

August 7, 2026

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AUG 07 2026

SC Court of Appeals

TO THE DUTY JUDGE OR JUSTICE

South Carolina Court of Appeals

1220 Senate Street

Columbia, South Carolina 29201

EMERGENCY COVER LETTER

REQUEST FOR EMERGENCY REVIEW OF MOTION FOR SUPERSEDEAS

Percy Morant, Jr. v. James Burrell, as Personal Representative

for the Estate of Elizabeth Jones Burrell

Case No. 24-CP-40-4005, Richland County Court of Common Pleas

JEANETTE W. MCGRIDE
Clerk of Court
2026 AUG 7 PM 2:37

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RICHLAND COUNTY
FILED

Your Honor:

Appellant Percy Morant, Jr., appearing pro se, respectfully requests that a single judge or justice of this Court review the attached Motion for Supersedeas and Stay of Ejectment Order Pending Appeal on an emergency basis. The reason for this request is as follows.

The Order on Adverse Possession and Occupancy, Not Ending Action, entered by Master-in-Equity Stephanie N. Lawrence on August 5, 2026 and filed August 6, 2026, requires Appellant to vacate his home of four years at 300 Meadowlake Drive, Columbia, South Carolina 29203, no later than **Monday, August 10, 2026 at 1:00 PM**, which is three days from today. The Order further authorizes the Richland County Sheriff's Department to physically remove Appellant and his belongings if he has not departed by that time.

The ejectment provision is legally defective on its face for the following reason. The only cause of action before the Master-in-Equity was adverse possession. The Master-in-Equity dismissed that claim for failure of proof. No ejectment cause of action was ever pled in the Amended Complaint. No prayer for relief seeking Appellant's removal independent of the adverse possession claim appears anywhere in the pleadings. Rule 54(c), SCRCP, prohibits granting relief different in kind from that prayed for in the demand for judgment. The Court dismissed the only claim before it and then entered an ejectment order on a legal theory that was never before the Court.

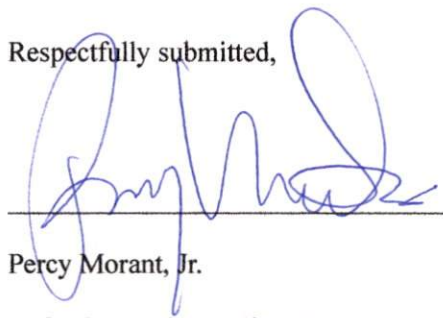
Additionally, Paragraph 31 of the Order grants Plaintiff access to the property for purposes of securing, appraising, and insuring it. Appellant has reviewed the complete 146-page certified transcript of the July 8, 2026 hearing. No such order was made from the bench. The Court twice stated 'I can't tell you' when asked about insurance and directed Plaintiff's counsel to consult his own attorney. That provision was inserted into the written Order from Plaintiff's counsel's proposed order and was never ordered by the Court.

Appellant has filed a Notice of Appeal and this Motion for Supersedeas today at the Richland County Clerk of Court. Appellant respectfully requests that this Court issue a temporary stay of Paragraphs 29, 30, and 31 of the Order pending full consideration of this motion. Ejectment from one's home is irreparable harm. The adverse possession claim that is the predicate for the ejectment was dismissed. No party has a legally established right to the property superior to Appellant's current possession. The balance

of hardships and the public interest both favor maintaining the status quo while this Court considers the appeal.

Appellant is available by telephone at (803) 722-9626 and by email at percymorant@gmail.com at any time this weekend.

Respectfully submitted,



Percy Morant, Jr.

Defendant and Appellant, Pro Se

300 Meadowlake Drive

Columbia, South Carolina 29203

(803) 722-9626

percymorant@gmail.com

Attachment: Motion for Supersedeas and Stay of Ejectment Order Pending Appeal

cc: Charles T. Brooks III, Esq., attorneyctb@outlook.com, P.O. Box 3512, Sumter SC

29151

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS

FIFTH JUDICIAL CIRCUIT

James Burrell, as Personal Representative for

The Estate of Elizabeth Jones Burrell,

Plaintiff and Respondent,

v.

