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Aug 17 2026
SC Court of Appeals

*** EMERGENCY FILING — IMMINENT EJECTMENT ***

TO: Clerk of Court, South Carolina Court of Appeals
FROM: Evan Clint Rayfield, Appellant Pro Se
DATE: August 16, 2026
SUBJECT: Emergency Petition for Writ of Supersedeas and Temporary Stay (Rule 241, SCACR)

LOWER COURT INFORMATION:
County: Spartanburg County Court of Common Pleas
Civil Case No.: 2026CP4202464
Magistrate Case No.: 2026CV4210500596
Presiding Judge: Hon. / Judge Cole
Order Date: August 12, 2026

NATURE OF EMERGENCY:
Appellant faces imminent physical ejectment from his primary residence by the Spartanburg County Sheriff's Office as early as Tuesday morning, August 18, 2026, stemming from a procedurally defective lower court order that dismissed an appeal without notice or a hearing on the merits.

ENCLOSED DOCUMENTS:
1. Emergency Petition for Writ of Supersedeas (Rule 241)
2. Verification of Petition (Notarized)
3. Exhibit A: Certified Copy of August 12, 2026 Order
4. Exhibit B: Record of Lower Court Filings and Counterclaims
5. Motion to Proceed In Forma Pauperis
6. Certificate of Service
7. Proposed Temporary Administrative Stay Order (Rule 241(e))

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Aug 17 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Evan Clint Rayfield,
Appellant,

vs.

Kevin Hurd and Kevin Barbato,
Respondents.

EMERGENCY PETITION FOR WRIT OF SUPERSEDEAS AND
MOTION FOR TEMPORARY STAY PURSUANT TO RULE 241, SCACR

TO: THE HONORABLE CHIEF JUDGE AND ASSOCIATE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

Appellant Evan Clint Rayfield, proceeding pro se, respectfully petitions this Court pursuant to Rule 241 of the South Carolina Appellate Court Rules (SCACR) for a Writ of Supersedeas and an immediate Emergency Temporary Stay to halt the execution of a Writ of Ejectment pending appellate review.

I. EXTRAORDINARY CIRCUMSTANCES EXCEPTION (RULE 241(a))
Under Rule 241(a), Appellant invokes the extraordinary circumstances exception. On July 29, 2026, the Circuit Court held a hearing strictly noticed to address Appellant's Emergency Motion to Modify Undertaking. Without prior warning or opportunity to argue the merits, the Circuit Court summarily affirmed the Magistrate's eviction and subsequently issued a Form 4 Order on August 12, 2026, creating an immediate, unpreventable eviction crisis that makes standard lower-court stay procedures inadequate to prevent irreparable harm.

II. PROCEDURAL HISTORY AND GROUNDS FOR RELIEF
1. Failure to Set Undertaking Amount: Appellant filed a timely Notice of Appeal from the Magistrate Court, triggering an automatic stay under S.C. Code § 27-40-800. The Magistrate never established a numerical dollar amount for the undertaking on paper. The Circuit Court dismissed the appeal for failure to maintain an undertaking, penalizing Appellant for a court omission.
2. Stripped Subject Matter Jurisdiction: Appellant filed compulsory counterclaims totaling $40,331.38, including unauthorized rent collection by an unlicensed manager and massive unjust enrichment offsets. Because these claims vastly exceed the $7,500 Magistrate Court limit (S.C. Code § 22-3-10), the Magistrate lacked subject matter jurisdiction, rendering the judgment void ab initio.
3. System Outage & Due Process: On May 6, 2026, a verified system outage prevented Appellant from e-filing his answer and counterclaims. On May 7, the Magistrate unlawfully refused Appellant's physical paper filing.

4. Void Pre-Suit Notice: The initiating 5-day notice was executed by Respondent Barbato, acting as an unlicensed property manager in violation of S.C. Code § 40-57-20.

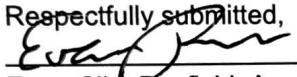
III. IMMINENT IRREPARABLE HARM

Without an immediate stay from this Court, the Spartanburg County Sheriff will execute the Writ of Ejectment on Appellant's home at 100 Frazier Street, Woodruff, SC 29388, as early as Tuesday, August 18, rendering this appeal entirely moot.

PRAYER FOR RELIEF

WHEREFORE, Appellant prays that this Court immediately issue a Temporary Administrative Stay under Rule 241(e), grant the Writ of Supersedeas, and halt all eviction enforcement pending a full review.

