

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Perry M. Buckner, III Circuit Court Judge

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OCT 05 2018

SC Court of Appeals

Case No. 2017-CP-07-02110

Taylor Reuben Adams,..... Respondent

Charles Willis Gardner,..... Appellant

NOTICE OF MOTION AND MOTION FOR STAY OF ORDER

Pursuant to Rule 241(a) of the South Carolina Appellate Court Rules, the Appellant, Charles Willis Gardner, hereby moves this Court for a Stay of the Order filed in favor of the Respondent Taylor Reuben Adams for partial summary judgment of Mr. Gardner's claims. On September 12, 2018, the Appellant filed a Notice of Appeal with the South Carolina Court of Appeals.

The Appellant is appealing the order granted by the Honorable Perry M. Buckner, III on or about July 10, 2018 and the finding that Mr. Adams Defendant was the owner of the real property which includes the thirty (30') foot road right-of-way (the "Property") which has been used for access to the Appellant's Property for over thirty years.

The Appellant is likely to succeed on the merits of the appeal. Further, the Respondent has taken steps that would irreparably harm the status quo since the Order has been entered, including

preparing the ground for installation of a septic system, prohibiting use and access of the road, and placing stakes on Mr. Gardner's property limiting access.

Pursuant to Rule 241(a) of the South Carolina Appellate Court Rules, the Appellant moves this Court to stay the Order granting partial Summary Judgment to the Respondent during the Plaintiff's appeal and requests an order granting the same.

Sincerely,
COBB DILL & HAMMETT, LLC



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Mount Pleasant, South Carolina
October 2, 2018



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October 2, 2018

Delivery Via USPS First Class Mail

The Honorable Jenny Abbot Kitchings
Post Office Box 11629
Columbia, South Carolina 29211

RE: Charles Gardner v. Taylor Adams
Appellate Case No. 2018-001635

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SC Court of Appeals

Dear Ms. Kitchings:

I hope this letter finds you well. Enclosed for filing, please find a Motion for the Stay of the Order pursuant to Rule 241(a) in the above-referenced case.

If you should have any questions or concerns, do not hesitate to contact me.

Sincerely,


Bryan A. Raymond, Esq
For Cobb Dill & Hammett, LLC

Enclosures: Motion

cc: Mr. Terry Finger, Esq.
P.O. Box 24005
Hilton Head Island, S.C. 29925
Attorney for Respondent

South Carolina Office of Court Administration
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Columbia, SC 29201

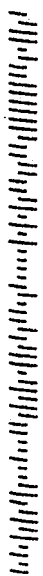
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