Catherine Carroll, Deceased, et al.,

including Percy Morant, Jr.,

Defendant and Appellant.

Case No. 24-CP-40-4005

NOTICE OF APPEAL

To the South Carolina Court of Appeals

Pursuant to Rule 203(b)(1), SCACR

TO: Charles T. Brooks III, Esq., Attorney for Plaintiff and Respondent, and TO THE
CLERK OF THE SOUTH CAROLINA COURT OF APPEALS:

PLEASE TAKE NOTICE that Defendant and Appellant Percy Morant, Jr., appearing pro
se, hereby appeals to the South Carolina Court of Appeals from the Order on Adverse
Possession and Occupancy, Not Ending Action, entered in the above-captioned matter by

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SC Court of Appeals

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RICHLAND COUNTY
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the Honorable Stephanie N. Lawrence, Master-in-Equity for Richland County, signed August 5, 2026 and electronically filed August 6, 2026 at 1:04 PM, and from all rulings, findings, and relief granted therein.

I. JURISDICTIONAL BASIS

1. This Court has jurisdiction over this appeal pursuant to S.C. Code Ann. Section 14-8-200 and Rule 203(b)(1), SCACR, which provides that a notice of appeal from the Court of Common Pleas shall be served within thirty days after receipt of written notice of entry of the order or judgment.
2. Pursuant to the Order of Reference filed February 7, 2025, any appeal from the decision of the Master-in-Equity shall be directly to the South Carolina Court of Appeals. Transcript of Proceedings, July 8, 2026, Page 1 (hereinafter 'Tr. ____').
3. The Order on appeal was signed by the Master-in-Equity on August 5, 2026 and electronically filed on the Richland County Common Pleas public docket on August 6, 2026 at 1:04 PM. Appellant discovered the signed filed Order on the public docket and this Notice of Appeal is served within thirty days of that discovery, well within the thirty-day period prescribed by Rule 203(b)(1), SCACR.

II. PROCEDURAL HISTORY RELEVANT TO THIS APPEAL

4. On July 8, 2026, at 2:30 PM, the Master-in-Equity conducted a hearing on the merits of Plaintiff's Amended Complaint and Appellant's Counterclaims in the above-captioned matter. The hearing concluded at 5:23 PM. A certified transcript

of those proceedings was obtained by Appellant from Southern Reporting, Inc., reported by Kathy Nicholson RPR CRR, 146 pages, certified July 17, 2026.

5. At the July 8, 2026 hearing the Master-in-Equity made oral rulings from the bench including dismissal of Plaintiff's adverse possession claim, dismissal of all four of Appellant's Counterclaims, and an oral directive that Appellant vacate the property by August 10, 2026 at 1:00 PM.

6. On July 9, 2026, Appellant filed with the Richland County Clerk of Court a Written Objection to Rulings Entered at July 8, 2026 Hearing and Notice of Intent to Appeal, preserving Appellant's objections to those oral rulings and providing notice of Appellant's intent to seek appellate review. Appellant simultaneously filed a Notice of Filing of Plaintiff's Discovery Responses as Part of the Trial Court Record.

7. On July 10, 2026, Appellant filed a Notice of Filing of Probate Court Documents as Part of the Trial Court Record, specifically including the Form 300ES in which Personal Representative James Burrell Jr. certified under oath on January 10, 2024 that the decedent owned zero real estate assets, the Amended Inventory filed September 18, 2025, and the Fiduciary Letter dated March 28, 2024.

8. No written order was entered following the July 8, 2026 hearing for a period of twenty-nine days. Appellant verified through direct contact with the Master-in-Equity's office that no written order had been entered because Plaintiff's

counsel had not submitted a proposed order. On or about August 4, 2026, Plaintiff's counsel submitted a proposed order to the Master-in-Equity's office.

