

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL RICHLAND COUNTY
Court of Common Pleas

Jean H. Toal, Senior Circuit Court Judge

Case No. 2016-CP-40-06177
Appellate Case No. 2017-001394

RECEIVED

JUN 23 2017

SC Court of Appeals

ALEXANDER N. GEE, JR., aka
Sandy Gee and KAREN B. GEE,
a/k/a KAREN
GEE,.....Respondents,

vs.

ERNEST E. YARBOROUGH,
a/k/a Ernest
Yarborough.....Appellant.

PROOF OF UNDERTAKING

NOW COMES APPELLANT, ERNEST E. YARBOROUGH (hereinafter sometimes referred to as “Yarborough”, “Petitioner”, or “Appellant”), in a self-represented capacity, pursuant to the Court’s order, dated June 23, 2017, providing the Court proof that he filed and served an undertaking as ordered by the Court.

In support of this filing, Yarborough shows the Court the following:

1. By order of the Court, dated June 23, 2017, the Court temporarily granted Appellant’s Petition for Writ of Supersedeas and ordered that he serve and file

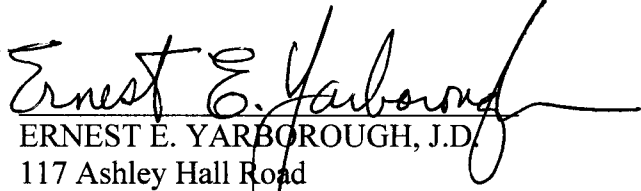
proof that Appellant signed an undertaking pursuant to Section 27-40-800 (the “Undertaking”)

2. On June 23, 2017, Appellant filed and served the Undertaking pursuant to S.C. 27-40-800 with the Clerk of Circuit Court, for the County of Richland, State of South Carolina. The Undertaking was in the form provided by S.C. Code 27-40-800, except it was slightly modified to fit the factual scenario of the appeal now before the Court.
3. A certified true copy of the Undertaking is attached to this filing as Exhibit “A”.

Respectfully submitted this day.

At Columbia, SC

Dated: June 23, 2017


ERNEST E. YARBOROUGH, J.D.
117 Ashley Hall Road
Columbia, SC 29229
(803) 633-5983
eyarborough001@gmail.com

Appellant, Self-Represented

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL RICHLAND COUNTY
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GEE,.....Respondents,

vs.

ERNEST E. YARBOROUGH,
a/k/a Ernest
Yarborough.....Appellant.

PROOF OF SERVICE

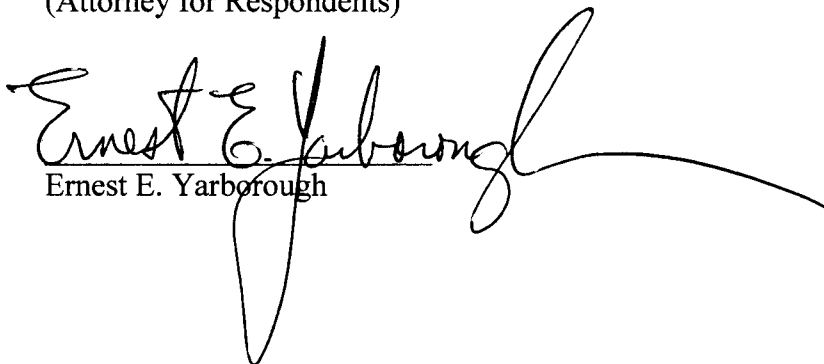
I, Ernest E. Yarborough, the above-named Appellant, certify that I have served a copy of the foregoing Proof of Undertaking on the individual listed below on June 23, 2017, by hand-delivery to the following address:

Leonard R. Jordan, Jr., Esquire
JORDAN LAW FIRM
211 Veterans Road, Suite D
Columbia, SC 29209

(Attorney for Respondents)

At Columbia, SC

June 23, 2017


Ernest E. Yarborough

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL RICHLAND COUNTY
Court of Common Pleas

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ALEXANDER N. GEE, JR., aka
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GEE,.....Respondents,

vs.

