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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

Appellate Case No. 2026-002137

(Lower Court Case No. 2026-CP-02-01108)

Patricia N. Weaver, Appellant,

v.

Blanchard & Calhoun, Respondent.

**AFFIDAVIT OF FACTS SUPPORTING EMERGENCY RELIEF PURSUANT TO SCACR RULE
240(c)(3)**

I, Patricia N. Weaver, do hereby swear and state under penalty of perjury:

1. I am the Appellant in this action. I am a part-time clerk with the United States Postal Service and the sole financial support for a household of eight (8) individuals. This household consists of myself, my husband, two (2) adult children who are full-time homeschooled high school students with \$0.00 income, and four (4) minor children.

2. At an Appeal Bond Hearing conducted on April 30, 2026, the summary court established an appeal-bond payment framework requiring monthly payments of \$1,100.00. I complied with that court-established payment requirement, tendering monthly payments into the court registry beginning May 1, 2026, and continuing through my September 1, 2026 payment. Copies of available payment records are attached as Exhibit C.

3. During the August 26, 2026, appeal hearing in the Court of Common Pleas, the issue of whether I should continue making the monthly bond payments as the September 1 payment date was approaching was raised before the Court. The Court did not instruct me to discontinue those payments, and I continued making the required payments thereafter.

4. On October 1, 2026, at approximately 10:50 AM, I physically attempted to tender the ongoing \$1,100.00 monthly payment to the Magistrate Court. The clerk declined to accept the payment and informed me that the court would not accept it. I maintain the immediate availability of these funds and stand willing to tender the payment immediately to Respondent or as otherwise directed by the Court.

5. On September 23, 2026, I received written notice by mail of the Circuit Court's Form 4 Judgment dated September 15, 2026.

6. On September 21, 2026, the Magistrate Court issued a Warrant of Ejectment ordering me to vacate the premises at 105 Michael Court, Aiken, SC 29801, on or before October 1, 2026, at 5:00 PM.

7. The Warrant of Ejectment explicitly states that failure to comply will result in a physical, Forcible Ejectment enforced by the Sheriff on October 2, 2026, at 10:00 AM.

8. On October 1, 2026, I received the Order of this Court denying my initial motion for a stay and denying my motion to proceed in forma pauperis. Due to my immediate household expenses and sole-earner status, I am unable to pay the \$250.00 appellate filing fee or the motion fee immediately today but am prioritizing the acquisition of these funds within the ten-day period provided by the Court.

FURTHER AFFIANT SAYETH NOT.

Patricia N. Weaver, Affiant

Sworn and subscribed before me this ____ day of October, 2026.

____ (L.S.) Notary Public for South Carolina My
Commission Expires: _____