9. On August 4, 2026 at 3:33 PM, Plaintiff's counsel Charles T. Brooks III sent an email to Appellant at percmorant@gmail.com, copying the Master-in-Equity's office staff, attaching the proposed order in Word format and stating: 'Ms. Cornelius, please find the draft of the Order from the July 8th hearing. I have sent it in Word so that the Judge can make any changes she deems appropriate. I have included Mr. Morant on this email as well.' On August 5, 2026 at 8:50 AM, Richland County Master-in-Equity staff member Fristella Cornelius replied to that email chain stating: 'Thank you I will forward to the Judge.'

10. The gap between receipt of the proposed order on August 4, 2026 at 3:33 PM and the signed Order being filed August 6, 2026 at 1:04 PM was approximately 45 hours. During that period Appellant was in the process of preparing written objections to the proposed order but the Order was signed and filed before those objections could be completed and physically delivered to the Richland County Clerk of Court. Accordingly, no written objections to the proposed order appear in the trial court record prior to the entry of the signed Order, not due to any failure to identify the objections, but due to the extremely compressed timeframe between receipt of the proposed order and its signing and entry.

11. Appellant notes for the record that the signed Order as filed differs substantially from the proposed order submitted by Plaintiff's counsel on August 4, 2026. Specifically, the Master-in-Equity added an extensive Procedural

Findings section, a Findings of Fact and Conclusions of Law section containing legal citations not present in the proposed order, and an entire Probate Considerations section not present in the proposed order. The signed Order expanded from 10 paragraphs in the proposed order to 32 paragraphs. Provisions that were adopted wholesale from the proposed order without independent judicial analysis include the Access to Property section at Paragraph 31 of the signed Order, which Appellant specifically challenges on appeal.

12. The Richland County Clerk of Court did not serve Appellant with notice of entry of the Order by first class mail as required by Rule 77(d), SCRCP, which provides that immediately upon entry of an order or judgment the clerk shall serve a notice of the entry by first class mail upon every party affected thereby. Appellant, as a pro se party not registered in the SCE-File electronic filing system, was entitled to mail notice. Appellant discovered the signed Order by independently checking the public docket. This failure to provide notice is noted for the record.

III. THE ORDER BEING APPEALED

13. Appellant appeals from the Order on Adverse Possession and Occupancy, Not Ending Action, signed by the Honorable Stephanie N. Lawrence on August 5, 2026 and electronically filed August 6, 2026 at 1:04 PM, Richland County Court of Common Pleas, Case No. 24-CP-40-4005. Appellant specifically appeals from the following rulings, findings, and provisions:

(a) Paragraph 23 of the Order, finding that Appellant does not have any legal or equitable interest in the subject property. This finding is internally inconsistent with the Court's own oral statement at the July 8, 2026 hearing that Appellant 'may have had some equitable interest in paying the property taxes and in some of these improvements,' Tr. 134:2-6, and with the undisputed evidence that Appellant paid the 2025 property taxes in the amount of \$669.57 on February 9, 2026, while no other party made any payment toward the property's financial obligations;

(b) Paragraphs 29 and 30 of the Order, ordering Appellant to vacate the property no later than August 10, 2026 and authorizing the Richland County Sheriff's Department to remove him. The Amended Complaint pleads a single cause of action, adverse possession, which the Court dismissed. No ejectment cause of action appears anywhere in the Amended Complaint. No prayer for relief seeking Appellant's removal independent of adverse possession appears in any pleading filed by Respondent. Rule 54(c), SCRCF prohibits the Court from granting relief different in kind from that prayed for in the demand for judgment. The Court dismissed the only pled claim and then entered the functional equivalent of an ejectment judgment on a theory never pled, in violation of Rule 54(c). Tr. 129:9-11; 137:6-9;

(c) Paragraph 31 of the Order, granting Plaintiff James Burrell access to the subject property for purposes of securing the property, having it appraised, and insured. Appellant has reviewed the complete 146-page certified transcript. No such order was entered from the bench at the July 8, 2026 hearing. This provision appeared in the proposed order submitted by Plaintiff's counsel on August 4, 2026

and was adopted in the signed Order. The only discussion of insurance at the hearing occurred at Tr. 143:3 through 144:5, after all rulings were complete, during which the Master-in-Equity twice stated 'I can't tell you' in response to Plaintiff's counsel's inquiry about insurance and directed counsel to consult his own attorney. The access provision constitutes affirmative relief inserted into the written Order that was never granted at the hearing and is directly contradicted by the transcript;

