

THE SOUTH CAROLINA COURT OF APPEALS

Marthina Wardlaw, Appellant,
v.
Martin Gilliard, Respondent.

Appellate Case No. 2026-002037

RECEIVED

Sep 30 2026

SC Court of Appeals

EMERGENCY STATUS UPDATE AND MOTION FOR STAY PROTECTION

Dear Clerk of Court,

I am writing to urgently update the Court regarding my pending request for a stay and the undertaking that remains unaddressed by the Circuit Court.

On September 28, I discovered that my personal belongings had been placed outside on the porch. I came and retrieved my belongings. On September 29, I contacted the Sheriff's Office to determine whether the eviction had actually been executed. I was told that no eviction had been executed and that no papers had yet been delivered.

Because I was informed that the eviction had not been executed, I returned to the residence and moved back in.

Today, September 30, I have now received the writ of eviction and have been told that I must be out by **9:00 a.m. tomorrow, October 1**. I have also now received the rent necessary to address the undertaking.

This creates an immediate and substantial risk of **irreparable harm**. I am facing removal from my residence tomorrow morning while the undertaking remains unresolved and while my request for appellate stay relief has not been addressed.

I also spoke with Judge Culbertson regarding the matter. I was told that he was lifting the stay because he did not believe there was anything wrong with the magistrate's ruling that resulted in the eviction. However, the **undertaking itself still has not been addressed, ruled upon, or acted upon**.

My understanding is that the Court of Appeals instructed the Circuit Court to address the undertaking. Nevertheless, the undertaking remains unresolved.

The immediate execution of the writ also creates a serious concern that the issues before the Court of Appeals could effectively become **moot** before the Court has an opportunity to resolve my pending request for a stay and the undertaking. Once I am removed from the residence, the harm caused by the execution of the writ cannot be adequately remedied by simply addressing the undertaking afterward.

I am therefore respectfully requesting **immediate emergency consideration** of my pending stay request and the unresolved undertaking before the writ is executed.

I am asking the Court to please consider this an emergency because I have been given a **9:00 a.m. deadline tomorrow, October 1**, and I am at immediate risk of losing possession of my residence before the appellate issues concerning the stay and undertaking have been resolved.

Thank you for your immediate attention to this matter.

Respectfully,


Marthina Wardlaw