

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

American Homes 4 Rent Management  
Holdings, LLC dba American Homes 4  
Rent,

PLAINTIFF,

v.

Mildred Stoddard, Justin Stoddard, and  
any other occupant located at 117  
Eagleston Lane, Simpsonville, SC 29680,

DEFENDANTS,

IN THE COURT OF COMMON PLEAS  
THIRTEENTH JUDICIAL CIRCUIT

C/A NO.: 2022-CP-23-00971

MAGISTRATE CASE NO.: 2022CV231020014

ORDER DISMISSING APPEAL

**RECEIVED**  
**Apr 06 2022**  
**SC Court of Appeals**

This matter comes before me upon an appeal of an Order establishing a bond amount issued in an eviction proceeding by the Magistrate Court in Greenville County. The hearing on this appeal took place on March 25, 2022 via webex video conference. Appearing at the hearing were the Defendant/Appellant Justin Stoddard (“Defendant”) and counsel for the Plaintiff American Homes 4 Rent Management Holdings, LLC dba American Homes 4 Rent (“Plaintiff”), John B. Kelchner of Turner, Padget, Graham & Laney, P.A. Upon reviewing the filings of the parties of record and the arguments made at the hearing, this Court finds as follows.

Pursuant to a Rule to Vacate or Show Cause issued by the Magistrate Court on January 5, 2022, Defendant filed a Request for Jury Trial on January 31, 2022. A bond hearing was held at the Fairview/Austin Summary Court on February 16, 2022, at which The Honorable Laura M. Saunders set a bond in the amount of \$11,076.26 (“Initial Bond”). Defendant was to pay this Initial Bond to Plaintiff by February 23, 2022 to preserve his jury trial request.

Defendant filed his Notice of Appeal on February 22, 2022 contesting the Initial Bond and arguing that it should only consist of an equivalent of one month’s rent, or \$1,695.00. On or about

March 3, 2022, Plaintiff received a check in the amount of \$1,695.00 along with a document titled “Bond to Stay Eviction on Appeal” dated February 25, 2022. This document appeared to have been signed by a Judge with the name “Kinlaw” written in manuscript underneath type-set print “Judge or Clerk.” Said document was not filed with either the Magistrate Court or Circuit Court and this Court subsequently determined that Circuit Court Judge the Honorable Alex Kinlaw, Jr. did not sign this document.

The Magistrate Court set a hearing for March 16, 2022 for an appeal bond at which Judge Saunders denied Defendant’s request to set the bond amount at an equivalent of one month’s rent. As one month had passed since the Initial Bond hearing, Judge Saunders set a new bond amount which was to encompass all rent, utilities, and fees due and instructed Plaintiff’s counsel to provide Defendant with the figure comprising this amount. Counsel for Plaintiff notified Defendant by email on March 16, 2022 that this amount was \$12,482.71 (“March Bond”). Judge Saunders instructed Defendant to pay the March Bond to Plaintiff by March 25, 2022 and requested that the Circuit Court schedule the appeal hearing on or before March 25, 2022.

At the hearing on March 25, 2022, Defendant reiterated that the bond amount should be set at approximately the monthly rent amount as various fees comprising the March Bond amount were in dispute. Defendant proceeded to argue the merits of the eviction proceeding. Plaintiff asked that the Court uphold the Magistrate Court’s issuance of the March Bond and find that Judge Saunders acted within her discretion in setting the amount of this bond.

This Court finds that Judge Saunders acted within the bounds of her discretion in issuing the March Bond amount and, therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. Defendant’s request that the March Bond be reduced is denied;

2. The Magistrate Court's Order for Defendant to pay Plaintiff the amount of \$12,482.71 by March 25, 2022 remains in full force and effect;
3. Defendant's Appeal is dismissed; and
4. This matter is remanded to Magistrate Court for any further proceedings that Court deems necessary.

AND IT IS SO ORDERED.

**PRESIDING JUDGE'S SIGNATURE TO FOLLOW**

Apr 06 2022

FORM 4

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

JUDGMENT IN A CIVIL CASE  
IN THE COURT OF COMMON PLEAS  
CASE NO. 2022-CP-23-00971

American Homes 4 Rent Management Holdings, LLC  
dba American Homes 4 Rent

Mildred Stoddard, Justin Stoddard, and any other  
occupant located at 117 Eagleston Lane,  
Simpsonville, SC 29680

PLAINTIFF

DEFENDANTS

<b>Submitted by:</b> John B. Kelchner (SC Bar No. 13589) Turner Padgett Graham & Laney, P.A. P.O. Box 1473 (29202) 1900 Main Street, Suite 1700 Columbia, South Carolina 29201	<b>Attorney for :</b> <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant or <input type="checkbox"/> Self-Represented Litigant
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**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.  See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRCP;  Rule 41(a), SCRCP (Vol. Nonsuit);  Rule 43(k), SCRCP (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRCP;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

This order  ends  does not end the case.  
Additional Information for the Clerk : \_\_\_\_\_

<b>INFORMATION FOR THE JUDGMENT INDEX</b>		
<b>Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.</b>		
<b>Judgment in Favor of (List name(s) below)</b>	<b>Judgment Against (List name(s) below)</b>	<b>Judgment Amount To be Enrolled (List amount(s) below)</b>
N/A		





Greenville Common Pleas

**Case Caption:** Justin Stoddard VS American Homes 4 Rent , defendant, et al

**Case Number:** 2022CP2300971

**Type:** Order/Dismissal

So Ordered

s/ Edward W. Miller