

The South Carolina Court of Appeals

Viola Shantell Garnett, Appellant,

v.

Joshua D. Thomas, Respondent.

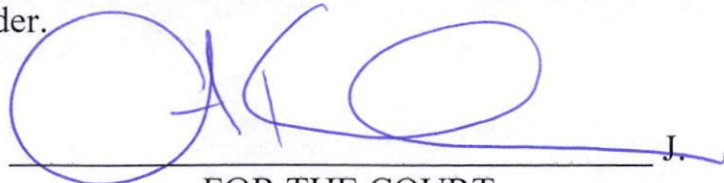
Appellate Case No. 2026-002069

ORDER

On September 18, 2026, Appellant filed notice of appeal from a September 16, 2026 circuit court order that dismissed the appeal from the magistrate court on the basis Appellant failed to comply with the bond to stay. Also on September 18, 2026, Appellant filed a motion to proceed *in forma pauperis* and a motion to stay the circuit court's order.

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.").

Further, the motion to proceed *in forma pauperis* is denied pursuant to *Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995). The filing fee must be paid within fifteen days of the date of this order.



FOR THE COURT

Columbia, South Carolina

FILED
Oct 07 2026

cc:

Viola Shantell Garnett

Landon Louis Brock, Esquire

The Honorable Dale E. Van Slambrook

The Honorable Leah Guerry Dupree