

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Camille Henderson,
Appellant/Petitioner,

v.

Appellate Case No.: 2026-001387

Eric Fuller,

Respondent/Defendant.

MOTION FOR EXTENSION OF TIME TO PAY FILING FEE

OR, IN THE ALTERNATIVE, MOTION FOR RELIEF FROM FILING FEE

NOW COMES Camille Henderson the [Appellant/Petitioner/Respondent] in the above-captioned appeal, appearing pro se, and respectfully moves the South Carolina Court of Appeals for an extension of time to pay the required filing fee of Two Hundred Fifty Dollars (\$250.00). In the alternative, Movant requests relief from payment of the filing fee due to extraordinary financial circumstances.

In support of this Motion, Movant states:

1. This matter is pending before the South Carolina Court of Appeals and is captioned Camille Henderson v. Eric Fuller, Appellate Case No. 2026-001387
2. Movant is required to pay a filing fee of \$250.00 by 08/27/2026
3. Movant is experiencing temporary financial hardship and needs additional time to make the required payment.
4. Movant is not refusing to pay the filing fee and intends to pay it in full. Movant respectfully requests an extension until September 5 2026 to submit the \$250.00 payment.
5. This is Movant's [first] request for an extension of time to pay this fee.
6. Granting this request will not unfairly prejudice any other party and will allow Movant a meaningful opportunity to proceed with this appeal.
7. This Motion is made in good faith and not for purposes of delay.

MEMORANDUM OF AUTHORITIES

Rule 240 of the South Carolina Appellate Court Rules governs motions filed in the appellate courts. Rule 240 requires motions to be in writing, state the grounds for relief, include a memorandum with supporting authority, and include a certificate or affidavit of service. Rule 240 further provides that, in

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extraordinary cases, the appellate court may relieve a party from paying the applicable filing fee. See Rule 240, SCACR.[sccourts]

WHEREFORE, Movant respectfully requests that this Court:

1. Grant an extension of time until September 5 2026 to pay the required \$250.00 filing fee; or
2. In the alternative, grant relief from the filing fee due to Movant's temporary financial hardship and extraordinary circumstances; and
3. Grant any other relief the Court finds just and proper.

Respectfully submitted this 24 day of August 2026

Camille Henderson,Pro Se

205 Maco Terrance Greenville SC 29607

Telephone: 864-386-9464

Email: prosperitycareservice@gmail.com

CERTIFICATE OF SERVICE

I certify that on the 24 day of August 2026, I served a true and correct copy of the foregoing Motion for Extension of Time to Pay Filing Fee or, in the Alternative, Motion for Relief From Filing Fee upon:

Eric Fuller

301 Ashbook Greenville 29605

by the following method:

Hand delivered

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Aug 24 2026

SC Court of Appeals

The South Carolina Court of Appeals

Eric Fuller, Respondent,

v.

Camille Henderson, Appellant.

Appellate Case No. 2026-001387

ORDER

On June 23, 2026, Appellant filed a notice of appeal from a circuit court order dismissing her appeal from a magistrate's order of eviction. Appellant served her notice of appeal on Respondent on July 9, 2026.

Also on June 23, 2026, Appellant filed a "motion to stay eviction pending appeal." In her motion, Appellant stated she "is prepared to comply with any lawful bond, undertaking, rent payment requirement, or other condition the [c]ourt deems appropriate under South Carolina law." Appellant served her motion on Respondent on July 6, 2026. On July 16, 2026, Respondent filed a return to the motion, opposing Appellant's request for a stay and explaining he had been trying to evict Appellant for five months and she had not made "any payments at all." Respondent further noted Appellant does not live in the residence and is renting the residence to someone else. On July 20, 2026, Appellant filed a reply to the return.

After careful consideration, Appellant's motion to stay the eviction is denied. *See* S.C. Code Ann. § 27-40-800(f)(1) (2007)¹ ("Upon appeal to the Supreme Court or to the court of appeals, a court shall not stay an execution of a judgment for ejectment unless the tenant files an affidavit with the proper appellate court, in which the tenant promises to pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered. Once the affidavit is accepted by the court, the judge of the court having jurisdiction shall order stay of execution upon the undertaking.").

¹ The statute was amended on June 30, 2026.

Finally, on July 28, 2026, Appellant filed a motion to proceed *in forma pauperis*. The right to proceed *in forma pauperis* must rest upon a statute or a fundamental constitutional right. *See Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995). Appellant has the burden of showing she is entitled to this relief, but she has not done so. Therefore, Appellant's motion is denied. The filing fee must be paid within fifteen days of the date of this order. Failure to provide the filing fee will result in dismissal of the appeal.

 J.
FOR THE COURT

Columbia, South Carolina

cc:

Camille Henderson

Eric Fuller

Honorable Jessica A. Salvini

Jay Gresham

FILED
Aug 12 2026