(d) The dismissal of all four of Appellant's Counterclaims, specifically the Counterclaims for Declaratory Judgment, Abuse of Process and Knowing Factual Misrepresentation, Slander of Title, and Unjust Enrichment and Betterment. These Counterclaims were dismissed through a procedurally defective process in which Respondent's counsel was permitted to respond orally to written Counterclaims without a filed responsive pleading, despite the Counterclaims having been on the public docket for fifty-one days. Respondent's counsel represented at the hearing that he had no notice of the Counterclaims. That representation was false. The Counterclaims were filed May 18, 2026, served by United States Mail that same day, and on the public docket continuously through the July 8, 2026 hearing. Respondent's own discovery responses served June 29, 2026, nine days before the hearing, were addressed to Appellant in his capacity as Intervenor/Defendant, directly acknowledging his party status and pending filings. Tr. 100-103;

(e) The denial of Appellant's Motion for Default Judgment on Counterclaims filed July 2, 2026 at 4:22 PM and served on Plaintiff's counsel that same day. The

denial was based on the Court's acceptance of Respondent's counsel's oral claim of no notice, which was contradicted by the docket and by Respondent's own filings. No motion under Rule 55(c), SCRCP was ever filed by Respondent seeking relief from the default. The Court allowed Respondent to cure a default through oral argument without compliance with the procedural requirements of Rule 55(c). Tr. 100-103;

(f) Paragraph 17 of the Order, finding that Elizabeth Jones Burrell is the natural niece of Defendant Catherine Carroll. This factual finding is not supported by competent evidence in the record. The Personal Representative James Burrell Jr. testified under oath that he never investigated the biological basis for the alleged relationship and relied entirely on family representations. Tr. 91:22 through 92:6. At the hearing, Appellant offered into evidence the written obituaries of Elizabeth Jones Burrell and Carrieta Michelle Burrell, both of which identify Elizabeth Jones Burrell's biological parents and contain no information establishing a blood connection to Catherine Carroll. Those obituaries were not admitted or considered. A factual finding based on a social designation in a funeral notice, while declining to consider rebuttal biographical evidence offered by the opposing party, is not supported by the weight of the evidence in the record; and

(g) The Order's adjudication of Appellant's possessory rights, equitable interest, and right to remain at the property as independent issues, which adjudication denied Appellant due process by deciding legal theories not pled in the Amended Complaint without prior notice that those theories would be at issue at the July 8, 2026 hearing. Appellant appeared at a hearing on adverse possession and was

subjected without advance notice to simultaneous adjudication of his occupancy rights, equitable interest, and right to continued possession. The hearing as conducted denied Appellant the opportunity to prepare a defense to the theories on which the Order's ejectment provisions were ultimately based.

IV. STATEMENT OF ISSUES ON APPEAL

14. The following issues are presented for review:

(a) Whether the Master-in-Equity erred in ordering Appellant to vacate the property after dismissing the only cause of action before the Court, in violation of Rule 54(c), SCRCP, which prohibits granting relief different in kind from that prayed for in the pleadings;

(b) Whether the Master-in-Equity erred in entering a vacate order without identifying any party with a current, legally established superior possessory right to receive that vacancy, where no party has yet been determined to hold title through any valid legal proceeding;

(c) Whether the Master-in-Equity erred in including in the written Order an access provision granting Respondent entry to the property for securing, appraising, and insuring purposes, where no such order was made from the bench at the July 8, 2026 hearing and the transcript directly contradicts the inclusion of that provision;

(d) Whether the Master-in-Equity denied Appellant due process by adjudicating his occupancy rights, possessory interest, and equitable claims through a hearing

on theories not pled in the Amended Complaint and not noticed as issues for the July 8, 2026 hearing;

