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MAY 13 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Marvin H. Dukes, III, Circuit Court Judge

STATE OF SOUTH CAROLINA)	THE SOUTH CAROLINA COURT OF APPEALS
)	Appeal Case No. 2022-000045
BEAUFORT COUNTY)	
)	
GILBERT CLINTON GEE and LOURDES S. GEE)	MAGISTRATE'S COURT
Appellants,)	Case No.: 2021CV0710300301
)	
v.)	EMERGENCY MOTION FOR IMMEDIATE
)	TEMPORARY RELIEF AND TEMPORARY ORDER
SIGNATURE SALES GROUP, LLC,)	STAYING PROCEEDINGS UNDER THE WRIT OF
Respondent.)	POSSESSION
)	

Comes now the appellants, Gilbert Clinton Gee and Lourdes S. Gee, and ask the Court of Appeals to grant an emergency motion for immediate temporary relief and temporary order staying proceedings under the writ of possession for the following reasons:

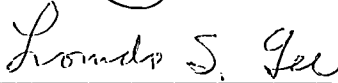
a) Appellants have complied with the bond to stay execution of appeal to the Circuit Court. The order dated June 24th, 2021 (attached), references only the Circuit Court and does not allude to or in any way suggest that the bond order will continue pass the final determination of the Circuit Court. Paragraph three (3) of the order dated June 24th, 2021 "Tenant hereby undertakes to pay the periodic rent hereinafter due according to the aforesaid findings of the court and moves the circuit court to stay execution on the judgment for ejectment until this matter is heard on appeal and decided by the Circuit Court."

The order, as written, is either ambiguous or simply did not reasonably anticipate the subsequent filing on appeal with the Court of Appeals. In either case, the order should have stated that in the event of a post circuit court final decision, that the appeal bond will remain in force until the eventual termination of all available appeals. The order does not say that. It simply ends by stating that this bond will remain in effect until this matter is heard on appeal and decided by the circuit court. Appellants believe, for the reasons stated, that the court order of June 24th, 2021 is legally insufficient to establish any other instruction.

Respectfully,



Gilbert Clinton Gee



Lourdes S. Gee

Cc: Kathleen M. McDaniel, Esq.
BURNETTE SHUTT & McDANIEL, PA
912 Lady Street, 2nd Floor (29201
Post Office Box 1929
Columbia, South Carolina 29202
T. 803-904-7913
F. 803-904-7910
KmcDaniel@burnetteshuttlaw
Attorney for Respondent

Revised

STATE OF SOUTH CAROLINA)
)
 BEAUFORT COUNTY)
)
 CLINTON and LOURDES S. GEE)
 Appellants,)
)
)
 v.)
)
 SIGNATURE SALES GROUP, LLC,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 Appeal Case No. 2021CP0701129

MAGISTRATE'S COURT
 Case No.: 2021CV0710300307

ORDER OF IMMEDIATE POSSESSION

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 BEAUFORT COUNTY MAGISTRATE COURT
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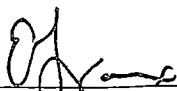
Pursuant to the Court's Order of Bond to Stay Execution on Appeal, dated June 24, 2021, Defendant was to pay rent in the amount of \$246.25 each week during the pendency of the Appeal. In accordance with S.C. Code Ann. Sec. 27-40-800, and Rule 241, South Carolina Appellate Court Rules, and as agreed to, and signed by, Defendants: "[i]f Tenant fails to make any rental payment on time, upon application of the Landlord, the stay of execution shall dissolve, the appeal by the Tenant to the Circuit Court on issues dealing with possession must be dismissed, and the Sheriff may dispossess the Tenant." (See attached Order).

On May 4, 2022, the Court received the attached Affidavit from Plaintiff stating Defendants have not complied with the Order of Bond to Stay Execution on Appeal, in that no rental payments have been made since December 12, 2021. In addition, Defendants refuse to allow Landlord/Plaintiff to enter the unit to do pest control.

