RECEIVED
Sep 22 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS
The Honorable Christopher D. Taylor, Circuit Court Judge
Lower Court Case No. 2026-CP-21-00093

HOUSING AUTHORITY OF FLORENCE,
Respondent,

v.

MONIKE GOODMAN,
Appellant.

EMERGENCY MOTION FOR STAY OF EXECUTION OF WRIT OF EJECTMENT AND FOR SUPERSEDEAS

TO THE HONORABLE COURT:

Appellant Monike Goodman, appearing pro se, respectfully moves for an immediate stay of execution and enforcement of the writ of ejectment and for supersedeas under Rule 241, SCACR. Appellant files this motion with her Notice of Appeal from the September 11, 2026 judgment in lower court case 2026-CP-21-00093.

Emergency relief is necessary because the writ states that removal may occur on September 23, 2026 after 10:00 a.m. Without immediate relief, Appellant, a disabled stroke survivor, faces removal from her residence before meaningful appellate review can occur.

FACTUAL BACKGROUND

1. This action arises from Florence Magistrate Court ejectment case 2025CV2110106083.

2. Appellant appealed to the Florence County Court of Common Pleas, where the matter was assigned case number 2026-CP-21-00093. A bond to stay execution was entered on January 14, 2026.

3. Respondent filed a Motion to Dismiss on September 8, 2026 at approximately 3:52 p.m.

4. The electronic filing notice states that Appellant was not electronically served and had to be served by traditional means.

5. Appellant did not receive Respondent's motion or notice that a hearing would occur on September 10, 2026 before that hearing.

6. The September 11 judgment states that Appellant did not appear and that Respondent's counsel argued for dismissal for failure to prosecute and alleged failure to satisfy the appeal bond.

7. The Circuit Court dismissed the appeal on both grounds.

8. Appellant first received or obtained written notice of the September 11 judgment on September 21, 2026.

9. The writ of ejectment is dated September 16, 2026, was posted September 17, 2026 at approximately 9:35 a.m., and permits removal on September 23, 2026 after 10:00 a.m.

10. Appellant is a disabled stroke survivor. Immediate displacement threatens her health, mobility, medication access, housing, safety, and caregiver arrangement.

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EMERGENCY MOTION FOR SUPERSEDEAS, CONTINUED

GROUNDS FOR RELIEF

Rule 241 identifies ejectment as an exception to the ordinary automatic appellate stay but authorizes supersedeas on appropriate conditions. Immediate relief is necessary to preserve appellate jurisdiction and prevent the issues on appeal from becoming moot through Appellant's removal.

The dismissal for failure to prosecute rests on Appellant's absence from the September 10 hearing. Appellant's position is that she did not receive notice of that hearing. The record should identify the notice, the date and method of service, the address used, and any proof of delivery or returned mail.

Rule 5(a), SCRCP, requires service of written motions and notices. Rule 6(d), SCRCP, generally requires service of a written motion and hearing notice no later than ten days before the hearing unless another period is fixed by rule or court order. The present record reflects a September 8 motion and a September 10 hearing. Appellant requests review of any earlier notice or order shortening time and the proof of service.

Appellant also disputes noncompliance with the January 14 appeal bond. She requests review of the bond order, receipts, cancelled checks, payment records, Respondent's ledger, and evidence concerning the September payment. A check date, tender date, and deposit date are different facts.

Immediate execution would substantially change the status quo and could defeat meaningful review of whether Appellant received lawful notice and whether the appeal bond was satisfied.

RELIEF REQUESTED

1. Immediately stay execution and enforcement of the writ of ejectment.

2. Issue supersedeas under Rule 241, SCACR, pending appellate review.

3. Direct Respondent and any sheriff, deputy, constable, agent, employee, or other person acting under the writ not to remove Appellant or her personal property while the stay is in effect.

4. Set an expedited hearing or issue immediate temporary relief until a hearing can be held.

5. Require production of the September 10 hearing notice and proof of service, the September 8 motion and certificate of service, the complete magistrate return, the January 14 bond order, the complete docket, and any proposed or formal order.

6. Permit Appellant to present evidence concerning notice, addresses, payment, tender, and the appeal bond.

7. Continue or reinstate the January 14 undertaking on any lawful conditions.

8. Grant any further relief necessary to preserve meaningful review and prevent irreparable harm.

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Appellant.

SIGNATURE AND VERIFICATION

Respectfully submitted:

s/ _____

MONIKE GOODMAN, Appellant, Pro Se
1108 Apt B June Lane
Florence, South Carolina 29506
Telephone: [redacted] 843-245-3441
Email: Goodmandestiny23@gmail.com

Date: September 22, 2026

VERIFICATION

I, Monike Goodman, being first duly sworn, state that I am the Appellant in this action, that I have read the foregoing Emergency Motion for Stay of Execution of Writ of Ejectment and for Supersedeas, and that the factual statements contained in it are true and correct to the best of my knowledge, information, and belief.

_____
MONIKE GOODMAN
Date: 9/22/26

Sworn to and subscribed before me on September 11, 2026.

Regina Ford
Notary Public for South Carolina
My commission expires: 11-20-30

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CERTIFICATE OF SERVICE FOR EMERGENCY MOTION

I certify that on September 22, 2026, I served a true and correct copy of the Emergency Motion for Stay of Execution of Writ of Ejectment and for Supersedeas upon Respondent through counsel of record by depositing a copy in the United States Mail, postage prepaid, addressed to:

Demetrius D. Pyburn, Esq.
Haynsworth Sinkler Boyd, P.A.
One North Main Street, 2nd Floor
Greenville, South Carolina 29601-2772
Telephone: 864.240.3290
Email: dpyburn@hsblawfirm.com

A courtesy copy was also sent by email to dpyburn@hsblawfirm.com.

s/ _____

MONIKE GOODMAN
Appellant, Pro Se
Date signed after service: 9/22/26

ATTACHMENT REQUIRED

Attach a copy of the September 11, 2026 judgment being appealed immediately after this page. The Court of Appeals specifically requires that order to accompany the Notice of Appeal.

Certificate of Electronic Notification

Recipients
Demetrius Pyburn - Notification transmitted on 2026-09-08 15:55:35.543.

ELECTRONICALLY FILED - 2026 Sep 09 9:21 AM - FLORENCE - COMMON PLEAS - CASE#2026CP2100093

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

NOTICE OF ELECTRONIC FILING [NEF]

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A filing has been submitted to the court RE: 2026CP2100093

Official File Stamp:	09-08-2026 03:52:51 PM
Court:	CIRCUIT COURT Common Pleas Florence
Case Title:	Monike Goodman VS Housing Authority Of Florence
Document(s) Submitted:	Motion/Dismiss
Filed by or on behalf of:	Demetrius Donte Pyburn

This notice was automatically generated by the court's auto-notification system.

The following people were served electronically:

Demetrius Donte Pyburn for Housing Authority Of Florence

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

Monike Goodman for Monike Goodman
Housing Authority Of Florence for Housing Authority Of Florence
Monike Goodman for Monike Goodman
Housing Authority Of Florence for Housing Authority Of Florence
Monike Goodman for Monike Goodman, Monike Goodman

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