

The South Carolina Court of Appeals

Patricia N. Weaver, Appellant,

v.

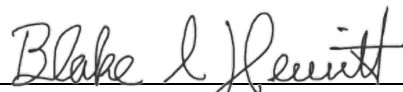
Blanchard & Calhoun, Respondent.

Appellate Case No. 2026-002137

ORDER

On September 28, 2026, Appellant filed a notice of appeal from a circuit court order affirming a magistrate's order of eviction. Also on September 28, 2026, Appellant filed a "motion for an immediate stay of ejectment pending appeal," explaining she had been ordered to vacate the residence by October 1, 2026. After careful consideration, Appellant's motion to stay is denied. *See* S.C. Code Ann. § 27-40-800(f)(1) (2007), as amended by Act No. 252 (H.3387), § 4, 2026 S.C. Acts (eff. June 30, 2026) ("Upon appeal to the Supreme Court or to the court of appeals, a court shall not stay an execution of a judgment for ejectment unless the tenant files an affidavit with the proper appellate court, in which the tenant promises to pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered. Once the affidavit is accepted by the court, the judge of the court having jurisdiction shall order stay of execution upon the undertaking.").

Finally, on September 28, 2026, Appellant filed a motion to proceed *in forma pauperis*. Appellant has the burden of showing she is entitled to this relief, but she has not done so. Therefore, after careful consideration, we deny Appellant's motion to proceed *in forma pauperis*. Appellant must pay the notice of appeal filing fee within ten days of the date of this order. Failure to pay the filing fee will result in dismissal of this appeal.



J.

FOR THE COURT

Columbia, South Carolina

FILED
Oct 01 2026

cc:

Patricia N. Weaver
Blanchard & Calhoun