Respectfully submitted,



Evan Clint Rayfield, Appellant Pro Se
100 Frazier Street, Woodruff, SC 29388
Date: August 17, 2026

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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Evan Clint Rayfield,
Appellant,

vs.

Kevin Hurd and Kevin Barbato,
Respondents.

VERIFICATION OF EMERGENCY PETITION

PERSONALLY APPEARED BEFORE ME, Evan Clint Rayfield, who, being duly sworn, deposes and says:

1. I am the Appellant in the above-captioned matter, proceeding pro se.
2. I have read the attached Emergency Petition for Writ of Supersedeas and Motion for Temporary Stay Pursuant to Rule 241, SCACR.
3. The factual allegations and procedural history contained therein are true and correct to the best of my personal knowledge, information, and belief.

Evan Clint Rayfield, Appellant Pro Se

SWORN to and subscribed before me
this 17 day of August, 2026.

Notary Public for South Carolina
My Commission Expires: 12-13-34

PAIGE BAIN
NOTARY PUBLIC
My Commission Expires
December 13, 2034
STATE OF SOUTH CAROLINA

ELECTRONICALLY FILED - 2026 Aug 12 4:32 PM - SPARTANBURG - COMMON PLEAS - CASE#2026CP4202464

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2026CP4202464

Evan Clint Rayfield
PLAINTIFF(S)

Kevin Hurd
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), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other

☐ **ACTION STRICKEN** (*CHECK REASON*): ☐ Rule 40(j), SCRCP; ☐ 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

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:

This matter came before the Court on July 29, 2026 on appeal from the Magistrate. Both Appellant and Respondent appeared pro se. After reviewing the record before the Court including the Magistrate's Return and hearing arguments from both parties the Court made findings and ruled from the bench. The decision of the Magistrate is hereby AFFIRMED.

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 08/12/2026 .

Evan Clint Rayfield for Evan Clint Rayfield
Kevin Hurd for Kevin Hurd
Kevin Hurd for Kevin Hurd
Evan Clint Rayfield for Evan Clint Rayfield

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ELECTRONICALLY FILED - 2026 Aug 12 4:32 PM - SPARTANBURG - COMMON PLEAS - CASE#2026CP4202464

ELECTRONICALLY FILED - 2026 Aug 12 4:32 PM - SPARTANBURG - COMMON PLEAS - CASE#2026CP4202464

Spartanburg Common Pleas

Case Caption:	Evan Clint Rayfield VS Kevin Hurd
Case Number:	2026CP4202464
Type:	Order/Electronic Form 4

IT IS SO ORDERED!

s/ J. Derham Cole, Jr. 2789

STATE OF SOUTH CAROLINA COUNTY OF SPARTANBURG IN THE COURT OF COMMON PLEAS
Evan Rayfield, *Appellant/Tenant*,
vs.
Kevin Hurd / Kevin Barbato, *Respondents/Landlord*
CIVIL CASE NO: 2026-CP-42-02464

EMERGENCY MOTION TO MODIFY UNDERTAKING AND STAY EXECUTION PER SC CODE § 27-40-800(d)

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT:
The Appellant, **Evan Rayfield**, respectfully moves this Court, pursuant to **South Carolina Code § 27-40-800(d)**, to modify the terms of the undertaking (bond) set by the Magistrate Court and to stay the execution of the judgment for ejectment pending a hearing on this motion.

1. FACTUAL AND PROCEDURAL BACKGROUND

- On May 7, 2026, a Magistrate issued a Writ of Ejectment against the Appellant.
- The Appellant has timely filed a Notice of Appeal (SCCA 720) and a Bond to Stay Execution (SCCA 657) to move this matter to the Court of Common Pleas.
- The Magistrate Court lacked subject matter jurisdiction to hear the entirety of this dispute, as the Appellant's compulsory counterclaims exceed **$40,331.38**, which is far beyond the $7,500 jurisdictional limit of the Magistrate Court.

2. DISPUTE OF THE UNDERTAKING PER § 27-40-800(d) Pursuant to **SC Code § 27-40-800(d)**,
the Appellant hereby disputes the amount and due date of the undertaking. The statute provides: *"If either party disputes the amount of the payment or the due date in the undertaking, the aggrieved party may move for modification of the terms of the undertaking before the circuit court"*.