(e) Whether the Master-in-Equity erred in denying Appellant's Motion for Default Judgment on Counterclaims by accepting Respondent's counsel's oral response to written Counterclaims without compliance with Rule 55(c), SCRCPP;

(f) Whether the Master-in-Equity erred in dismissing the Counterclaim for Unjust Enrichment by applying a rent offset theory that is internally inconsistent with the simultaneous finding that no landlord-tenant relationship exists between the parties;

(g) Whether the factual finding that Elizabeth Jones Burrell was the natural niece of Catherine Carroll is supported by competent substantial evidence in the record, where that finding rests entirely on unverified family representations and a funeral notice social designation, and where the Court declined to admit or consider rebuttal biographical evidence offered by Appellant at the hearing; and

(h) Whether the Master-in-Equity erred in refusing to acknowledge fraud upon the court as the basis for the March 20, 2026 Order Vacating Quiet Title, where Appellant's Rule 60(b)(3), SCRCPP motion specifically raised fraud, the publication affidavit sworn September 12, 2024 certified occupants were unknown after due diligence, and Plaintiff had filed a magistrate court action against Appellant by his full legal name and residential address on September 5, 2023, exactly twelve months and seven days before that affidavit was sworn.

V. PARTIES AND REPRESENTATION

15. Appellant Percy Morant, Jr. appears pro se:

Percy Morant, Jr.

Defendant and Appellant, Pro Se

300 Meadowlake Drive

Columbia, South Carolina 29203

(803) 722-9626

percymorant@gmail.com

16. Respondent is represented by:

Charles T. Brooks III, Esq.

The Brooks Law Office LLC

309 Broad Street, Post Office Box 3512

Sumter, South Carolina 29151

(803) 418-5708

attorneyctb@outlook.com

VI. TRANSCRIPT AND RECORD

17. A certified transcript of the July 8, 2026 hearing was obtained by Appellant from Southern Reporting, Inc., reported by Kathy Nicholson RPR CRR, 146 pages, certified July 17, 2026 and received by Appellant on August 4, 2026. Pursuant to Rule 207(a)(1), SCACR, which requires the transcript be ordered within ten days after service of the notice of appeal in appeals from

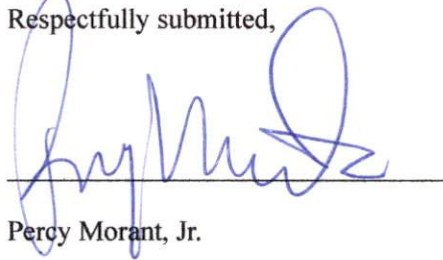
Masters-in-Equity, the transcript has already been obtained and this requirement is satisfied.

18. Appellant requests that the following documents be included in the Record on Appeal pursuant to Rule 210(c), SCACR:

- (a) Amended Summons, Lis Pendens, and Complaint, filed April 8, 2026;
- (b) Appellant's Answer, Affirmative Defenses, and Counterclaims, filed May 18, 2026 at 1:04 PM;
- (c) Plaintiff's Responses to Requests for Admission, Interrogatories, and Requests for Production of Documents to Plaintiff, served June 29, 2026;
- (d) Appellant's Affidavit and Application for Entry of Default and Motion for Default Judgment on Counterclaims, filed July 2, 2026 at 4:22 PM;
- (e) Appellant's Written Objection to July 8, 2026 Rulings and Notice of Intent to Appeal, filed July 9, 2026;
- (f) Appellant's Notice of Filing of Plaintiff's Discovery Responses as Part of the Trial Court Record, filed July 9, 2026;
- (g) Appellant's Notice of Filing of Probate Court Documents as Part of the Trial Court Record, filed July 10, 2026;
- (h) Order on Adverse Possession and Occupancy, Not Ending Action, signed August 5, 2026, filed August 6, 2026 at 1:04 PM;

- (i) All exhibits admitted into evidence at the July 8, 2026 hearing, including the obituary of Catherine Carroll admitted during Appellant's testimony; and
- (j) The certified transcript of the July 8, 2026 proceedings, 146 pages, Kathy Nicholson RPR CRR, Southern Reporting Inc., certified July 17, 2026.

