally inconsistent accounting — without any judicial examination — while an appeal of that very judgment is pending. Granting a stay upholds the Act's core purpose and affirms that South Carolina courts will require landlords to carry their burden of proof before permanently altering a tenant's housing status.

B. Pro Se Litigants Are Entitled to Meaningful Access to the Appellate Process

Appellant is a pro se litigant. The South Carolina Court of Appeals' May 21, 2026 Order expressly noted the absence of a stay and provided Appellant a clear signal to pursue relief through proper channels — beginning with this Court under Rule 241(d)(1). The appellate process would be a

hollow formality if a party's rights could be extinguished by ejectment before the appeal is decided. A stay preserves appellate review as a meaningful remedy, not a theoretical one.

C. Housing Stability Has Significant Public Value

Displacement imposes profound social costs — loss of employment, family disruption, and increased reliance on public resources. Staying an eviction judgment pending appeal where the tenant has presented substantial grounds for reversal prevents these harms from materializing before the appellate process is complete. The public interest is not served by accelerating enforcement of a potentially erroneous judgment while appellate review is actively underway.

V. PROPOSED CONDITIONS OF STAY

To address any concern regarding Respondent's financial interests during the pendency of the appeal, Appellant proposes the following conditions pursuant to Rule 241(c)(3), SCACR:

1. Appellant shall pay monthly rent of \$1,280.00 to Respondent, or into the registry of this Court at the Court's direction, on or before the first day of each month during the pendency of the appeal, commencing with the month immediately following entry of this Order;
2. Appellant shall provide this Court and Respondent with a sworn certification of each monthly payment within five (5) days of making such payment;
3. Respondent shall maintain the Unit in habitable condition and continue providing all services required under the lease throughout the pendency of the stay; and
4. This Order shall remain in effect until the South Carolina Court of Appeals issues its opinion and mandate in Case No. 2025-002298, or until further order of this Court or the Court of Appeals.

These conditions fully protect Respondent's legitimate financial interests while preserving Appellant's right to meaningful appellate review.

CONCLUSION

For all the foregoing reasons, Appellant Torgues Mingo respectfully requests that this Court:

1. GRANT this Motion and enter an Order staying enforcement of this Court's Order in Common Pleas Case No. 2025-CP-23-6831 pending the final disposition of SC Court of Appeals Case No. 2025-002298 and issuance of the remittitur, on the conditions set forth in Section V above;
2. Schedule a hearing on this Motion at the earliest practicable date given the urgent nature of the relief sought; and
3. Grant such other and further relief as this Court deems just and proper.

If this Court denies this Motion, or fails to rule within ten (10) days of the date of filing, Appellant respectfully provides notice that he will immediately seek emergency stay relief from the South Carolina Court of Appeals pursuant to Rule 241(d)(2), SCACR, on the basis that delay constitutes an extraordinary circumstance under Rule 241(d)(1).

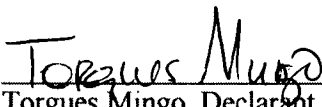
Respectfully submitted,

s/ Torgues Mingo
Torgues Mingo, Pro Se Appellant
75 Mall Connector Road, Unit 203
Greenville, South Carolina 29607

Dated: May 25, 2026

DECLARATION OF TRUTH: I, Torgues Mingo, declare under penalty of perjury under the laws of the State of South Carolina, pursuant to S.C. Code Ann. § 26-2-20, that the foregoing Verification is true and correct to the best of my personal knowledge, information, and belief. I understand that a false statement made herein subjects me to the penalties of perjury.

Executed on May 25, 2026, at Greenville, South Carolina.



