

The South Carolina Court of Appeals

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

Of whom Christopher Jones and Desimber Wattleton-
Jones are the Appellants,

v.

Mitch Eugene Davis a/k/a Mitch Davis a/k/a Michael
Davis, Respondent.

Appellate Case No. 2018-000625

ORDER

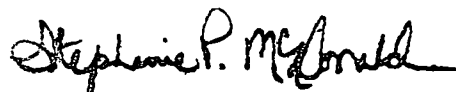
Appellant Christopher Jones filed a notice of appeal from the circuit court's April 5, 2018 order of dismissal. Appellant Desimber Wattleton-Jones subsequently filed a second notice of appeal from the same order and was assigned Appellate Case No. 2018-000871. These appeals are now consolidated and shall continue under Appellate Case No. 2018-000625. In future filings, the parties shall follow the caption as listed above.

Appellant Christopher Jones filed a petition for supersedeas, requesting that this court stay the effect of the order of dismissal. This court temporarily granted the petition pending our receipt and review of a return and any reply. Pursuant to Rule 241(d)(1) of the South Carolina Appellate Court Rules, "an application for an order lifting the automatic stay or for supersedeas must first be made to the lower court or administrative tribunal which entered the order or decision on appeal." It has come to this court's attention that the petition for supersedeas was not first made to the circuit court.

Accordingly, this case is hereby remanded to the circuit court for the circuit court to consider this matter and effectuate any further relief it deems appropriate. This

appeal shall be held in abeyance, and this court's temporary stay shall remain in effect pending the circuit court's issuance of an order in this case.

Because this case is remanded to the circuit court, this court will take no further action on the petition for supersedeas filed by Appellant Desimber Wattleton-Jones.



FOR THE COURT

Columbia, South Carolina

FILED

May 14, 2018

cc:
Christopher Jones
Desimber Wattleton-Jones
James P. O'Connell, Esquire
The Honorable Cordell Maddox