

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM GEORGETOWN COUNTY COURT OF COMMON PLEAS

Honorable Benjamin H. Culbertson, Circuit Court Judge

MOHAMAD HAISAM KODAIMATI,

Appellate Case No. 2026-001982

Appellant,

Lower Court Case No. 2026-CP-22-00424

v.

Magistrate Case No. 2026CV221040024

ERIC JAMES ADAMCZYK,

Respondent.

**APPELLANT'S EMERGENCY MOTION TO ENFORCE STATUTORY STAY,
QUASH DEFECTIVE TRANSCRIPT OF JUDGMENT, AND FOR SANCTIONS**

**TO: THE HONORABLE CHIEF JUDGE AND ASSOCIATE JUDGES OF THE
SOUTH CAROLINA COURT OF APPEALS:**

Appellant, Mohamad Haisam Kodaimati, appearing *pro se*, respectfully moves this Court for an
Emergency Order:

1. Enforcing the mandatory statutory stay under S.C. Code § 22-3-300 and Rule 241,
SCACR;
2. Quashing a facially defective Transcript of Judgment procured by Respondent; and
3. Imposing sanctions against Respondent for bad-faith abuse of process and intentional
interference with this Court's appellate jurisdiction.

In support of this Motion, Appellant shows the Court as follows:

I. JURISDICTION AND PRESERVATION OF APPELLATE STATUS

1. Exclusive jurisdiction over this appeal and the enforcement of the automatic stay resides with the South Carolina Court of Appeals pursuant to Rule 241, SCACR.
2. References herein to post-judgment filings in the Georgetown County Court of Common Pleas (including Appellant's *Motion for Return of Property*) are submitted solely as factual proof of Respondent's bad-faith gamesmanship, unclean hands, and procedural manipulation. **Nothing in this Motion shall be construed as conceding that the lower court retains jurisdiction to alter or modify the judgment currently under review before this Court.**

II. RELEVANT PROCEDURAL BACKGROUND & RESPONDENT'S BAD-FAITH CONDUCT

3. **Active Appellate Review:** On September 18, 2026, the Clerk of this Court issued formal notice establishing an expedited briefing schedule regarding Appellant's e-filed *Motion for Supersedeas and Stay*. Respondent failed to file a return within the ten (10) day window ordered by the Court, rendering the motion ripe for review before an appellate panel.
4. **Collateral Property Motions:** On August 13, 2026, Appellant filed a *Motion for Return of Property and Declaration of Void Execution* in Georgetown County Court of Common Pleas (Case No. 2026-CP-22-00424), seeking restitution of two motorhomes and personal property (valued in excess of \$500,000) unlawfully seized during a void eviction execution on April 29, 2026.

5. Respondent's Ex Parte Continuance Request (October 2, 2026):

On October 2, 2026, to avoid facing Appellant's pending motion for the return of property, Respondent requested a continuance. Strikingly, this continuance was processed and granted electronically, *ex parte*, without a hearing and without affording Appellant any opportunity to object or be heard. Respondent successfully used this one-sided maneuver to stall judicial review of his prior void seizure.

6. The Anomaly of the "May 13" Transcript (Docketed October 2, 2026):

On that **exact same day—October 2, 2026**—while actively freezing Appellant's remedy via an *ex parte* delay, a "Transcript of Judgment" was suddenly docketed for execution. Notably, this document was not mailed to Appellant until October 5, 2026.

7. Facial Defect and Irregularity on the Magistrate's Certified Transcript:

The underlying magistrate judgment was entered on the docket on **April 14, 2026**. However, the Transcript of Judgment suddenly docketed on October 2 explicitly lists a false "Date of Judgment" of **May 13, 2026** (matching the magistrate's certification date). Under S.C. Code § 15-39-80, an execution document that materially misstates the date of the underlying judgment is legally defective and void. The sudden October 2 docketing of a five-month-old, facially defective document—on the exact same day Respondent obtained an *ex parte* continuance—demonstrates a highly irregular and calculated circumvention of this Court's appellate jurisdiction.

