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OCT 23 2026
S.C. SUPREME COURT

The south Carolina
Supreme Court.
- Appeals

County of Sumter
Case #: 2026CV4310104413

Drucilla Isaac
vs
Melvin Evans
40 Highland Ave
Sumter SC 29150
718 662 3436

Emergency Petition for Writ of Supersedeas and motion for temporary stay

The Petitioner, appearing pro se, hereby moves this honorable court for an emergency writ of supersedeas and an immediate temporary stay of the writ of ejectment served October 22, 2026, which is scheduled for execution at 4:00 pm on October 23, 2026. In support of this motion,

Petitioner shows the following:

1. Denial of Due Process (Jury Trial):
I timely and explicity requested a trial by jury at the inception of this case. The lower courts scheduled then took it back and bypassed constitutional and statutory right, scheduling then taking the trial back due to back rent owed.

2. Unlawful Execution of Appeal Bond:
Following a previous stay, a new bond hearing was held where the lower court ordered me to pay a lump sum of $1,100 by September 30 for past due August rent in which the landlord stated during bond to the judge that August rent was held in the bank therefore I was ordered to pay back rent in September for August and $1,100 each month by the 5th of the month moving forward.

3. Violation of SC Code §27-40-800(b):
Under SC law and the administrative mandates of the Chief Justice, an

appeal bond in a residential eviction cannot require a tenant to pay a lump sum of past due back rent to maintain a stay. The bond is strictly limited to ongoing rent as it becomes naturally due.

4. Good Faith compliance.
I acted in good faith paying $1100 on Sept 30 and an additional $550 on Oct 5th, totaling $1,650 paid into court. The current Writ of Ejectment was issued solely because I could not meet the legally flawed portion of the bond. Thereafter landlord continued to send letters advising me to be out by November 5th, 2026.

5. If temporary stay is not granted immediately I face a unconstitutional lockout and immediate homelessness at 4:00pm today rendering any subsequent appeal meaningless.

Wherefore I respectfully requests that this court:

1. Issue an immediate Temporary Stay Of the writ of Ejectment to halt the Sumter County Sheriff.

2. Grant a writ of Supersedeas pending a full review of the lowers courts errors; and

3. Remand the matter to modify the bond to strictly reflect lawful, ongoing monthly rent and schedule the requested Jury Trial.

Dated: October 23, 2026

Respectfully submitted:

Duncan Lopac