Respectfully submitted,



Percy Morant, Jr.

Defendant and Appellant, Pro Se

300 Meadowlake Drive

Columbia, South Carolina 29203

(803) 722-9626

percymorant@gmail.com

Dated: August 7, 2026

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SC Court of Appeals

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JEANETTE W. McBRIDE
Clerk of Court
RICHLAND COUNTY
FILED

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2026, a true and correct copy of the foregoing Notice of Appeal was served upon counsel of record for Respondent by United States Mail, first-class postage prepaid, and by electronic mail, addressed as follows:

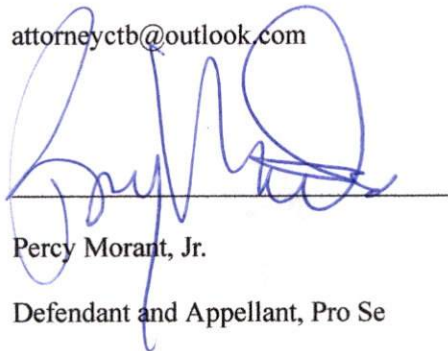
Charles T. Brooks III, Esq.

The Brooks Law Office LLC

309 Broad Street, Post Office Box 3512

Sumter, South Carolina 29151

attorneyctb@outlook.com



Percy Morant, Jr.

Defendant and Appellant, Pro Se

300 Meadowlake Drive

Columbia, South Carolina 29203

(803) 722-9626

percymorant@gmail.com

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS

FIFTH JUDICIAL CIRCUIT

James Burrell, as Personal Representative for

The Estate of Elizabeth Jones Burrell,

Plaintiff and Respondent,

v.

Catherine Carroll, Deceased, et al.,

including Percy Morant, Jr.,

Defendant and Appellant.

Case No. 24-CP-40-4005

APPELLANT'S MOTION FOR SUPERSEDEAS AND STAY

OF EJECTMENT ORDER PENDING APPEAL

Pursuant to Rule 241(b)(10) and Rule 241(c), SCACR, and Rule 62(g), SCRCF

TO: THE SOUTH CAROLINA COURT OF APPEALS, and TO CHARLES T.

BROOKS III, ESQ., ATTORNEY FOR RESPONDENT:

Defendant and Appellant Percy Morant, Jr., appearing pro se, hereby moves this Court for an Order imposing a supersedeas and staying the ejectment provision of the Order on Adverse Possession and Occupancy, Not Ending Action, entered August 6, 2026 by the

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SC Court of Appeals

JEANETTE W. MCGRIDE
CLERK OF COURT

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RICHLAND COUNTY
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Honorable Stephanie N. Lawrence, Master-in-Equity for Richland County, pending the resolution of the appeal filed simultaneously herewith. In support thereof, Appellant states as follows:

I. PROCEDURAL POSTURE

1. On August 6, 2026, the Master-in-Equity electronically filed an Order requiring Appellant to vacate the property at 300 Meadowlake Drive, Columbia, South Carolina 29203 no later than August 10, 2026 at 1:00 PM, with authority for the Richland County Sheriff's Department to forcibly remove Appellant if he has not departed by that time. Order, Paragraph 29 and 30.
2. Appellant has filed a Notice of Appeal from that Order simultaneously with this Motion. The appeal raises substantial legal questions including whether the Master-in-Equity had authority to enter an ejectment remedy where no ejectment cause of action was pled, whether the Order's access provision was ever ordered at the hearing, and whether the proceedings denied Appellant due process.
3. Ejectment orders are specifically identified as exceptions to the automatic stay under Rule 241(b)(10), SCACR, citing S.C. Code Ann. Section 27-37-130 and Section 27-40-800. Accordingly, the filing of a Notice of Appeal does not automatically stay the ejectment provision of the Order, and Appellant requires an affirmative supersedeas order from this Court to preserve the status quo pending appeal.

