The South Carolina Court of Appeals

Woodward Rentals, LLC, Respondent,

v.

Danielle Leopard, Appellant.

Appellate Case No. 2026-001903

ORDER

On August 27, 2026, Appellant filed a notice of appeal from a July 27, 2026 form 4 order granting Respondent summary judgment in a claim and delivery action related to a "utility shed." The form 4 order indicated a more formal order was to follow, and Appellant later appealed the August 4, 2026 formal order and corrected other deficiencies. Appellant also filed a motion to proceed *in forma pauperis* and a motion to stay the orders on appeal. The public index indicates that on July 27, 2026, Appellant filed motions with the circuit court for (1) "[a] writ of supersedeas / stay of execution" and (2) an "amended [] motion to alter or amend[,] pursuant to Rule 59(e), SCRCP," the orders granting summary judgment. The formal August 4, 2026 order did not address or rule upon either of Appellant's July 27, 2026 motions. Subsequently, on August 20, 2026, Respondent filed a "memorandum in opposition to [Appellant's] motion for reconsideration and motion for writ of supersedeas/stay of execution" with the circuit court. To date, the public index does not indicate the circuit court has considered or formally ruled on these filings.

After careful consideration, we grant a temporary stay and remand this case to the circuit court for expedited consideration to determine if Appellant's July 27, 2026 motions were properly filed, should be ruled upon by the circuit court, and any appeal bond pursuant to section 18-9-150 of the South Carolina Code (1999). *See* Rule 241(d)(1), SCACR ("Except where extraordinary circumstances make it impracticable, an application for an order lifting the automatic stay or for supersedeas must first be made to the lower court [] which entered the order or decision on appeal."); Rule 241(b)(2), SCACR (providing a notice of appeal does not automatically stay the execution of a judgment directing the delivery of

"personal property as provided in S.C. Code Ann. § 18-9-150"); S.C. Code Ann. § 18-9-150 (1999) (providing "[i]f the judgment appealed from directs the assignment or delivery of documents or personal property, the execution of the judgment shall not be stayed by appeal unless the things required to be assigned or delivered be brought into court or placed in the custody of such officer or receiver as the court shall appoint or unless an undertaking be entered into on the part of the appellant, with at least two sureties and in such amount as the court or a judge thereof shall direct . . . ."). Appellant shall provide this court with status updates every thirty days. Further, Appellant shall provide this court with a copy of the circuit court's order ruling on the motions within five days of receiving notice of the order. Appellant's failure to provide this court with the circuit court's ruling within five days of receiving notice of the order will result in dismissal of this appeal. Thereafter, Appellant may renew her motion with this court if necessary.

Additionally, 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. Failure to provide the filing fee will result in dismissal of the appeal.

Blake L. Leavitt J.
FOR THE COURT

Columbia, South Carolina

FILED
Oct 08 2026

cc:
Danielle Leopard
James Stone Craven, Esquire
The Honorable R. Scott Sprouse
The Honorable Samual T. Tucker, III
The Honorable C. Reena Thomason