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May 04 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEAL

Greenwood Housing Authority,)
)
Respondents.)
)
v.)
)
Zakiya Parks,)
)
Appellants.)

MOTION FOR AUTOMATIC STAY
PURSUANT TO RULE 241 S.C.A.C.R
County Case No. 2022-CP-41-0394

COMES NOW, the Appellant by motion before this Honorable Court of Appeals. Appellant hereby request that this Honorable Court of Appeals grant and sustain the automatic stay pursuant to Rule 241 S.C. A.C.R for the duration of the appeal. The Appellant is subject to the provisions of S.C. Code 27-37-130 and 27-40-800 of the S.C. Landlord Tenant Act. The provisions of the above Statute allows Five (5) days to post an acceptable bond with the Court in order that a Stay be implemented. Chief Justice Beatty, of the South Carolina Supreme Court has issued a Memorandum (Order) regarding the manner of bonds pending appeal from Magistrate Courts writ of ejectments in South Carolina. In keeping with the spirit of the Chief Justice Order, A stay is warranted as a matter of law. The Appellant can and will post the bond in the amount of the monthly rent within the Five (5) day period .The *Appellant* respectfully submits that the factors governing whether to issue a stay pending appeal all weigh heavily for a stay to preserve the status quo. Specifically, because the Appellant believes she will prevail on the merits of the appeal and therefore, can support her claims that the current status quo be protected accordingly.

WHEREFORE, this Appellant prays that this Honorable Court of Appeals grant this motion in its entirety and issue an Order to the lower Court to accept the monthly rent payment as bond in this case on or before May 9, 2022 pursuant to S.C. Code 27-37-130.

s/ Zakiya Parks
Zakiya parks
106-D Tennessee Ct.
Greenwood, South Carolina 29646
Appellant-Pro se

On Record:

The Honorable
Ryan Johnson, Magistrate
528 Monument Street
Greenwood, South Carolina 29646

Greenwood Housing Authority
P.O. Box 973
Greenwood, S.C. 29648

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**APPELLANTS' CERTIFICATE OF
SERVICE**

APPEAL NO.

CERTIFICATE OF SERVICE

I, Zakiya Parks hereby certify that on May 4, 2022, that I served Respondents with the Appellant's Motion for Automatic Stay, which was filed with the S.C. Court of Appeals Clerk of Court and will send notifications of such filing to the following:

Greenwood Housing Authority
P.O. Box 973
Greenwood, SC 29686

The Honorable
Ryan Johnson, Magistrate Judge
528 Monument Street
Greenwood SC 29646

Under penalties of perjury, I hereby certify that on May 4, 2022 I mailed and caused the same documents to be filed with the Clerk of Court and Greenwood County Magistrate Judge for Respondents.

s/ ZAKIYA PARKS
Zakiya Parks
Appellant