

The South Carolina Court of Appeals

Roger Lemacks, Appellant,

v.

Clarence James, Respondent.

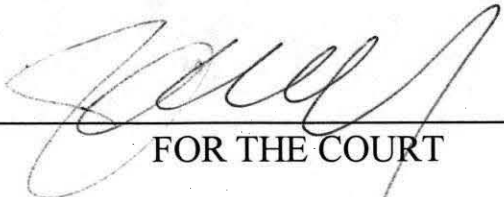
Appellate Case No. 2026-002149

ORDER

On September 29, 2026, Appellant filed a notice of appeal from a final order entered by the master-in-equity on August 19, 2026, and an order denying Appellant's motion for new trial or in the alternative motion to alter or amend and motion to stay entered by the master on September 18, 2026. The master determined the shed or garage at issue was personal property owned by Respondent. The master further ordered Respondent to (1) remove the shed or garage and its contents within thirty days of the order and (2) repair or remove any concrete slab, footing, or debris remaining on the property within twenty days of the removal of the shed. As previously mentioned, Appellant moved the master to stay its order on appeal. On September 18, 2026, the master granted the motion to stay "only as to the concrete slab remaining undisturbed after [Respondent] removes the metal shed."

On October 1, 2026, Appellant moved this court to impose an order of supersedeas as to the portion of the master's final order that directed Respondent to "remove the metal shed or garage." On October 2, 2026, this court requested Respondent file a return within ten days. No return was filed. After careful consideration, we grant Appellant's motion to stay. *See* Rule 241(a), SCACR ("As a general rule, the service of a notice of appeal in a civil matter acts to automatically stay matters decided in the order . . . and to automatically stay the relief ordered in the appealed order"); Rule 241(b)(2), SCACR (explaining "[j]udgments directing the assignment or delivery of documents or personal property" are not stayed automatically); Rule 241(b)(3), SCACR (explaining "[j]udgments directing the execution of conveyances or other instruments" are not stayed automatically); Rule

241(b)(4), SCACR (explaining "[j]udgments directing the sale or delivery of real property" are not stayed automatically); Rule 241(c)(2), SCACR ("In determining whether an order should issue pursuant to this Rule, the . . . appellate court, or judge or justice of the appellate court should consider whether such an order is necessary to preserve jurisdiction of the appeal or to prevent a contested issue from becoming moot."). At this time, we impose no supersedeas bond.


____ J.
FOR THE COURT

FILED
Oct 14 2026

Columbia, South Carolina

cc:

Kerry W. Koon, Esquire

Kelvin Maurice Huger, Esquire

Honorable Julie J. Armstrong