Torgues Mingo, Declarant
75 Mall Connector Road, Unit 203
Greenville, South Carolina 29607

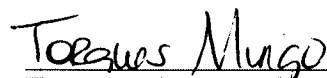
VERIFICATION PURSUANT TO RULE 241(D)(3), SCACR

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

I, Torgues Mingo, being duly sworn, depose and state:

1. I am the Appellant in the above-captioned matter and submit this Verification pursuant to Rule 241(d)(3), SCACR.
2. I have read the foregoing Motion to Stay Enforcement of the Circuit Court's Order Pending Appeal, and the facts stated therein are true and correct to the best of my personal knowledge, information, and belief.
3. The monthly rent for the Unit at 75 Mall Connector Road, Unit 203, Greenville, South Carolina, is \$1,280.00. I am willing and able to pay ongoing monthly rent as a condition of any stay entered by this Court.
4. Respondent has actively sought to execute a writ of ejectment against me during the pendency of my appeal in the South Carolina Court of Appeals. Absent a stay, execution of that writ will cause immediate and irreparable harm to my housing stability, rental history, and future housing opportunities.
5. I make this Verification in support of the Motion filed herewith and for no improper purpose.


Torgues Mingo, Pro Se Appellant
75 Mall Connector Road, Unit 203
Greenville, South Carolina 29607

FILED: 7/26/2025 3:00 PM
CLERK OF COURT
JAY GRESHAM, CLERK
CLERK OF COURT
JAY GRESHAM, CLERK
CLERK OF COURT
JAY GRESHAM, CLERK

State of South Carolina	In the Court of Common Pleas
County of <u>Greenville</u>	<u>13th</u> Judicial Circuit

Plaintiff(s): <u>Torques Mingo</u>	Case No. <u>2025 - CP - 23 - 4831</u>
vs.	
Defendant(s): <u>Flat @ Haywood</u>	

Motion and Order Information Form and Coversheet

Plaintiff's Attorney: Torques Mingo

Bar Number: _____

Address: 75 Mall Connector Rd Apt 203
Greenville SC 29607

Phone Number: 864-371-0402

Email: Tmingo5@gmail.com

Fax: _____

Other: _____

Defendant's
Attorney: _____

Bar
Number: _____

Address: _____

Phone
Number: _____

Email: _____

Fax: _____

Other: _____

Select Applicable Checkbox:

- | |
|--|
| ☒ MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) |
| ☐ FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) |
| ☐ PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III) |

SECTION I: Hearing Information

Nature of
Motion: Motion

Estimated
Time Needed: 10 minutes

Court Reporter
Needed: yes

SECTION II: Motion / Order Type

Select Applicable Checkbox:

- ☒ Written motion attached
☐ Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Torques Muzi

Signature of Attorney for (Check One):

5/26/26

Date Submitted

- ☐ Plaintiff(s)
☐ Defendant(s)

SECTION III: Motion Fee

Check Applicable Checkbox:

☒ Paid

Amount Paid: \$ 25.00

☐ Exempt:

Check Reason:

- ☐ Rule to Show Cause in Child or Spousal Support
☐ Domestic Abuse or Abuse and Neglect
☐ Indigent Status
☐ State Agency v. Indigent Status
☐ Sexually Violent Predator Act
☐ Post-Conviction Relief
☐ Motion for Stay in Bankruptcy
☐ Motion for Execution (Rule 69, SCRCP)
☐ Motion for Publication
☐ Proposed Order Submitted at Request of the Court; or, Reduced to Writing from Motion Made in Open Court Per Judge's Instructions

Name of Court Reporter: _____

☐ Other _____

Judge's Section

Check Reason: ☐ Motion Fee to be paid upon filing of the attached order.

☐ Other _____

Judge's Signature

Judge's Code

Date of Signature

Clerk's Verification

Collected By: CG

Date Filed: 5-26-26

☒ Motion Fee Collected: \$ 25.00

☐ Contested: \$ _____

Custodial Parent (if applicable): _____

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

FLATS AT HAYWOOD,

Plaintiff-Appellee,

v.

TORQUES MINGO,

Defendant-Appellant.

