

The South Carolina Court of Appeals

Tracy Ramey, Respondent,

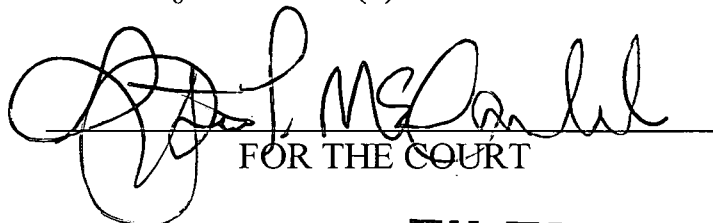
v.

Laura Lehr, Appellant.

Appellate Case No. 2016-001629

ORDER

In this ejectment action, Judge Katrina Patton set a bond in the amount of \$850.00 to be paid by Appellant by July 29, 2016. Appellant failed to pay the bond, and on August 1, 2016, Appellant's circuit court appeal was dismissed pursuant to section 27-40-800 of the South Carolina Code (2007). Appellant has now appealed the dismissal. Respondent filed a "Petition for Order of Bond to Stay Execution on Appeal." This court notes that orders under section 27-40-800 are not automatically stayed by the service of a notice of appeal. *See* Rule 241(b)(10), SCACR. In order for the ejectment to be stayed, Appellant must "sign an undertaking that [s]he will pay to the landlord the amount of rent . . . as it becomes due periodically after judgment was entered." S.C. Code Ann. § 24-40-800(f)(1). If Appellant fails to comply with section 24-40-800(f)(1) within five days of the date of this order, the magistrate court, "upon application of the landlord, shall issue a warrant of ejectment to be executed pursuant to [section] 27-37-40 of the [South Carolina] Code." S.C. Code Ann. § 24-40-800(e).


FOR THE COURT

Columbia, South Carolina

FILED

September 9, 2016

cc:

Laura Lehr

Michael Chase Payne, Esquire