

STATE OF SC COURT OF APPEALS
In The Court of Appeals

Motion to Request STAY
Appellate Case No. 2020-000625

P.O. Box 11629
Columbia, SC 29211

APPEAL FROM THE CHARLESTON COUNTY
Court of Common Pleas

Case Number No. 2016CP1005559
June 11, 2020, 2020

Plaintiff Diane LaPrade,

Vs.

Sandra Freemsn et al.

Number Of Pages: 11

ATTN: KatLin

To: Charleston Common Pleas

Case Caption: Diane LaPrade aka: Diane Pyatt VS Sandra Freeman , defendant, et al

Case Number: 2016CP1005559

Date: March 20, 2020

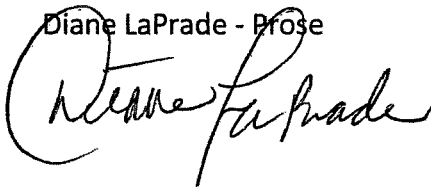
Type: To update a cause of action dropped at the court March 19, 2020. The plaintiff was unable to get the paperwork stamped by the court because of the health concerns and was told to put it in a bin and they would clock it in later. The plaintiff is adding additional information to help clarify the matter brought before the court.

The parties to this lawsuit have been served by certified mail on March 19, 2020 and a copy of that letter has been enclosed and they have been notified of the appeal being available at the court for viewing.

To appeal an order made by the Charleston County Court dated January 28, 2020 to the South Carolina Court of Appeals on March 19, 2020. The plaintiff is requesting that the case be given further considerations and be amended in order for the plaintiff to receive further relief as it may deem proper, equitable and just concerning the Plaintiff.

The plaintiff is also seeking and an automatic stay of the hearing to be held March 31, 2020 while considerations are being made.

Diane LaPrade - Prose

A handwritten signature in black ink, appearing to read "Diane LaPrade". The signature is written in a cursive, flowing style.

2020 MAR 20 PM 5:22
CLERK OF COURT

Laws concerning co-tenants responsibility

I hope this email finds you well. Per our phone conversation, please see the following excerpt from the South Carolina Supreme Court case regarding cotenant responsibility for property taxes.

"The burden of defraying necessary expenses of the common estate, such as mortgage payments, insurance, taxes, and necessary repairs, is the responsibility of all of the co-owners in proportion to their respective interests." 20 Am Jur 2d Cotenancy and Joint Ownership § 62 (emphasis added).

It is the duty of all cotenants who have an interest in the property to pay the entire tax due, subject to a right of reimbursement from the other cotenants. Absent an agreement to the contrary, a cotenant who has paid the entire amount of, or discharged an entire lien for, taxes or special assessments levied against the common estate generally has a right to contribution from his or her cotenants proportionate to the extent of their interests in the property and, in some jurisdictions, he or she may be accorded a lien to secure payment. 20 Am Jur 2d Cotenancy and Joint Ownership § 66 (emphasis added). See e.g. *Few v. Few*, 239 S.C. 321, 122 S.E.2d 829 (1961). Specifically, the South Carolina Supreme Court held, "Each cotenant is responsible for payment of taxes on the property, with the right of contribution from the other or others." *Watson v. Little*, 224 S.C. 359, 361, 79 S.E.2d 384, 385 (1953).

Laws for Number 11
in request for stay

Section 15-61-410. (A) Unless required otherwise to do so within a shorter time, a broker appointed under Section 15-61-400 to offer heirs property for open-market sale shall file a report with the court not later than ten days after receiving an offer to purchase the property for at least the value determined under Section 15-61-360 or 15-61-400.

(B) The report required by subsection (A) must contain the following information:

- (1) a description of the property to be sold to each buyer;
- (2) the name of each buyer;
- (3) the proposed purchase price;
- * (4) the terms and conditions of the proposed sale, including the terms of any owner financing;
- (5) the amounts to be paid to lienholders;
- (6) a statement of contractual or other arrangements or conditions of the broker's commission; and
- (7) other material facts relevant to the sale.