FILED 9-28 20 26
C.C.P. & G.S.
Deputy Clerk

FORM 1
NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

COURTNEY CLYBURN POPE, Circuit Court Judge

Case No. 2026 - CP - 02 - 01108

Patricia N Weaver,

Appellant/~~Respondent~~,

v.

BLANCHARD AND CALHOUN REAL ESTATE,

~~Appellant~~/Respondent.

NOTICE OF APPEAL

Patricia N Weaver appeals the order of the Honorable COURTNEY CLYBURN POPE dated 9/15/2026 (Name) (Judge) (electronically signed 9/16/2026 (Date) Appellant received written notice of entry of this order on 9/23/2026 (Date).

28th PNW

Date: 9/25/2026

Patricia Nicole Weaver
s/PATRICIA NICOLE WEAVER

Name: Patricia N Weaver
Address: 105 Michael Ct.,
Aiken, SC 29801
Phone: (803) 445 - 2359
Email: mommabadger10@outlook.com
Appellant

Other Counsel of Record:
Name: Blanchard and Calhoun Real Estate
Address: 237 Davis Road
Augusta, GA 30907
Phone: (706) 426 - 1658
Respondent/~~Attorney for Respondent~~

FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

COURTNEY CLYBURN POPE, Circuit Court Judge

Case No. 2026 - CP - 02 - 01108

Patricia N Weaver,

Appellant/~~Respondent~~,

v.

BLANCHARD AND CALHOUN REAL ESTATE,

~~Appellant~~/Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on BLANCHARD AND CALHOUN REAL ESTATE (Name) by depositing a copy of it in the United States Mail, postage prepaid, on 28 PNW 9/25/2026 (Date), addressed to,

BRETTNEY CAMERON, 237 DAVIS RD., AUGUSTA, GA 30907.

Date: 28 PNW 9/25/2026

Patricia Nicole Weaver
s/PATRICIA NICOLE WEAVER
Address: 105 Michael Ct.,
Aiken, SC 29801

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Courtney Clyburn Pope, Circuit Court Judge

Case No. 2026-CP-02-01108
Summary Court Case No. 2026CV0210400439

Patricia N. Weaver, Appellant,

V.

Blanchard & Calhoun Real Estate, Respondent.

RULE 241 EMERGENCY MOTION FOR AN IMMEDIATE STAY OF EJECTMENT PENDING APPEAL AND REQUEST FOR IMMEDIATE CONSIDERATION

Appellant Patricia N. Weaver respectfully moves this Court, pursuant to Rule 241, SCACR, for an Emergency Stay of Execution of the Magistrate Court's Warrant of Ejectment dated September 21, 2026, pending the outcome of this appeal.

1. On September 15, 2026, the Court of Common Pleas issued a Form 4 Judgment affirming a summary ejectment order. This judgment was entered electronically on September 16, 2026. A Certificate of Transmittal was issued on September 17, 2026. Appellant received a copy of the order by mail on September 23, 2026.

2. Under Rule 62(a), SCRCP, enforcement of a judgment is automatically stayed for ten (10) days following its entry. Lawful enforcement was barred until September 26, 2026.

3. In violation of the automatic stay provisions of Rule 62(a), SCRCP, and before the expiration of the ten-day period following entry of judgment, the Magistrate Court accepted a Certificate of Transmittal on September 18, 2026, and prematurely issued a Warrant of Ejectment on September 21, 2026—five (5) days prior to the lawful expiration of the stay.

4. The Warrant orders Appellant to vacate the premises by October 1, 2026, at 5:00 PM, or face physical, forcible removal by the Sheriff on October 2, 2026, at 10:00 AM. Immediate appellate intervention is required to freeze this process.

5. If a stay is denied, Appellant, her husband, and four minor children will be forcibly evicted on October 2, 2026. Forcible ejectment will scatter a family of eight, trigger immediate homelessness, destroy personal property, and render this statutory appeal entirely moot before this Court can review the merits.