3. GROUNDS FOR MODIFICATION: VOID NOTICE AND SUBSTANTIAL OFFSETS
The Appellant requests that the periodic rent bond be modified to $0 or a nominal amount for the following reasons:

- **Void Legal Notice (Unlicensed Manager):** The 5-day notice and the subsequent application for ejectment are legally defective. Under SC Code § 40-57-20, it is unlawful for an individual to act as a property manager or provide management services (such as issuing legal notices or collecting rent) without a valid license. Respondent Barbato is not a licensed property manager in South Carolina. Because the underlying notice was issued by an unauthorized person, the Magistrate Court lacked the legal authority to grant the ejectment.
  Respondent Barbato is currently facing active prosecution for multiple high-level felonies, including Criminal Sexual Conduct with a Minor - 1st Degree and Sexual Exploitation of a Minor (See Exhibit L). These pending charges for crimes of moral turpitude render him statutorily unfit and ineligible for property management licensure under SC Code § 40-57-710. Furthermore, the underlying eviction filing is a direct act of retaliation (SC Code § 27-40-910) following the Appellant's report of Respondent's bond violations related to these very charges.
    1. 2025GS4202404
    2. 2024A4210205312
    3. 2024A4210205313

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2026 MAY 8 PM 4:23
CLERK OF COURT
SPARTANBURG COUNTY
BY W. COX

4. 2024A4210205407
5. 2024A4210205408
6. 2024A4210205409
7. 2024A4210205440
8. 2024A4210205441
9. 2024A4210205442

- **Unauthorized Rent Collection:** Respondent Barbato is unauthorized to collect rent or manage the property under SC Code § 40-57-135. Any claim for "past due rent" is disputed on the grounds that the agent lacked the legal standing to demand or receive such funds on behalf of the owner.
- **Substantial Offsets ($40,331.38):** The Respondents owe the Appellant approximately $40,331.38 in damages (detailed in the Counterclaim), which far exceeds any claim for rent.

4. EVIDENCE OF RETALIATORY INTENT AND FINANCIAL HARDSHIP The Appellant further moves for modification based on the following:

- **Initial Cooperation:** Prior to the Appellant's report to the Sheriff's Office, the Respondents demonstrated a willingness to work with the Appellant regarding financial hardship and rent timing.
- **Abrupt Reversal:** Following the report of bond violations, the Respondents abruptly pivoted to eviction, demonstrating clear retaliatory intent.
- **Pending Employment:** The Appellant had a significant job interview scheduled for Wednesday, May 13, 2026, results of which are pending until end of business Friday May 15, 2026. An extension of the bond deadline is necessary to allow the Appellant to secure income.

5. MANDATORY STAY OF EXECUTION Under the express language of **SC Code § 27-40-800(d)**: *"No judgment for ejectment may be executed pending a hearing on the motion, provided the tenant complied with the terms of the undertaking"*. The Appellant is in compliance by filing this motion before any payment is due under the original undertaking.

WHEREFORE, the Appellant prays that this Court:

1. Set a hearing on this Motion to Modify the Undertaking as soon as is feasible;
2. Modify the bond amount to reflect the substantial offsets owed to the Appellant; and
3. Order the Sheriff to stay the execution of the ejectment scheduled for May 19, 2026, pending the outcome of this hearing.

Respectfully Submitted,

Evan Rayfield

100 Frazier St. Woodruff, SC 29388

(864)590-2198

Date: May 14, 2026

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2026 MAY 18 PM 4:23
CLERK OF COURT
SPARTANBURG COUNTY
[illegible] W. COX

SOUTH CAROLINA
JUDICIAL BRANCH

STATE OF SOUTH CAROLINA)
COUNTY OF Spartanburg)

IN THE MAGISTRATES COURT

Kevin Hurd / Kevin Barbato)
Landlord)

BOND TO STAY EXECUTION
ON APPEAL

v.)

Civil Case No. 2026CV4210800596

Evan Rayfield)
Tenant(s).)

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 May 7, 2026, 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 $920, 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: $ 0, due within five (5) days of today's sate. Rent in the amount of $ 0, 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.

Disputed per money motion to modify Bond undertaking.

Dated on May 15, 2026:

Evan Rayfield
Tenant(s)

Retaliatory Eviction under SC Code 27-40-820 and offset of $40,331.38 owed by Respondents.