IN THE COURT OF COMMON PLEAS
THE THIRTEENTH JUDICIAL DISTRICT

CASE NO.: 2025-CV-23-1010-1556

2025-CP-23-6831

2025-002298

ORDER

This matter was heard before the Court on June 26, 2026, D. Andrew Turman appearing on behalf of Plaintiff-Appellee and Defendant-Appellant appearing pro-se. This matter was brought before the Court on Defendant-Appellant's "Motion to Stay Enforcement of the Circuit Court's Order Pending Appeal", filed May 25, 2026. This Court filed a Form 4 dismissing Defendant's appeal from the West Greenville Summary Court dated November 9, 2025, for failure to satisfy bond. Defendant appealed this decision to the Court of Appeals, who issued a clarifying Order on May 21, 2026, that no Stay was in place. In response, Plaintiff-Appellant filed a Return to Motion and "Motion for Payment of Rent, Eviction and Sanctions" on June 3, 2026.

After reviewing the parties' Motions, Plaintiff-Appellee's Exhibits A-Q, a letter dated June 16, 2026, from the South Carolina Court of Appeals to Defendant-Appellant, proffered by Plaintiff at hearing, and receiving oral arguments, and based upon the SCRCF, SC Code Ann., and the greater weight of the evidence, the undersigned finds:

1. Defendant-Appellant's "Motion to Stay Enforcement of the Circuit Court's Order Pending Appeal" is DENIED.
2. A Judgment is entered against Defendant-Appellant in favor of Plaintiff-Appellee in the amount of \$16,877.25 for accrued rental arrearages since November 1, 2025, through present, along with contractual late fees per the terms of the parties' lease.
3. Defendant-Appellee's Motion is frivolous and not supported by existing law.
4. Attorney's fees are awarded Plaintiff-Appellee in the amount of \$1,903.50 for time expended in responding to Defendant-Appellant's Motion.
5. This matter is remanded to the West Greenville Summary Court for immediate execution of Judge Jonathan A. Horne's November 25, 2025, Writ of Execution.

AND IT IS SO ORDERED.

The Honorable Vernon F. Dunbar

EXHIBIT
H

CERTIFICATE OF SERVICE

I hereby certify that I have this 20th day of July 2026, served a copy of the foregoing Order in the foregoing civil action by directing to the following individual(s) by electronically filing via the Court's electronic filing system and/or Electronic Mail and/or United States Mail, postage paid, in a properly addressed envelope addressed as follows:

Torques Mingo
75 Mall Connector Road, Unit 203
Greenville, SC 29607
kmingo07@yahoo.com
Pro Se Defendant-Appellant



D. Andrew Turman
SC State Bar No.: 68181
MULLEN HOLLAND & COOPER, P.A.
Attorneys for Plaintiff-Appellee Flats at Haywood
301 South York Street / P.O. Box 488
Gastonia, NC 28053-0488
Telephone: (704) 864-6751
Telecopier: (704) 861-9384



Greenville Common Pleas

Case Caption: Torques Mingo VS Flats At Haywood
Case Number: 2025CP2306831
Type: Order/Other

So Ordered

Vernon F. Dunbar

RECEIVED

Jul 23 2026

SC Court of Appeals

FILED: 7/26/2026 11:56
COC JAY GRESHAM GUL SC

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

FLATS AT HAYWOOD,

Plaintiff/Respondent,

Appeal from Greenville County
Court of Common Pleas
The Honorable Vernon F. Dunbar

v.

Lower Court Case No. 2025-CP-23-6831
(2025-CV-23-1010-1556; 2025-002298)

TORQUES MINGO,

Defendant/Appellant.

