

For Clerk of Court Office Use Only

This judgment was entered on **5/18/2018**, and a copy mailed first class or placed in the appropriate attorney's box on **5/18/2018**, to attorneys of record or to parties (when appearing pro se) as follows:

Ovana Alston 101 Blue Beech Court Ladson, SC 29456
David Alston 101 Blue Beech Court Ladson, SC 29456

Agent Owned Realty Co 100 Crowfield Blvd Goose Creek,
SC 29445

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)



Court Reporter

Cheryl Graham - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCF.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

cc: Summerville Magistrate Court via email 5/18/2018

STATE OF SOUTH CAROLINA

ECONOMY

IN THE MAGISTRATE'S COURT

COUNTY OF DORCHESTER

2018 MAY 18 PM 2:16

CASE NO: 2018-CV-181030-2386

Ref: 2018-CP-18-0822

CHERYL SWAN
CLERK OF COURT
DORCHESTER COUNTY

RECEIVED

MAY 24 2018

Agent Owned Realty
Plaintiff/Landlord,

vs.

David Alston

Defendant/Tenant.

ORDER
DISMISSING APPEAL

SC Court of Appeals

It appears from the record that the Defendant/Tenant filed an appeal to the Circuit Court on May 11, 2018 from the Application for Ejectment filed in the Magistrate's Court by Plaintiff/Landlord. Thereafter, pursuant to S.C. Code §27-40-800, the Magistrate Court held a Bond to Stay Execution on Appeal hearing May 16, 2018.

Based upon the Affidavit of the Plaintiff/Landlord, it now appears that the Defendant/Tenant failed to provide the appeal bond or pay periodic rent as due in the amount fixed by the presiding Magistrate.

Now, therefore, and pursuant to S.C. Code §27-37-130, the stay of execution shall dissolve, and the appeal by the Defendant/Tenant to the Circuit Court is hereby dismissed.

The Magistrate Court may issue a Writ of Ejectment, and the Dorchester County Sheriff's Office may dispossess the Defendant/Tenant.

AND IT IS SO ORDERED this 18th day of May, 2018.

Keturia Patton
Presiding Magistrate

STATE OF SOUTH CAROLINA)

COUNTY OF DORCHESTER)

2018CV1810302386

CIVIL CASE NUMBER
MAGISTRATE'S COURT

BOND TO STAY EXECUTION
ON APPEAL

RECEIVED

MAY 24 2018

SC Court of Appeals

DORCHESTER COUNTY
CLERK OF COURT
MAY 19 10 21 16
RECORDED

Agent Owned Realty Co
100 Crowfield Blvd
Goose Creek, SC 29445
(843) 725-1030

*Karen Smith
property manager*

LANDLORD

Vs

David Alston
101 Blue Beech Court
Ladson, SC 29456

present

Ovana Alston
101 Blue Beech Court
Ladson, SC 29456

not present

TENANT(S)

TO: Circuit Court

Now comes the Tenant(s) in the above entitled action and respectfully shows the Court that a Judgment of Execution was issued against the Tenant(s) and for the Landlord on , by the Magistrate. Tenant(s) has appealed the Judgment to the Circuit Court.

Pursuant to the findings of the Magistrate, the Tenant(s) is obligated to pay rent in the amount of \$ 1600 per month, due on the 15th of each month day of each month.

Tenant(s) hereby undertakes to pay the periodic rent hereinafter due according to the aforesaid findings of the Court and moves the Circuit Court to stay execution on the Judgment for Ejectment until this matter is heard on appeal and decided by the Circuit Court.

Dated on May 16, 2018:

[Signature]

Tenant(s)

Upon execution of the above bond, execution on the Judgment of Ejectment is hereby stayed until the action is heard on appeal and decided by the Circuit Court. If Tenant(s) fails to make any rental payment within five days of the due date, upon application of the Landlord, the stay of execution shall dissolve, the appeal by the Tenant(s) to the Circuit Court on issues dealing with possession must be dismissed and the Sheriff may dispossess the Tenant(s).

Dated on May 16, 2018

JUDGE

Summerville Magistrate
212 Deming Way, Box 10
Summerville, SC 29483
Phone: (843) 832-0370
Fax: (843) 832-0371

**1600 in
late fees
due to Landlord
directly by
noon on Thursday
May 17.*

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)
)
)
)
)

2018CV1810302386
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

WRIT OF EJECTMENT

RECEIVED

MAY 24 2018

Agent Owned Realty Co
100 Crowfield Blvd
Goose Creek, SC 29445
(843) 725-1030

SC Court of Appeals

PLAINTIFF(S)

Vs

David Alston
101 Blue Beech Court
Ladson, SC 29456

Ovana Alston
101 Blue Beech Court
Ladson, SC 29456

DEFENDANT(S)

TO THE SHERIFF/MAGISTRATE'S CONSTABLE:

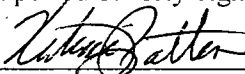
Upon Judgment of this Court, rendered on May 21, 2018, you are hereby Ordered to proceed to the premises located at **101 Blue Beech Court Ladson, SC 29456.**

Announce your identity and purpose and serve on the defendant(s) and all occupants a copy of this Writ of Ejectment. Inform them they have **twenty four (24) hours to voluntarily vacate** the premises. **If the premises appear unoccupied and no one responds** to your announced identity and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.

If after 24 hours following the service or posting of the Writ, the occupants have not voluntarily vacated the premises, **a deputy sheriff may enter the premises** using only as much force as is necessary to effectuate the Ejectment.

Upon gaining access, you shall **remove from the premises any occupants and all items of personal property found on the premises. Such property may be deposited beside the public street or roadway.** All personal property removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty eight (48) hours.

May 21, 2018


Summerville Magistrate

Dep. Denman - J, being duly sworn state that:

- I personally served a copy of this Writ on _____, an occupant of the rental unit
- On 5/22 20 18, at 0849 the rental unit appeared ~~un~~occupied and no one responded when I announced my identity and intentions. I attached a copy of this Writ to a conspicuous part of the premise.
- On _____ 20____, at _____, which was not less than 24 hours from the posting date and time, I returned to the rental unit for the purpose of ejectment.
- Under my supervision, I had all persons and personal property removed and evicted from the rental unit placing all personal property beside the roadside.
- The rental unit was unoccupied. The Tenant and all occupants had vacated the unit.
- Informed by Plaintiff that case is settled.

Date: 5/22, 20 18 @ 0849


Sheriff/Deputy Sheriff/Constable

STATE OF SOUTH CAROLINA)
)
)
 COUNTY OF DORCHESTER)
)
)
)
)

2018CV1810302386
CIVIL CASE NUMBER
MAGISTRATE'S COURT

BOND TO STAY EXECUTION
ON APPEAL

Agent Owned Realty Co
100 Crowfield Blvd
Goose Creek, SC 29445
(843)-725-1030

*Karen Smith
property manager*

RECEIVED

MAY 24 2018

LANDLORD

Vs

SC Court of Appeals

David Alston
101 Blue Beech Court
Ladson, SC 29456

present

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