Address: 100 Frazier St Woodruff, SC 29388
Phone: 864 590-2198

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: _____

FILED

2026 MAY 15 PM 4:08

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

2026-CP-42-02464
COMMON PLEAS CASE NUMBER

2026CV4210500596
MAGISTRATE CIVIL CASE NUMBER

STATE OF SOUTH CAROLINA)
)
COUNTY OF Spartanburg)

IN THE COURT OF COMMON PLEAS

NOTICE OF CIVIL APPEAL

Evan Rayfield
APPELLANT(S)

100 Frazier St
Woodruff, SC 29388
864-590-2198

VS.

Kevin Hurd / Kevin Barbato
RESPONDENT(S)

525 Neighborhood
Wellford, SC 29385
864-350-5571

The plaintiff/defendant (circle one), Evan Rayfield hereby gives notice of appeal from the judgment of the magistrate's court in the above action, to the Circuit Court of Common Pleas, in the county of Spartanburg.

This notice of appeal is made subsequent to personal notice of the judgment which was received on the 7 day of May, 2026.

The appellant's exceptions to the judgment of the magistrate are set forth as follows:

1. The Magistrate Court lacked subject matter jurisdiction because Appellant's compulsory counterclaims total $40,331.38, exceeding the Courts $7,500 jurisdictional limit.
2. The Underlying 5-day notice and ejectment application are legally void, having been issued by Respondent Barbato, an unlicensed and statutorily ineligible property manager under SC Code 40-57-20 and 40-57-710.
3. The eviction constitutes Unlawful retaliation under SC Code 27-40-910, filed in direct response to Appellants report of Respondent's bond violations
4. Appellant was denied due process when a Computer Outage on May 6, 2026 prevented timely filing of a response. as detailed in accompanying Affidavit (Exhibit K).

Dated: 5/15/26

Evan Ray
Appellant (or his attorney)

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

Evan Rayfield, *Appellant/Defendant*,

vs.

KEVIN HURD & KEVIN BARBATO, *Respondents/Plaintiffs*.

VERIFIED COUNTERCLAIM

The Appellant, **Evan Rayfield**, hereby counterclaims against Respondents Kevin Hurd and Kevin Barbato as follows:

I. UNLICENSED MANAGEMENT & UNAUTHORIZED COLLECTION

1. Respondent Barbato acted as a property manager without a license in violation of **SC Code § 40-57-20**.
2. Respondent Barbato is statutorily ineligible for licensure under **SC Code § 40-57-710** due to pending felony charges for crimes of moral turpitude.
3. All rent collected by Barbato was unauthorized. Appellant seeks a full refund of **$6,524.96** paid to an unlicensed manager.

II. BREACH OF WARRANTY OF HABITABILITY 4. In April 2022, Appellant provided written notice of structural leaks and ceiling collapse in the sunroom. 5. Respondents failed to address this breach for 30 months, violating **SC Code § 27-40-440**. Appellant seeks rent abatement of **$3,000.00**.

III. UNJUST ENRICHMENT & QUANTUM MERUIT 6. Appellant provided 239 days of professional boarding and medical care for two dogs belonging to Barbato, valued at **$19,120.00**. 7. Appellant provided housing, housekeeping, and utilities for Barbato during his 8-month home detention, totaling **$9,806.42** in uncompensated value and unpaid utility shares.

IV. FRAUDULENT CONVEYANCE & DURESS 8. The transfer of the property for $10.00 while Barbato was incarcerated is a sham transfer under the **Statute of Elizabeth**. 9. On August 19, 2025, Appellant was forced to pay **$1,880.00** from a retirement account to Barbato under personal and financial duress.

PRAYER FOR RELIEF WHEREFORE, Appellant requests that the Court dismiss the eviction, stay the execution of the writ with a **$0 bond** based on these substantial offsets under **SC Code § 27-40-800(d)**, and enter judgment against Respondents in the amount of **$40,331.38**.

VERIFICATION I, **Evan Rayfield** , being duly sworn, depose and say that I am the Appellant in the above-entitled action; that I have read the foregoing Counterclaim and know the contents thereof; and that the same is true to my own knowledge.

Signature: _____ **Date:** 05/15/2026

SWORN to before me this 15 **day of May, 2026. Notary Public for South Carolina My Commission Expires:** 04/28/2032

Notary: _____

Name: Erica Thai Brown

Date: 5/15/2026

Expires: 4/28/2032

ERICA THAI BROWN
NOTARY PUBLIC
My Commission Expires
APRIL 28, 2032
STATE OF SOUTH CAROLINA

FILED
2026 MAY 15 PM 1:08
CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

STATE OF SOUTH CAROLINA COUNTY OF SPARTANBURG IN THE COURT OF COMMON PLEAS
Evan Rayfield, *Appellant*,
vs.
Kevin Hurd / Kevin Barbato, *Respondents*.