II. THE FOUR-FACTOR STANDARD FOR SUPERSEDEAS

A party seeking a supersedeas of an ejectment order pending appeal must demonstrate:

(1) likelihood of success on the merits of the appeal; (2) that the party will suffer irreparable injury if the stay is denied; (3) that other parties will not be substantially harmed by the stay; and (4) that the public interest will not be harmed. Each factor is addressed below.

A. LIKELIHOOD OF SUCCESS ON THE MERITS

4. Appellant presents substantial and colorable appellate arguments on multiple independent grounds, any one of which, if accepted by the Court of Appeals, requires reversal of the ejectment provision of the Order.

5. First, Rule 54(c) violation. The Amended Complaint pleads a single cause of action, adverse possession. No ejectment cause of action is pled. No prayer for relief seeking Appellant's removal independent of adverse possession appears anywhere in the pleadings. The Master-in-Equity dismissed the adverse possession claim at Transcript Page 129, Lines 9 through 11: 'Your adverse possession claim, Mr. Brooks, I'm dismissing that under 12(b)(6), you do not meet the elements for adverse possession.' Having dismissed the only claim before the Court, the Master-in-Equity then entered an ejectment order. Rule 54(c), SCRCP provides that a final judgment shall grant the relief to which the party in whose favor it is rendered is entitled, but shall not be different in kind from that prayed for in the demand for judgment. An ejectment order entered after dismissal of the only pled claim, on a legal theory never pled, violates Rule 54(c) on its face.

6. Second, absence of identified superior possessory right. The Order directs Appellant to vacate without identifying any party with a current, legally established superior possessory right to possession of the property. The adverse possession claim was dismissed. No title has been judicially established. The probate court has not determined the heirs of Catherine Carroll, in whose name the property remains titled. An equitable court cannot order a party removed from property without identifying the party with the superior right to receive that possession. The Order acknowledges at Paragraph 22 that 'once the heirs of the subject property have been determined' the Plaintiff will have leave to proceed, confirming that no party has yet established a superior right to the property.

7. Third, unpled access provision. Paragraph 31 of the Order grants Respondent access to the property for purposes of securing, appraising, and insuring it. Appellant has reviewed the complete 146-page certified transcript and no such order was entered at the hearing. The only discussion of insurance occurred at Transcript Pages 143 through 144, after all rulings were complete, when the Court twice stated 'I can't tell you' and directed Plaintiff's counsel to consult his attorney. This provision constitutes new affirmative relief in the written order not granted at the hearing.

8. Fourth, due process violation. The Amended Complaint pleads adverse possession only. Appellant had no notice that the July 8, 2026 hearing would adjudicate his possessory rights, equitable interest, and right to continued occupancy as independent issues. The Master-in-Equity simultaneously conducted what amounted to an adverse possession hearing, an equitable interest hearing, an

occupancy rights hearing, and a writ of assistance hearing without prior notice to Appellant that those independent issues would be decided. A party is entitled to notice of the claims and theories against which he must defend. The hearing as conducted denied Appellant the opportunity to prepare a response to the occupancy and equitable interest theories on which the ejectment order was ultimately based.

B. IRREPARABLE INJURY TO APPELLANT

9. Appellant will suffer irreparable injury if the stay is denied. The August 10, 2026 deadline is three days away. Forced removal from one's home is inherently irreparable injury that cannot be compensated by money damages. Once Appellant is removed and his belongings are placed on the street by the Sheriff's Department, the practical consequences of that removal cannot be undone even if this Court ultimately reverses the Order on appeal.

10. Appellant has resided at 300 Meadowlake Drive, Columbia, South Carolina 29203 since approximately September 2022, a period of nearly four years. He has paid the property taxes, maintained utilities, and provided basic upkeep for the property throughout that period. He paid the 2025 property taxes in the amount of \$669.57 on February 9, 2026 when no other party made any payment toward the property's maintenance or tax obligations. Forced removal within three days would cause irreparable harm to Appellant's housing, personal property, and the practical ability to pursue this appeal.

