

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

Marthina Wardlaw,

Petitioner/Appellant,

v.

Martin Gilliard,

Respondent.

Circuit Court Case No. 2026CP2200890

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Sep 22 2026

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: 09/21/2026, 2026

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

Notary Public for South Carolina

My Commission Expires: _____

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CERTIFICATE OF SERVICE

SC Court of Appeals

I certify that I served a copy of this Emergency Petition for Stay and Writ of Supersedeas upon Respondent, Martin Gilliard, on 09/21/2026, 2026.

Marthina wardlaw

Marthina Wardlaw

Marthina Wardlaw