III. LAW AND ARGUMENT

A. Respondent Is Violating the Statutory Stay (S.C. Code § 22-3-300)

Under S.C. Code § 22-3-300, while a magistrate judgment may be transcribed, no sale or execution may proceed while an appeal is actively pending. Respondent's active efforts to direct law enforcement or court clerks to enforce a \$7,500 judgment while Case No. 2026-001982 is pending before this Court constitutes a direct violation of South Carolina statutory law and Rule 241, SCACR.

B. The Transcript of Judgment Is Void Ab Initio Due to Material Facial Error

South Carolina law strictly requires an execution or transcript to accurately identify the underlying judgment date and details. Magistrate John Anthony Love certified a document stating the judgment date was May 13, 2026—a judgment that does not exist on the magistrate docket for that date. Enforcing a facially defective transcript violates basic due process and requires immediate quashing by this Court.

C. Respondent Has Acted with Severe Bad Faith and Unclean Hands

Respondent has utilized requests for continuances as a shield to block lower court judges from ordering the return of Appellant's seized property, while simultaneously weaponizing a defective Transcript of Judgment behind Appellant's back as a sword to seize additional assets. This calculated asymmetry constitutes an abuse of process and warrants formal appellate sanctions.

IV. PRAYER FOR RELIEF

WHEREFORE, Appellant respectfully requests that this Court issue an Order:

1. Reaffirming and Enforcing the statutory stay under S.C. Code § 22-3-300 and Rule 241, SCACR, strictly enjoining Respondent, his agents, and all law enforcement officers from

enrolling, executing, or levying upon any judgment arising from Case No.
2026CV221040024 during the pendency of this appeal;

2. Quashing the Transcript of Judgment listing a false judgment date of May 13, 2026, as void *ab initio*;
3. Imposing Sanctions against Respondent Eric James Adamczyk for bad-faith abuse of process and intentional interference with appellate proceedings; and
4. Granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/Mohamad Haisam Kodaimati

Mohamad Haisam Kodaimati, Appellant *Pro Se*
P.O. Box 417
Huger, SC 29450
Phone: 980-636-9412
Email: kodaimati@gmail.com

Date: October 12, 2026

VERIFICATION

I, Mohamad Haisam Kodaimati, declare under penalty of perjury under the laws of the State of South Carolina that the foregoing statements in this Motion are true and correct to the best of my knowledge, information, and belief.

/s/Mohamad Haisam Kodaimati

Mohamad Haisam Kodaimati, Pro Se Appellant
P.O. Box 417
Huger, SC 29450
(980) 636-9412
kodaimati@gmail.com

Executed on October 12, 2026.

EXHIBITS ATTACHED

- **Exhibit A:** Copy of Magistrate Transcript of Judgment (Listing False Date of May 13, 2026).
 - **Exhibit B:** Copy of Lower Court Docket / October 2, 2026, Continuance Request.
 - **Exhibit C:** Copy of Appellant's August 13, 2026, *Motion for Return of Property* (Georgetown CP Case No. 2026-CP-22-00424).
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Exhibit A:

Copy of Magistrate Transcript of Judgment

(Listing False Date of May 13, 2026).

Exhibit B:

Copy of Lower Court Docket / October 2, 2026, Continuance Request.

Exhibit C:

Copy of Appellant's August 13, 2026, *Motion for Return of Property* (Georgetown CP Case No. 2026-CP-22-00424).

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APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

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Appellate Case No. 2026-001982

Mohamad Haisam Kodaimati

Appellant

v.

Eric James Adamczyk

Respondent,

PROOF OF SERVICE

I hereby certify that on this 12th day of October 2026, I served a true and correct copy of the foregoing *Appellant's Emergency Motion to Enforce Statutory Stay, Quash Defective Transcript of Judgment, and for Sanctions* upon Respondent Eric James Adamczyk via the SC Appellate Court E-Filing Portal and/or United States First-Class Mail, postage prepaid, addressed as follows:

Eric James Adamczyk
1692 South Morgan Avenue
Andrews, SC 29510

/s/Mohamad Haisam Kodaimati

Mohamad Haisam Kodaimati, Appellant *Pro Se*

RECEIVED
Oct 12 2026
SC Court of Appeals