

# The South Carolina Court of Appeals

Thomas D. Howe and Sherry J. Howe, Respondent,

v.

Claudia Fabiano and Beach Colony Resort Homeowners  
Association, Inc., Defendants.

Of whom Claudia Fabiano, Appellant.

Appellate Case No. 2021-001165

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## ORDER

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After careful consideration, Appellant's petition for supersedeas is denied. *See* S.C. Code Ann. § 18-9-170 ("If the judgment appealed from direct[s] the sale or delivery of possession of real property, the execution of the judgment shall not be stayed unless a written undertaking be executed on the part of the appellant, with two sureties, to the effect that during the possession of such property by the appellant he will not commit or suffer to be committed any waste thereon and that if the judgment be affirmed he will pay the value of the use and occupation of the property from the time of the execution of the undertaking until the delivery of possession thereof pursuant to the judgment, not exceeding a sum to be fixed by a judge of the court by which judgment was rendered and which shall be specified in the undertaking.").

  
FOR THE COURT

Columbia, South Carolina

cc:

Claudia Fabiano

Daniel J. MacDonald, Esquire

**FILED**  
**Nov 02 2021**

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