**STATE OF SOUTH CAROLINA**
**IN THE COURT OF APPEALS**

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| Marthina Wardlaw,<br><br>Petitioner/Appellant,<br><br>v.<br><br>Martin Gilliard,<br><br>Respondent. | Circuit Court Case No. 2026CP2200890<br><br>RECEIVED<br>Sep 15 2026<br>SC Court of Appeals |

**EMERGENCY VERIFIED PETITION FOR STAY OF EXECUTION AND WRIT OF SUPERSEDEAS**

Petitioner/Appellant Marthina Wardlaw, appearing pro se, respectfully petitions the South Carolina Court of Appeals for an immediate stay of execution of the ejectment and issuance of a writ of supersedeas pursuant to Rule 241, SCACR.

**1. EMERGENCY CIRCUMSTANCES**

- Petitioner was ordered to vacate the property and was facing execution of the ejectment by Friday, September 11, 2026 at 5:00 p.m.
- Petitioner remains in the property and remains subject to immediate removal.
- The Circuit Court dismissed Petitioner's appeal on September 14, 2026, while Petitioner's requests concerning the appeal and stay were pending.
- Petitioner is now seeking review by the South Carolina Court of Appeals.
- Immediate execution of the ejectment before the Court of Appeals can review the matter would cause immediate and irreparable harm and could render

appellate review ineffective.

**2. PRIOR REQUEST FOR STAY**

- Petitioner previously filed an Undertaking to Stay Execution of Ejectment with the Georgetown County Court of Common Pleas.
- Petitioner also filed an emergency request for a stay in connection with the Circuit Court proceedings.
- The Circuit Court docket reflects dismissal of the appeal on September 14, 2026.
- Petitioner therefore seeks immediate appellate review and supersedeas.

**3. GROUNDS FOR RELIEF**

- Rule 241, SCACR provides a procedure for obtaining supersedeas in matters that are exceptions to the ordinary automatic stay, including ejectment proceedings.
- Rule 241 permits the appellate court to issue supersedeas where necessary to preserve the appeal or prevent the contested issue from becoming moot.
- Here, immediate removal would substantially impair Petitioner's ability to obtain meaningful appellate review.

**4. IMMEDIATE AND IRREPARABLE HARM**

- Petitioner faces the loss of possession of her residence and the immediate removal of her personal belongings.
- The threatened execution has already passed the date originally given to Petitioner, but Petitioner remains subject to removal and believes execution remains imminent.
- Without an immediate stay, Petitioner could be removed before the Court of Appeals has an opportunity to determine whether the Circuit Court's dismissal

was proper.

**5. REQUEST FOR EMERGENCY RELIEF**

Petitioner respectfully requests that the Court of Appeals:

a. Immediately stay execution of the ejectment;

b. Issue a writ of supersedeas staying enforcement of the ejectment pending appellate review;

c. Prevent enforcement of the ejectment and removal of Petitioner pending further order of the Court;

d. Grant emergency relief before removal occurs; and

e. Grant such other relief as the Court finds just and proper.

Respectfully submitted,

Marthina wardlaw

Marthina Wardlaw
Petitioner/Appellant, Pro Se
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Date: 09/15/2026, 2026

## VERIFICATION

I, Marthina Wardlaw, being duly sworn, state that I am the Petitioner/Appellant in this matter; that I have read the foregoing Emergency Verified Petition for Stay of Execution and Writ of Supersedeas; and that the factual statements contained therein are true and correct to the best of my knowledge and belief.

Marthina wardlaw
Marthina Wardlaw
Date: 09/15/2026, 2026

Sworn to and subscribed before me this _____ day of _____, 2026.

_____
Notary Public for South Carolina
My Commission Expires: _____

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Sep 15 2026
SC Court of Appeals

## CERTIFICATE OF SERVICE

I certify that I served a copy of this Emergency Petition for Stay and Writ of Supersedeas upon Respondent, Martin Gilliard, on 09/15/2026, 2026.

Marthina wardlaw
Marthina Wardlaw