6. Appellant has demonstrated absolute, flawless good faith throughout the entirety of this litigation. Under the lower court's prior directives, Appellant consistently and timely tendered her contract rent of $1,100.00 into the Magistrate Court's escrow registry, including her most recent mandatory monthly bond payment on September 1, 2026.

7. Because the Court of Common Pleas issued its final Form 4 order on September 15, 2026, the Magistrate Court's appellate stay has dissolved, and the summary court no longer possesses jurisdiction to maintain the escrow registry. Accordingly, to balance the equities and ensure the property owner suffers absolutely zero financial prejudice while this higher appeal is reviewed, Appellant explicitly and affirmatively requests this Court condition the emergency stay on the continuous, monthly payment of her baseline contract rent ($1,100.00) directly into the Clerk of the South Carolina Court of Appeals' registry beginning October 1, 2026, and on the first of each calendar month thereafter.

PRAYER FOR RELIEF

Appellant respectfully requests that this Court:

1. Grant immediate consideration to this motion due to the October 1, 2026 emergency deadline;
2. Issue an Emergency Order staying the execution of the September 21, 2026 Warrant of Ejectment;
3. Enjoin the Aiken County Sheriff and Summary Court from executing any physical ejectment at 105 Michael Court pending final resolution of this appeal.

Date: September 28 PNW, 2026
s/ Patricia N. Weaver Patricia Nicole Weaver
Patricia N. Weaver, Appellant Pro Se

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Courtney Clyburn Pope, Circuit Court Judge

Case No. 2026-CP-02-01108

Patricia N. Weaver, Appellant,

V.

Blanchard & Calhoun Real Estate, Respondent.

AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS

I, Patricia N. Weaver, being duly sworn, depose and state:

1. I am the Appellant in this action and proceed pro se.
2. I submit this affidavit pursuant to Rule 267, SCACR, and Rule 3(b)(1), SCRCP, to establish my inability to prepay the costs, fees, or security of this appeal.
3. I am employed as a part-time PSE Clerk with the United States Postal Service. My work schedule fluctuates weekly between 30 and 34 hours; consequently, my gross income varies per pay period. My recent gross bi-weekly earnings of $1,458.79 reflect a specific pay period and do not represent a guaranteed or fixed salary.
4. I am the sole financial support for a household of eight (8) individuals. This household consists of myself, my husband, two (2) adult children age 18 or older, who are full-time homeschooled high school students with $0.00 income, and four (4) minor children aged 17 or younger.
5. My household income falls drastically below the 100% Federal Poverty Guideline threshold for an 8-person household ($55,720.00 annually), creating a legal presumption of indigent status.
6. My mandatory, baseline monthly household expenses total approximately $4,224.25, including rent ($1,100.00), essential utilities ($897.47), and food ($1,500.00). Because I am the only earner for all 8 residents, our basic living expenses heavily exceed our monthly income.

7. I possess no savings, no liquid financial accounts, and no assets or property that could be liquidated to pay court costs.
8. Payment of the $250.00 filing fee and the $50.00 motion fee would deprive my dependent children and household of basic, life-sustaining necessities.
9. I declare under penalty of perjury that the foregoing financial statements are true, accurate, and correct.

Date: September 28 PNW, 2026

Patricia Nicole Weaver

Patricia N. Weaver

Sworn and subscribed before me
this 28 day of September 2026.

Traci Wasden

Notary Public for South Carolina
My Commission Expires: 07-09-28

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2026CP0201108

Patricia N Weaver
PLAINTIFF(S)

Blanchard & Calhoun
DEFENDANT(S)

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.

☐ **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

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:

The magistrate's ruling is affirmed. The court finds that the magistrate made no errors of law.

ORDER INFORMATION

This order ☑ ends ☐ does not end the case.

☐ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 09/15/2026 .

