

# The South Carolina Court of Appeals

St. Paul Independent Church Pomaria, Inc., Appellant,

v.

African Methodist Episcopal Church, Inc., St. Paul  
A.M.E. Church, Inc., and Elder Joseph Postell (in his  
capacity as an Elder of the AME Church, Inc.),  
Respondents, Third-Party Plaintiffs,

v.

Shirley Wise, Lisa Houseal, and Thomas Flemon, in their  
capacities as former Trustees of St. Paul A.M.E. Church  
Pomaria, Inc., Appellants, Third-Party Defendants.

Appellate Case No. 2015-000872

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## ORDER

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Appellants have filed a notice of appeal from the special referee's order granting Respondents' motion for summary judgment and finding all property that is the subject of the litigation is "exclusively owned" by the Trustees of Respondents. Appellants have now filed a motion pursuant to Rule 241, SCACR, requesting this court to enforce an automatic stay. This appeal falls under an exception to the general rule that the service of a notice of appeal in a civil matter acts to automatically stay the matters decided in the order. *See* Rule 241(b)(4), SCACR ("Judgments directing the sale or delivery of possession of real property as provided in S.C. Code Ann. § 18-9-170."). It does not appear from the record before this court that the specific conditions required by § 18-9-170 for an automatic stay have been met. Accordingly, Appellants' request to "enforce the automatic stay" is denied.



FOR THE COURT

**FILED**  
6/29/15 *W. W. W.*

Columbia, South Carolina

cc:

Stephanie Ruotolo Fajardo, Esquire

Charles J. Boykin, Esquire

Kenneth Allen Davis, Esquire

Tierney Felicia Goodwyn, Esquire