C. NO SUBSTANTIAL HARM TO RESPONDENT

11. A stay pending appeal would not substantially harm the Respondent. The Respondent, as Personal Representative for the Estate of Elizabeth Jones Burrell, has not established title to the property. The adverse possession claim was dismissed. The probate court has not yet determined the heirs of Catherine Carroll. Respondent has paid no property taxes, maintains no utility accounts at the property, and has made no financial contribution to the property's maintenance. Respondent suffers no financial loss from Appellant's continued presence during the pendency of the appeal because Respondent has no established financial interest in the property that Appellant's presence diminishes.

12. The Master-in-Equity acknowledged at Paragraph 32 of the Order that the Respondent will not reside in, rent, or allow anyone else to reside in the property pending a subsequent hearing on quiet title. Respondent therefore has no immediate use for the property that a stay would disrupt. The property would sit vacant if Appellant were removed, which serves no party's interest and risks deterioration of the asset.

D. PUBLIC INTEREST

13. The public interest is served by staying this ejectment order pending appeal. The public interest in the integrity of the judicial process requires that courts grant relief only on theories that are properly pled and properly noticed. The public interest in the protection of possessory rights requires that ejectment orders identify a party with a superior legal right to possession before compelling removal. The public interest in preventing waste of residential property requires

that an occupied and maintained property not be vacated and left empty while a legal proceeding concerning title to that very property is pending.

14. Additionally, the public interest in protecting pro se litigants' access to the courts requires that Appellant not be denied the practical ability to pursue this appeal through the forced disruption of his housing situation three days before the appellate process has had any opportunity to address the merits of his arguments.

III. RULE 62(g) INDEPENDENT AUTHORITY

15. Independently of and in addition to the supersedeas analysis above, this Court has authority under Rule 62(g), SCRCP to stay proceedings during the pendency of an appeal and to make any order appropriate to preserve the status quo or the effectiveness of any judgment subsequently to be entered. The status quo in this case is Appellant's continued occupancy of the property, which status has existed since September 2022. A stay order preserving that status quo while the appeal is pending is precisely the relief contemplated by Rule 62(g).

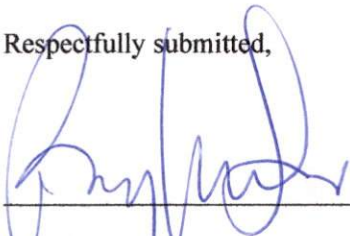
IV. RELIEF REQUESTED

Appellant respectfully requests that this Court enter an order:

(a) Staying the ejectment provision of the Order on Adverse Possession and Occupancy, Not Ending Action, specifically Paragraphs 29 and 30 of the Order, pending the full resolution of this appeal;

- (b) Staying the access provision of the Order, specifically Paragraph 31, pending the full resolution of this appeal, as that provision was not ordered at the July 8, 2026 hearing and is subject to challenge on appeal;
- (c) Directing that no Writ of Assistance or Writ of Ejectment be issued or executed by the Richland County Sheriff's Department pending the resolution of this appeal; and
- (d) Granting such other and further relief as this Court deems just and proper to preserve the status quo pending appeal.

Respectfully submitted,



Percy Morant, Jr.

Defendant and Appellant, Pro Se

300 Meadowlake Drive

Columbia, South Carolina 29203

(803) 722-9626

percymorant@gmail.com

Dated: August 7, 2026

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AUG 07 2026

SC Court of Appeals

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2026, a true and correct copy of the foregoing Appellant's Motion for Supersedeas and Stay of Ejectment Order Pending Appeal was served upon counsel of record for Respondent by United States Mail, first-class postage prepaid, and by electronic mail, addressed as follows:

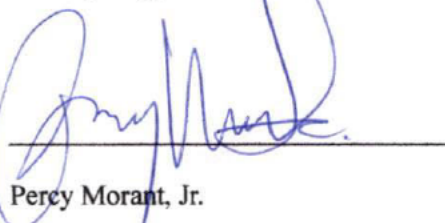
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