

The South Carolina Court of Appeals

Russell Goodwin, Appellant,

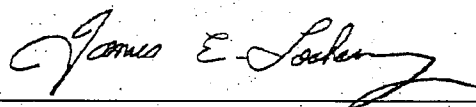
v.

Russell Powell et al, Respondent.

Appellate Case No. 2019-001324

ORDER

Respondent has filed a motion to alter or amend, which we construe as a motion to clarify this court's order of February 20, 2020, which denied Respondent's motion to dismiss this appeal. After consideration, this court clarifies that although this court denied Respondent's motion to dismiss this appeal on February 20, 2020, this court had previously denied Appellant's motion to stay the writ of ejectment because Appellant failed to show he complied with the undertaking requirement set forth in section 27-40-800 of the South Carolina Code (2007). *See* § 27-40-800 (providing that a writ of ejectment is stayed on appeal only 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). Subject to the parameters set forth in our Supreme Court's recent orders *Re: Statewide Evictions and Foreclosures* filed April 30, 2020, and *Re: Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Evictions and Foreclosures Forms* filed on May 6, 2020, nothing prevents the lower court from holding any hearings it deems necessary in accordance with section 27-40-800 to determine the amount of rent due to Respondent pending the resolution of this appeal.



FOR THE COURT

Columbia, South Carolina

FILED
May 14 2020

cc:

Russell Goodwin

Timothy G. Quinn, Esquire