NOTICE OF APPEAL

TO: D. Andrew Turman, Esq., Mullen Holland & Cooper, P.A., 301 South York Street / P.O. Box 488, Gastonia, NC 28053-0488, Attorney for Plaintiff/Respondent Flats at Haywood; and to the Clerk of the Court of Common Pleas for Greenville County:

PLEASE TAKE NOTICE that, pursuant to Rule 203 of the South Carolina Appellate Court Rules (SCACR), Defendant/Appellant Torques Mingo, appearing pro se, hereby appeals to the South Carolina Court of Appeals from the Order of the Honorable Vernon F. Dunbar, Judge of the Court of Common Pleas for Greenville County, Thirteenth Judicial Circuit, electronically signed on July 20, 2026, and filed on July 21, 2026, in Case No. 2025-CP-23-6831 (the "Order").

The Order appealed from, among other things: (1) denied Defendant/Appellant's Motion to Stay Enforcement of the Circuit Court's Order Pending Appeal; (2) entered a money judgment against Defendant/Appellant in favor of Plaintiff/Respondent in the amount of \$16,877.25, plus contractual late fees; (3) found Defendant/Appellant's motion frivolous; (4) awarded Plaintiff/Respondent attorney's fees in the amount of \$1,903.50; and (5) remanded the matter to the West Greenville Summary Court for immediate execution of the November 25, 2025 Writ of Execution.

Defendant/Appellant appeals from the Order in its entirety, including each of the findings and rulings set forth therein.

Defendant/Appellant received written notice of entry of the Order on July [___], 2026. This Notice of Appeal is served and filed within thirty (30) days after receipt of written notice of entry of the Order, as required by Rule 203(b)(1), SCACR.

A copy of the Order appealed from is attached to this Notice of Appeal as required by Rule 203(d), SCACR, together with proof of service and the required filing fee.

Respectfully submitted,

EXHIBIT

I

s/Torques Mingo

Torques Mingo, Pro Se

Defendant/Appellant

75 Mall Connector Road, Unit 203

Greenville, SC 29607

Telephone: 864-359-6478

Email: kmingo07@yahoo.com

Greenville, South Carolina

Dated: July 23_, 2026

RECEIVED

Jul 23 2026

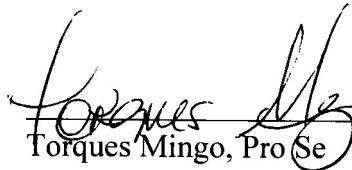
SC Court of Appeals

CERTIFICATE OF SERVICE

I hereby certify that on this [] day of July, 2026, I served a copy of the foregoing Notice of Appeal, together with a copy of the Order appealed from, upon counsel for Plaintiff/Respondent by depositing the same in the United States Mail, first-class postage prepaid, and/or by electronic mail, addressed as follows:

D. Andrew Turman, Esq.
Mullen Holland & Cooper, P.A.
301 South York Street / P.O. Box 488
Gastonia, NC 28053-0488
Attorneys for Plaintiff/Respondent

I further certify that the original Notice of Appeal, proof of service, a copy of the Order appealed from, and the required filing fee are being filed with the Clerk of the South Carolina Court of Appeals, and that a copy of this Notice of Appeal is being filed with the Clerk of Court for Greenville County.


Torques Mingo, Pro Se

The South Carolina Court of Appeals

Torgues Mingo, Appellant,

v.

Flats at Haywood, Respondent.

Appellate Case No. 2025-002298

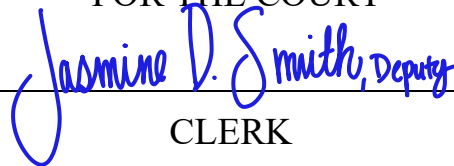
The Honorable Perry H. Gravely
Greenville County
Trial Court Case No. 2025CP2306831

ORDER

Appellant has filed a motion to allow the late serving and filing of the record on appeal. No return was filed. This motion is Granted. Appellant must serve the record on appeal by August 7, 2026, and provide this Court with the proof of service. All final briefs must be served and filed, and the record on appeal must be filed, within twenty (20) days of the date of service of the record on appeal.

FOR THE COURT

BY


CLERK

Columbia, South Carolina

cc:

Torgues Mingo

David Andrew Turman, Esquire

FILED
Jul 08 2026

EXHIBIT

J