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APR 13 2018

SC Court of Appeals

IN THE SOUTH CAROLINA COURT
COURT OF APPEALS

Susan Harrison, Christopher Jones,
Connie McKee, and Desimber Wattleton,

Appellant,

v.

Mitchell Eugene Davis,
aka Michael Davis

Respondent

APPELLANTS' MOTION FOR STAY
EXECUTION OF JUDGMENT
PENDING APPEAL, PURSUANT TO
RULE 241 S.C.A.C.R.

APPEAL NO. 2018-000695

Pursuant to Rules 240 and 241, S.C. Appeals Court Rule, the Appellant hereby submit this Motion for Stay pending Appeal (hereinafter "Motion"). Appellant ask this Court to extend the automatic stay pursuant to Rule 241 S.C. A.C.R for the duration of the appeal. The *Appellant* respectfully submits that the factors governing whether to issue a stay pending appeal all weigh heavily for a stay to preserve the status quo. Specifically because:

1. The merits of the case were never heard and decided by the Honorable Court. The Appellant is likely to succeed on the merits of the case.
2. By dismissing the case, the Trial Court Judge denied the Plaintiff/Appellant of his fundamental right to defend himself in any court proceedings pursuant to the Constitution of the United States.
3. Defendant Michael Davis has not been at the Church for more than two (2) years following his duly executed termination.
4. The Congregation and members, of which the Appellant is a current member and elected officer, have continued the operation of the ministry and church obligations under newly elected leadership since February 2016.
5. The majority of the current congregation has no knowledge of Michael Davis nor the pending litigation. The current members have been attending services and functions of the church under the existing leadership.

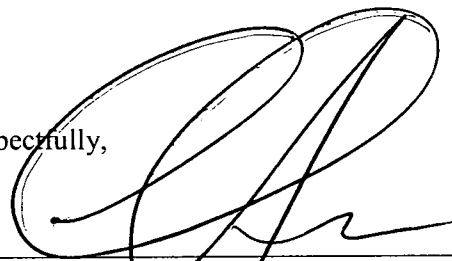
6. This Stay of Execution of Judgment is requested by this Appellant until this matter is fully adjudicated by the South Carolina Court of Appeals in order to minimize the harm, chaos, and confusion that is certain to occur with an abrupt change to leadership without a formal process, notice, and explanation to the congregation.; whereby they are able to make an informed decision concerning whether they will continue their membership under the new leadership.

Established precedent favors the Automatic Stay upon the basis that “A four-part test governs stays pending appeal: “(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.” *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987). Given applicable precedent and the reasons outlined above, the Appellant believes the Automatic Stay is sufficiently justified.

Whereby, the Appellant, having provided such sufficient meritorious cause for The Honorable Court of Appeals to grant an Automatic Stay of Execution of Judgment pursuant to Rule 241 SCACR, pending the outcome of all relevant matters, so as to maintain the status quo and avoid unnecessary mayhem and disruption.

April 13, 2018

Respectfully,

A handwritten signature in black ink, appearing to read 'C. Jones', written over a horizontal line.

Christopher Jones, Appellant Pro Se
P.O. Box 1064
Greenville, S.C. 29602
864-999-6823

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CERTIFICATE OF SERVICE

CIVIL ACTION NO.

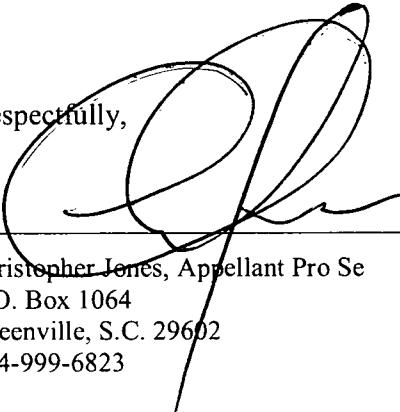
CASE NO. 2018-000695

I, Christopher Jones, the Appellant-pro se, hereby affirms under the penalty of perjury that I have served, by U.S. Mail or did cause the same to be hand delivered, a copy of the Motion For Stay Execution of Judgment pending appeal on the Respondents at the following address on Friday, April 13, 2018.

James P. O'Connell
139 Grace Drive
Easley, SC 29640
Attorney for Respondent

April 13th, 2018

Respectfully,



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