

The South Carolina Court of Appeals

Fairwind & Oakfield Apts., Appellant,

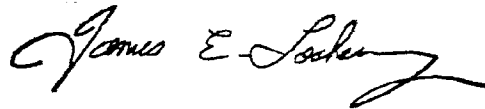
v.

Jewelina Regina S. Baylock, Respondent.

Appellate Case No. 2018-001055

ORDER

Appellant has filed an emergency motion, requesting this court to stay the magistrate court's June 4, 2018 writ of ejectment. After careful consideration, the motion is denied. *See* Rule 241(d)(1), SCACR ("Except where extraordinary circumstances make it impracticable, 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."); S.C. Code Ann. § 27-37-130 (2007) ("An appeal in an ejectment case will not stay ejectment unless at the time of appealing the tenant shall give an appeal bond as in other civil cases for an amount to be fixed by the magistrate and conditioned for the payment of all costs and damages which the landlord may sustain thereby."); S.C. Code Ann. § 27-40-800(f)(1) (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.").



FOR THE COURT

Columbia, South Carolina

FILED

June 8, 2018

cc:

Jewelia Baylock

Thomas I. Howard, Jr., Esquire