

The South Carolina Court of Appeals

Cecil L. Josey, Jr., Respondent,

v.

Stanley D. Josey, Courtney Gamble, Spencer Josey,
Elizabeth Ann Geddings, Cecil. L. Josey, Jr., as Trustee
of the Josey Family Trust, Defendants,

Of whom Stanley D. Josey is the Appellant,

and of whom Courtney Gamble, Spencer Josey, Elizabeth
Ann Geddings, Cecil. L. Josey, Jr., as Trustee of the
Josey Family Trust, are Respondents.

Appellate Case No. 2011-197626

ORDER

Appellant has filed a petition for supersedeas. We have carefully considered all the parties' filings in this appeal. In his first issue on appeal, Appellant takes the position that he was improperly denied his statutory right to purchase the co-tenants' interest in the real property. Appellant's ability to complete this purchase he claims he was improperly denied the right to make is inconsistent with his position in the petition for supersedeas that he cannot afford to remove the personal property he was awarded. For this reason, because we are unable to discern any unfairness in the manner in which the special referee ordered the removal of the property, and because we find a supersedeas is not necessary to preserve jurisdiction or to prevent an issue from becoming moot, the petition for supersedeas is denied.


FOR THE COURT

FILED

10-9-12 LAY

Columbia, South Carolina

cc:

Stephen Bryan Doby

Patrick McFadden Killen

John S. Nichols

Daniel W. Stacy, Jr.

Blake Alexander Hewitt

Deborah Harrison Sheffield