Blanchard & Calhoun for Blanchard & Calhoun
Patricia N Weaver for Patricia N Weaver
Blanchard & Calhoun for Blanchard & Calhoun
Patricia N Weaver for Patricia N Weaver

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

ELECTRONICALLY FILED - 2026 Sep 16 8:10 AM - AIKEN - COMMON PLEAS - CASE#2026CP0201108

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ELECTRONICALLY FILED - 2026 Sep 16 8:10 AM - AIKEN - COMMON PLEAS - CASE#2026CP0201108

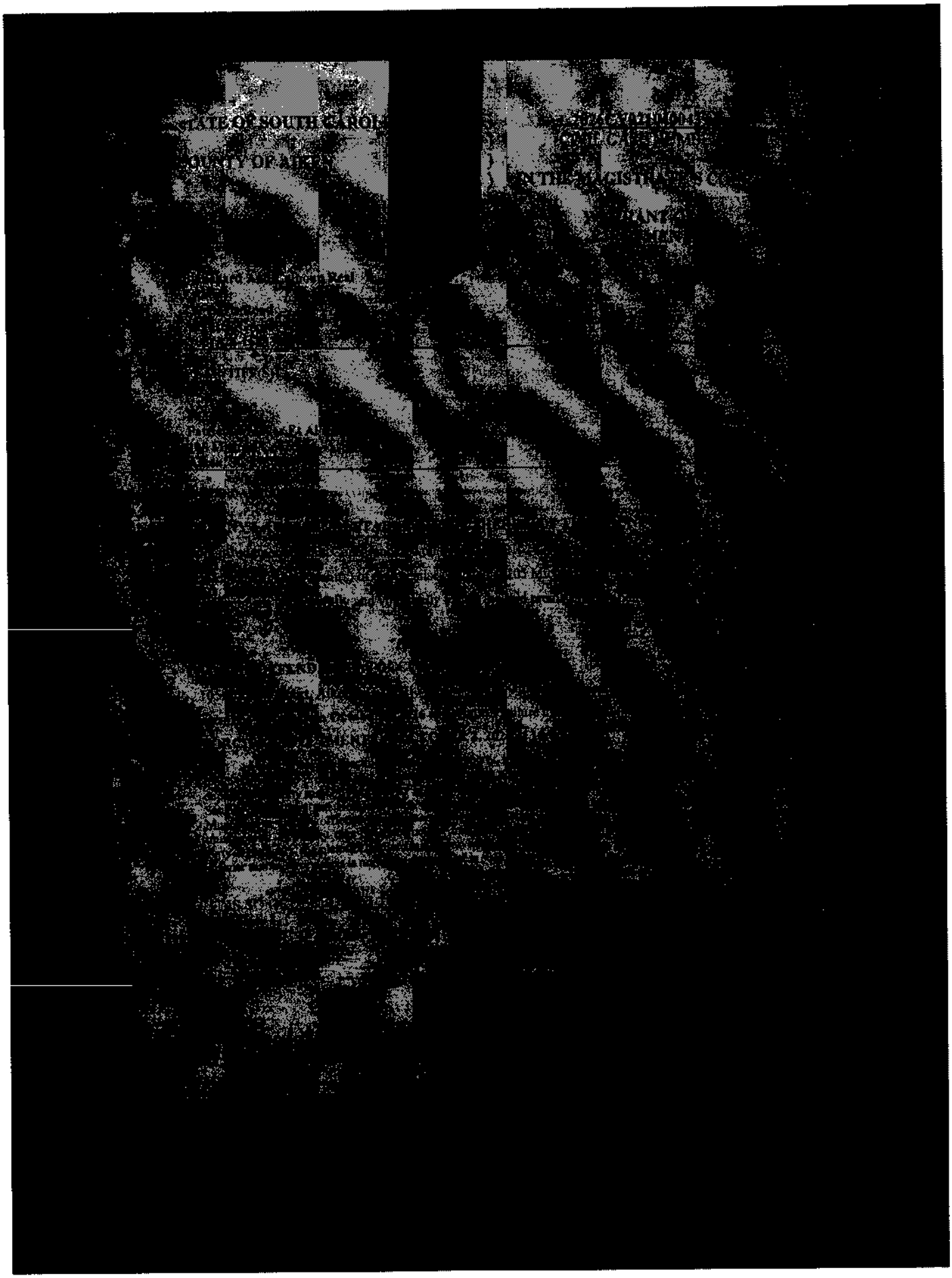
ELECTRONICALLY FILED - 2026 Sep 16 8:10 AM - AIKEN - COMMON PLEAS - CASE#2026CP0201108