AFFIDAVIT OF Evan Rayfield REGARDING SYSTEM OUTAGE

1. I, **Evan Rayfield** , being duly sworn, hereby depose and state as follows:
2. I am the Defendant/Appellant in the above-styled matter.
3. On **May 6, 2026**, I attempted to file my Answer and Counterclaim electronically through the Magistrate Court's designated system.
4. At approximately **6:40 PM**, I experienced a verified technical system outage/glitch that prevented the successful submission of my legal documents.
5. On the morning of **May 7, 2026**, I appeared at the Magistrate Court with a physical paper copy of my filing.
6. The Magistrate refused to accept the paper filing and proceeded to issue a Writ of Ejectment without considering my defenses or counterclaims.
7. I submit this Affidavit to document the Due Process violation caused by this technical barrier, which prevented me from having a fair hearing on the merits of my case.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Evan R, **Affiant**
SWORN to and subscribed before me this 15 day of May, 2026.
Notary Public for South Carolina My Commission Expires: 04/28/2032

Notary: Erica Thai Brown
Name: Erica Thai Brown
Date: 5/15/2026
Expires: 4/28/2032

ERICA THAI BROWN
NOTARY PUBLIC
My Commission Expires
APRIL 28, 2032
STATE OF SOUTH CAROLINA

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SPARTANBURG COUNTY
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Aug 17 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Evan Clint Rayfield, Appellant,
vs.
Kevin Hurd and Kevin Barbato, Respondents.

MOTION TO PROCEED IN FORMA PAUPERIS

COMES NOW Appellant, Evan Clint Rayfield, and moves this Court for an Order allowing him to proceed with this appeal In Forma Pauperis and to waive the $100.00 appellate filing fee.

In support of this motion, Appellant states under penalty of perjury that he is currently experiencing extreme financial hardship, exacerbated by the unlawful actions, uncompensated financial offsets, and unjust enrichment perpetrated by Respondents as outlined in the $40,331.38 Verified Counterclaim. Because Appellant is unable to pay the costs of these proceedings without depriving himself of the basic necessities of life, he respectfully requests that the filing fee be waived.

Evan Clint Rayfield, Appellant Pro Se

SWORN to before me this 17 day of August, 2026.

Notary Public for South Carolina
My Commission Expires: 12-13-34

RECEIVED
Aug 17 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Evan Clint Rayfield, Appellant,
vs.
Kevin Hurd and Kevin Barbato, Respondents.

CERTIFICATE OF SERVICE

I, Evan Clint Rayfield, hereby certify that on August 16, 2026, I served a true and correct copy of the Emergency Petition for Writ of Supersedeas, Motion to Proceed In Forma Pauperis, and all attached Exhibits upon the following parties via First Class U.S. Mail (and/or electronic mail where applicable):

1. Kevin Hurd and Kevin Barbato (Respondents)
525 Neighborhood Rd
Wellford, SC 29385

2. Clerk of Court, Spartanburg County Court of Common Pleas
180 Magnolia Street
Spartanburg, SC 29306

Evan Clint Rayfield, Appellant Pro Se

RECEIVED
Aug 17 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Evan Clint Rayfield,
Appellant,

vs.

Kevin Hurd and Kevin Barbato,
Respondents.

ORDER GRANTING TEMPORARY ADMINISTRATIVE STAY PURSUANT TO RULE 241(e)

The Court has received Appellant's Emergency Petition for Writ of Supersedeas and Motion for Temporary Stay pursuant to Rule 241, SCACR, regarding an order of the Spartanburg County Court of Common Pleas (Case No. 2026CP4202464) filed August 12, 2026.

After reviewing the Petition, and it appearing that imminent irreparable harm may occur regarding the execution of a Writ of Ejectment prior to this Court having the opportunity to fully consider the merits of the Petition;

IT IS ORDERED, pursuant to Rule 241(e), SCACR, that a Temporary Administrative Stay is hereby GRANTED. All execution, enforcement, and processing of the Writ of Ejectment arising out of Magistrate Case No. 2026CV4210500596 and Circuit Court Case No. 2026CP4202464 is strictly STAYED pending further Order of this Court.

Respondents shall have ten (10) days from the date of this Order to file a return or response to the Petition.

IT IS SO ORDERED.

_____
FOR THE COURT
South Carolina Court of Appeals

Columbia, South Carolina
Date: _____