

MOTION FOR STAY OF EVICTION IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
CIRCUIT Court

Case No. 19-CP-26-0928

RECEIVED  
MAY 17 2019  
SC Court of Appeals

THOMAS SITARIK

Appellant.

v.

BOOE REALTY

- Respondent.

TO THE HONORABLE COURT:

I, Thomas Sitarik, do hereby pray to this Honorable Court to stay the writ of eviction and order of possession that was issued by the myrtle beach magistrates court and the Horry County Circuit Court, pending a hearing on the matter. *COPY OF SIGNED UNDERTAKING IS ATTACHED.*

*This Is An Emergency Matter. Horry County Sheriff has posted a 24 Hour VACATE Notice - Urgent Request, Please*  
May 17, 2019

Respectfully submitted to the court,

Thomas Sitarik *Thomas C Sitarik*

Pro- se

843-390-9300

ORDERED BY THE COURT THIS \_\_\_\_\_ DAY OF MAY 2019

\_\_\_\_\_ JUDGE

*COPY OF SIGNED UNDERTAKING TO MAKE MONTHLY PAYMENTS IS INCLUDED WITH THIS MOTION.*

FORM 7 motion To The COURT  
PROOF OF SERVICE OF A ~~NOTICE OF APPEAL~~ *APPEAL* To STAY Eviction

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

*made via return mailing cost.*

APPEAL FROM Horry COUNTY  
Court of Common Pleas

D.CRAIG BROWN, Circuit Court Judge

Case No. 19-CP-26-0928

RECEIVED

MAY 17 2019

SC Court of Appeals

BOOE REALTY

Respondent.

v.

THOMAS SITARIK

Appellant.

PROOF OF SERVICE

*motion To STAY Eviction. ~~not a notice of appeal~~ FRANKING COST*

I certify that I have served the ~~Notice of Appeal~~ *Notice of Appeal* on BOOE REALTY by depositing a copy of it in the United States Mail, postage prepaid, on MAY 16, 2019, addressed to his attorney of record, J. SCOTT LONG 4375 OLEANDER DRIVE MYRTLE BEACH, South Carolina 29577.

MAY 16, 2019

THOMAS E. SITARIK  
5302 STONEGATE DRIVE  
NORTH MYRTLE BEACH, SC 29582  
843-390-9300  
PRO SE



Recipient Information

To: Court of appeal  
Company: South Carolina  
Fax #: 18037341839



Sender Information

From: Tommy Sitarik  
Company: Nightscapes, LLC  
Email address: Nightscapesmb@yahoo.com (from 159.117.182.35)  
Phone #: 8433909300  
Sent on: Friday, May 17 2019 at 9:41 AM EDT

Thomas Sitarik Motion

RECEIVED  
MAY 17 2019  
SC Court of Appeals

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# EXHIBIT B

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF HORRY )  
 )  
 )  
 )

2019CV261090421  
 CIVIL CASE NUMBER  
 MAGISTRATE'S COURT

BOND TO STAY EXECUTION  
 ON APPEAL

Bone Realty  
 7728 North Kings Highway  
 Myrtle Beach, SC 29572  
 (843) 449-4477

LANDLORD

Vs

Thomas Sitarik  
 5302 Stonegate Dr  
 North Myrtle Beach, SC 29582

TENANT(S)

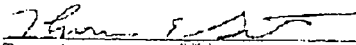
TO: Circuit Court

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 February 14, 2019, 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 \$2,263.00 per month, due on the 1st day of each month beginning March 1, 2019. The Tenant is further obligated to post bond in the amount of \$2,695.00 by 5:00 pm on Monday, March 4, 2019. Payments are to be made by cashiers check or money order to Bone Realty at 7728 North Kings Highway Myrtle Beach, SC 29572.

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 February 25, 2019:

  
 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 February 25, 2019

JUDGE

Myrtle Beach Magistrate Court  
 1201 21st Avenue North  
 Myrtle Beach, SC 29577  
 Phone: (843) 915-5293  
 Fax: (843) 444-5131

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MAY 17 2019

SC Court of Appeals

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# EXHIBIT C

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STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF Horry )  
 )  
Thomas Sitarik )

IN THE COURT OF COMMON PLEAS  
 JUDICIAL CIRCUIT

CASE NO.: 19-CP-0928

MOTION AND ORDER INFORMATION

ELECTRONICALLY FILED