ERNEST E. YARBOROUGH,
a/k/a Ernest
Yarborough.....Appellant.

VERIFICATION

I, Ernest E. Yarborough, the named Appellant in the above-captioned case, certify that that the information contained in the foregoing Proof of Undertaking is true to the best of my information and belief.

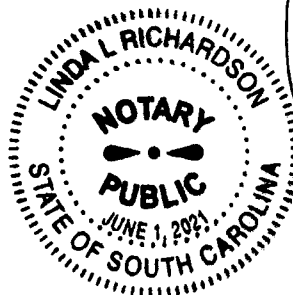
Sworn and subscribed before me,

this the 23rd day of June, 2017

Linda L Richardson
Notary Public of South Carolina

Ernest E. Yarborough
Ernest E. Yarborough

My Commission Expires: 1 June 2021
(Notary Seal)



STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

ALEXANDER N. GEE, JR., aka)
Sandy Gee and KAREN B. GEE,)
a/k/a KAREN GEE,)

Case No.: 2016-CP-40-6177

Plaintiffs,)

vs.)

PROOF OF SERVICE

ERNEST E. YARBOROUGH,)
a/k/a Ernest Yarborough,)

RECEIVED

JUN 23 2017

Defendant.)

SC Court of Appeals

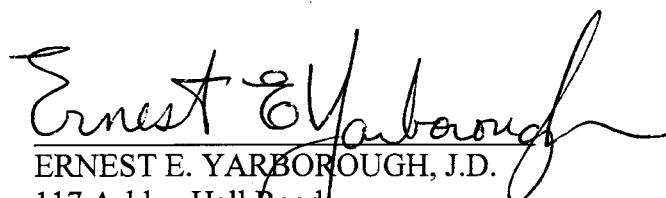
RICHLAND COUNTY
FILED
2017 JUN 23 PM 4:30
JEANNETTE W. MCBRIDE
C.C.P. & G.S.

I, Ernest E. Yarborough, the above-named Defendant, certify that I have served a copy of the foregoing Bond to Stay Execution on Appeal on the Plaintiffs on June 23, 2017, by hand-delivering a copy to their attorney at the following address:

Leonard R. Jordan, Jr., Esquire
JORDAN LAW FIRM
211 Veterans Road, Suite D
Columbia, SC 29209

At Columbia, SC

Dated: June 23, 2017


ERNEST E. YARBOROUGH, J.D.
117 Ashley Hall Road
Columbia, SC 29229
(803) 633-5983
eyarborough001@gmail.com

Defendant, Self-Represented

Attachment: Copy of the Order from the Court of Appeals dated June 23, 2017.

The South Carolina Court of Appeals

Alexander N. Gee, Jr., a/k/a Sandy Gee, and Karen B. Gee, a/k/a Karen Gee, Respondents,

v.

Ernest E. Yarborough, a/k/a Ernest Yarborough, Appellant.

Appellate Case No. 2017-001394

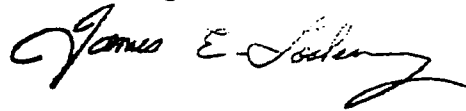
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SC Court of Appeals

ORDER

After careful consideration, Appellant's petition for supersedeas is temporarily granted. By July 5, 2017, Respondent shall serve and file a return to the petition and Appellant shall serve and file proof he signed an undertaking pursuant to section 27-40-800 of the South Carolina Code (2007). *See* S.C. Code Ann. § 27-40-800 (2007) ("Upon appeal to the Supreme Court or to the court of appeals, it is sufficient to stay execution of a judgment for ejectment that the tenant sign an undertaking that he will pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered. The judge of the court having jurisdiction shall order stay of execution upon the undertaking."). This court will issue a final ruling on the petition for supersedeas upon receipt of the filings or after July 5, 2017.



FOR THE COURT

Columbia, South Carolina

cc:
Ernest E. Yarborough
Leonard R. Jordan, Jr., Esquire

FILED

June 23, 2017