Aiken Common Pleas

Case Caption:	Patricia N Weaver VS Blanchard & Calhoun
Case Number:	2026CP0201108
Type:	Order/Electronic Form 4

So Ordered

The Honorable Courtney Clyburn Pope



THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

COURTNEY CLYBURN POPE, Circuit Court Judge

Case No. 2026 - CP - 02 - 01108

Patricia N Weaver
_____,
Appellant/~~Respondent~~,

v.

BLANCHARD AND CALHOUN
REAL ESTATE,
~~Appellant~~/Respondent.

MOTION
TO PROCEED IN FORMA PAUPERIS

The Appellant, moving pro se, hereby moves this Honorable Court pursuant to the South Carolina Appellate Court Rules for an Order waiving the appellate filing fees, costs, and security required to prosecute this appeal.In support of this Motion, Appellant shows that they are an indigent person without the financial means to pay the necessary costs of this appellate action without depriving their household of the necessities of life. As detailed in the attached Affidavit of Indigency, Appellant's household net income falls below the Federal Poverty Guidelines, creating a presumption of indigence.WHEREFORE, Appellant respectfully requests that this Court grant this Motion and permit them to proceed with this appeal In Forma Pauperis.

Date: 28 PNW 9/25/2026

Patricia Nicole Weaver
s/PATRICIA NICOLE WEAVER

Name: Patricia N Weaver
Address: 105 Michael Ct.,
Aiken, SC 29801
Phone: (803) 445 - 2359
Email: mommabadger10@outlook.com
Appellant

Other Counsel of Record:
Name: BLANCHARD AND CALHOUN REAL ESTATE
Address: 237 Davis Rd.
Augusta, GA 30907
Phone: (706) 426 - 1658
Respondent/Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM Aiken COUNTY
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COURTNEY CLYBURN POPE, Circuit Court Judge

Case No. 2026 - CP - 02 - 01108

Patricia N Weaver
_____, Appellant/~~Respondent~~.

v.

BLANCHARD AND CALHOUN
REAL ESTATE, ~~Appellant~~/Respondent.

PROOF OF SERVICE

I certify that I have served the MOTION FOR IFP (Document) on BLANCHARD AND CALHOUN REAL ESTATE (Name) by depositing a copy of it in the United States Mail, postage prepaid, on 28 PNW 9/25/2026 (Date), addressed to,

BRETTNEY CAMERON, 237 DAVIS RD., AUGUSTA, GA 30907

_____.

Date: 28 PNW 9/25/2026

Patricia Nicole Weaver
s/PATRICIA NICOLE WEAVER
Address: 105 Michael Ct.
Aiken, SC 29801

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

Case No. 2026-CP-02-01108

Patricia N. Weaver, Appellant,

v.

Blanchard & Calhoun Real Estate, Respondent.

CERTIFICATE OF CONFIDENTIALITY

I, Patricia N. Weaver, hereby certify that I have reviewed the accompanying filings (Notice of Appeal, Motion and Affidavit to Proceed In Forma Pauperis, and Rule 241 Emergency Motion for Stay) and that there are no social security numbers, bank account numbers, or other strictly protected personal identifying information contained within these public pleadings, in strict compliance with the South Carolina Appellate Court Rules regarding public record privacy.

Date: September 28 PNW, 2026 s/ Patricia Nicole Weaver

Patricia N. Weaver, Appellant Pro Se