

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas
Doyet A. Early III, Circuit Court Judge

Case No. 2018CP0200345

Mark White Appellant.

v.

G.L. Williams, Respondent

RECEIVED


AUG 29 2018

SC Court of Appeals

NOTICE OF APPEAL

Mark White appeals the order/judgment of the Honorable Doyet A. Early, III dated June 12, 2018. Appellant received written notice of entry of this order/judgment on June 15, 2018

JULY 13, 2018


Mark White
Post Office Box 252
Graniteville, S.C. 29829
(803) 507-0653
Appellant, Pro se

Other Counsel
Clarke W. McCants, III
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FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL

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Doyet A. Early, III, Circuit Court Judge

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Appellant

v.

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Respondent.

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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on GL Williams by depositing a copy of it in the United States Mail, postage prepaid, on July 13, 2018, addressed to his attorney of record, Clarke W. McCants, III P.O. Box 2881 Aiken, S.C. 29802-2881

July 13, 2018


Mark White
Post Office Box 252
Graniteville, S.C. 29829
(803) 507-0653
Appellant, Pro se

FAX COVER SHEET

| | |
|------------|-------------------------|
| TO | |
| COMPANY | S C Court of Appeals |
| FAX NUMBER | 18037341839 |
| FROM | John White |
| DATE | 2018-08-29 11:25:29 GMT |
| RE | 2018CP0200345 |

COVER MESSAGE

If there is any possible way I need a case number or proof of your receiving this appeal by 8:30 this morning. When we served the respondent / landlord on 07/13/2018 they responded 7/23/18 with a letter saying appeal was a waste of time and that our lease expired September 30, 2108 and to please vacate property by 9/31/2018. Which was all we ever wanted. To finish the current term of our lease that was in effect when they purchased the property therefore we did not pursue the appeal any further. Now on 8/28/18 I'm told they will force us out of

Our home 8:30 am on 8/29/18. They only way to stop this is with proof of the appeal before my filed. I have the letter stating to vacate by 9/31/18 but the constable says the "court does not know anything about that". If you can please get me proof of this filing we will be very grateful originals and filing fee will be mailed on Wednesday /8/297

My phone is 803-507-0653

Fax is 706-739-4838

Thank you

Mark White

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AUG 29 2018

SC Court of Appeals

State of South Carolina County of Aiken.

GL Williams Landlord

Vs

Mark White Tenant

Bond to Stay

Execution on Appeal

to Circuit Court

RECEIVED
AUG 29 2018
SC Court of Appeals

Now comes the tenant in the above entitled action and respectfully shows the court that a judgment of ejectment was issued against the tenant and for the landlord on the 27 day of June 2017 by the magistrate. Tenant has appealed the judgment to the S.C. Court of Appeals

Pursuant to the findings of the magistrate, the tenant is obligated to pay rent in the amount of \$ 50 per Month, due on the 15th day of each Month (per existing lease in place at time landlord purchased property)

Tenant 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 S.C. Court of Appeals

This the 13 day of July 2018


Tenant

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 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 to the circuit court on issues dealing with possession must be dismissed and the sheriff may dispossess the tenant.

This the _____ day of _____, 19__

Judge

SOUTH CAROLINA CODE OF LAWS

LANDLORD TENANT ACT

"SECTION 27-40-800. Undertaking on appeal and order staying execution.

(f)(1) 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 ".....

NOTE: Court did not determine the amount of the rent to be paid. The amount as indicated in the current undertaking is based on the existing lease which was in effect at the time Mr. Williams purchased the property. Tenancy under that lease is still valid as of this date. Any and all higher rent amounts which were paid in the past were paid under protest. And the landlord was notified of the protest.