

# The South Carolina Court of Appeals

Russell Goodwin, Appellant,

v.

Russell Powell et al, Respondent.

Appellate Case No. 2019-001324

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## ORDER

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Appellant's motion to proceed without costs is denied pursuant to *Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995). The notice of appeal filing fee must be paid within fifteen days of the date of this order.

Appellant's motion to stay the writ of ejectment is denied because Appellant has failed to show that he first made the motion to the circuit court and that he has complied with the undertaking requirement set forth in section 27-40-800 of the South Carolina Code (2007). *See* Rule 241(d)(1), SCACR (providing that except where extraordinary circumstances make it impracticable, an application for supersedeas must first be made to the lower court which issued the order on appeal); S.C. Code Ann. § 27-40-800 (2007) (providing that a writ of ejectment is stayed on appeal if the appellant signs an undertaking that he will pay the landlord the amount of rent determined by the circuit court and if the appellant complies with the terms of the undertaking).

  
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FOR THE COURT

Columbia, South Carolina

cc:  
Russell Goodwin  
Timothy G. Quinn, Esquire

**FILED**

August 9, 2019