

The South Carolina Court of Appeals

Francena Cedeno-Thomas, Appellant,

v.

Marsh Pointe Apartments, Respondent.

Appellate Case No. 2020-000030

ORDER

First, Appellant's motion to proceed *in forma pauperis* is denied pursuant to *Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995). The filing fee must be paid within fifteen days of the date of this order.

Second, Appellant's petition for supersedeas requesting a stay of the writ of ejectment is denied. *See* 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."); S.C. Code Ann. § 27-37-130 (2007) ("An appeal in an ejectment case will not stay ejectment unless at the time of appealing the tenant shall give an appeal bond as in other civil cases for an amount to be fixed by the magistrate and conditioned for the payment of all costs and damages which the landlord may sustain thereby. In the event the tenant shall fail to file the bond herein required within five days after service of the notice of appeal such appeal shall be dismissed by the trial magistrate.").


FOR THE COURT

Columbia, South Carolina

FILED

January 10, 2020

cc:

Francena Cedeno-Thomas
Marsh Pointe Apartments