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SC Court of Appeals

FORM 4

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

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2026CP1801966

Sherika Simmons	2026 AUG 26 PM 2:02	Creekside Mobile Home
PLAINTIFF(S)		DEFENDANT(S)
Submitted by:	CLERK OF COURT DORCHESTER COUNTY	Attorney for: ☐ Plaintiff ☐ Defendant ☐ Self-Represented Litigant

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. ☐ See Page 2 for additional information.

☐ **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: **Appellant failed to post the required bond. Therefore, the Appeal is hereby dismissed in the Circuit Court by the instructions in the signed attached order from Judge Stewart, in Summerville Magistrate.**

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:

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.
Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
Note: Title abstractors and researchers should refer to the official court order for judgment details.
E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Cheryl Graham

Cheryl Graham, Clerk of Court	2099	8/26/2026
	Judge Code	Date

CPFORM4Cm
SCCA SCRCP Form 4C (Revised 2/17)

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STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)

IN THE MAGISTRATES COURT

Creekside M H C,
Landlord

v.

Sherika Simmons,
Tenant(s).

BOND TO STAY EXECUTION
ON APPEAL

Civil Case No. 2026CV1810302466

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 July 2, 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 $ 1,433.00, 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: $ 7,000.00, due within five (5) days of today's date, which is 8-13-2025 5:30PM. Rent in the amount of $ 1,433.00, 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 August 6, 2026:

Tenant(s)

Address: _____
Phone: _____
Email: _____

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 8-6, 2026.

JUDGE
Summerville Magistrate Court
Address: 212 Deming Way, Summerville, SC
Phone: (843) 832-0370

FILED
AUG 06 2026
Dorchester County
Magistrate Court

SCCA 657 (Revised 12/2024)

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

2026CV1810302466
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

WRIT OF EJECTMENT

Creekside Mobile Home
Community
1925 Bacons Bridge Road Leasing
Office
Summerville, SC 29485
(843) 873-3752

PLAINTIFF(S)
Vs
Sherika Simmons
1925 Bacons Bridge Rd
Site 1
Summerville, SC 29485
DEFENDANT(S)

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TO THE SHERIFF/MAGISTRATE'S CONSTABLE:

Upon Judgment of this Court, rendered on the 2nd day of September, 2026, you are hereby Ordered to proceed to the premises located at **1925 Bacons Bridge Rd**
Site 1
Summerville, SC 29485.

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.

September 2, 2026

Summerville Magistrate

_____, being duly sworn state that:

☐ I personally served a copy of this Writ on _____, an occupant of the rental unit

☒ On 9-2 20 26, at 11:57 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

MV110 (Rev. 1/2015)

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STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER
IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT

Sherika Simmons, Appellant, v. Creekside Mobile Home Community, Respondent.	**Case No. 2026CP1801966** **EMERGENCY MOTION TO ALTER OR AMEND / RECONSIDER DISMISSAL AND FOR IMMEDIATE STAY OF EJECTMENT**

EMERGENCY - WRIT OF EJECTMENT HAS BEEN ISSUED

Appellant Sherika Simmons, appearing pro se, respectfully moves pursuant to Rule 59(e), SCRCP, and Rule 62(b), SCRCP, for an order altering or amending/reconsidering the August 26, 2026 judgment dismissing her magistrate-court appeal and for an immediate stay of enforcement of the Writ of Ejectment while this motion is considered. To the extent the Court determines Rule 59 relief is unavailable, Appellant alternatively requests appropriate relief under Rule 60, SCRCP, and a stay under Rule 62(b).

1. The August 26, 2026 Judgment in a Civil Case states that the appeal was dismissed because "Appellant failed to post the required bond."

2. The underlying ejectment matter is Dorchester County Magistrate Court Case No. 2026CV1810302466. The Circuit Court appeal is Case No. 2026CP1801966.

3. On or about August 6, 2026, a document titled "Bond to Stay Execution on Appeal" was executed/filed in connection with the underlying ejectment matter. A copy is attached as Exhibit B. Appellant respectfully requests review of the lower-court record to determine whether the bond, payment, or related documentation was properly received, credited, and transmitted.

4. Appellant has attempted to comply with the payment requirements associated with the appeal and has attempted to tender required rental payments to Creekside Mobile Home Community. Creekside has refused attempted payments. Appellant is prepared to present supporting records, including any money orders, certified funds, payment records, messages, call logs, or other documentation available.

5. Appellant has also made repeated efforts to contact the court regarding the status of the appeal and the payment/bond requirements.

6. Appellant received written notice of the August 26, 2026 judgment by mail during the week immediately preceding September 8, 2026. Appellant no longer has the mailing envelope and therefore cannot state the exact delivery date with certainty.

7. After dismissal of the Circuit Court appeal, a Writ of Ejectment was issued in Magistrate Court Case No. 2026CV1810302466. The writ references a judgment dated September 2, 2026. Appellant states that she did not receive notice of a September 2 hearing and did not have an opportunity to appear at such a hearing.

8. Immediate relief is necessary because execution of the writ could cause Appellant to lose possession of her residence before the Court can determine whether dismissal of the appeal resulted from a mistake or incomplete record concerning the bond and attempted payments.

9. Appellant is not seeking to avoid lawful rental obligations. Appellant remains willing to comply with any payment procedure or security requirement the Court directs, including tender or deposit of funds as ordered.

WHEREFORE, Appellant respectfully requests that the Court:

A. Immediately stay execution and enforcement of the Writ of Ejectment pending disposition of this motion;

B. Alter, amend, reconsider, and/or vacate the August 26, 2026 dismissal if the Court determines that the bond requirement was satisfied, tendered, or that dismissal resulted from mistake, incomplete transmission of the record, or other grounds for relief;

C. Review the Bond to Stay Execution on Appeal and the Magistrate Court record concerning the bond;

D. Consider evidence of Appellant's attempted rental payments and any refusal of those payments by Respondent;

E. Restore or otherwise provide an appropriate stay while the appeal/bond issue is resolved;

F. Set this matter for an expedited hearing; and

G. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

Sherika Simmons, Pro Se
Mailing Address: 1925 Baconsbridge Rd Lot 1
City/State/ZIP: Summerville SC 29485
Telephone: (281) 318-9367
Email: Katies.kreations19@gmail.com
Date: 9/9/2026