

The South Carolina Court of Appeals

Kenneth H. Kurowski, Respondent,

v.

Daniel D. Hawk, Appellant.

Appellate Case No. 2018-001067

ORDER

Appellant has served and filed a notice of appeal from an order of the circuit court dismissing his complaint. Appellant has filed a motion for a temporary injunction, which this court construes as a petition for supersedeas pursuant to Rule 241, SCACR. Appellant requests this court stay a proceeding in the probate court. Because Appellant has only appealed the circuit court order, this court does not have jurisdiction to issue a stay in the probate court. Accordingly, Appellant's motion is denied. *See also* 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.").



FOR THE COURT

Columbia, South Carolina

cc:

Daniel D. Hawk

Curtis G. Clark, Esquire

Clarence Rauch Wise, Esquire

FILED

January 15, 2019