Therefore, it is hereby ordered that the Beaufort County Sheriff's Office is to execute the attached Writ of Ejectment and return said property to the Plaintiff forthwith. Further, the pending Appeal of said matter should be dismissed.

IT IS, THEREFORE, ORDERED.

May 5, 2022
 Bluffton, South Carolina


 Erin G. Vaux,
 Beaufort County Magistrate

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)
)
Signature Sales Group, LLC,)
)
)
Plaintiff,)
)
vs.)
)
Gilbert Clinton Gee and Lourdes S. Gee,)
)
)
Defendants.)
_____)

IN THE MAGISTRATE'S COURT
Case No.: 2021CV0710300301

AFFIDAVIT OF SELENA BROWN

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BEAUFORT MAGISTRATE COURT
2022 MAY -4 PM 12:01

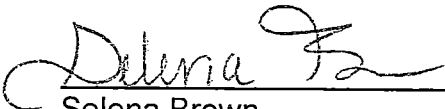
The undersigned, being duly sworn, states the following:

1. My name is Selena Brown.
2. I am a resident of Beaufort County, South Carolina.
3. I am Property Manager for Plaintiff Signature Sales Group, LLC.
4. Defendants were permitted to live in Unit N6 of 104 Cordillo Parkway, Hilton Head Island in connection with Mr. Gee's previous work with Signature Sales Group, LLC.
5. On June 17, 2021, the Magistrate's Court issued a Writ of Ejectment against Defendants, which Defendants appealed.
6. As a condition of remaining in the property pending appeal, Defendants were ordered to pay rent in the amount of \$246.25 each week.
7. I have personal knowledge of the rental payments made by Defendants during the course of this litigation and subsequent appeals.
8. The last rental payment made by Defendants was on December 12, 2021.
9. Defendants have made no rental payments since December 12, 2021.
10. Defendants have also refused to permit pest control to enter the unit.


11. A true and accurate copy of the letter sent to Defendants regarding their refusal to permit the entry of pest control is attached as Exhibit A.

12. The manager of High Tide Associates, which handles property management for Cordillo Courts, sent me a text message stating that they could fine Signature Sales Group, LLC if Defendants continued to refuse entry to pest control.

13. Signature Sales Group, LLC desires that the Magistrate's Court execute the Writ of Ejectment to eject Defendants from Unit N6, 104 Cordillo Parkway, Hilton Head Island.


Selena Brown

SWORN to and subscribed before me this
day 4 of May, 2022


Notary Public For South Carolina
My Commission Expires: 4-6-31

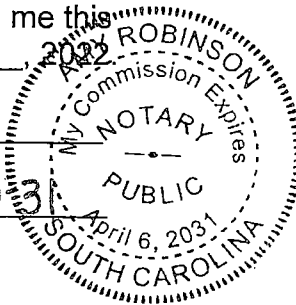


EXHIBIT 1

HHI Investment Company, LLC

Premier Property Management

March 21, 2022

Via Email & Hand Delivery

Clinton and Lourdes Gee
104 Cordillo Parkway, Unit N6
Hilton Head Island, SC 29928

Re: Refusal of Entry for Pest Control Service

Dear Clinton & Lourdes:

This letter is to notify you that you are in violation of the Cordillo Court Rules & Regulations because you have refused entry for the monthly pest control treatment 104 Cordillo Parkway, Unit N6, Hilton Head Island, SC 29928.

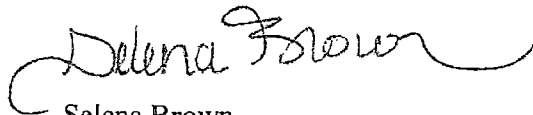
ITEM# XX Pest Control: Pest Control technicians treat villas monthly.

On or about Friday, March 18, 2022 Hightide Association reported that you refused entry to the pest control technician.

Refusal of entry will result in a fine of \$100 per refused visit!

If you have any concerns or questions then please contact me.

Sincerely,



Selena Brown
Property Manager
(843) 785-1000 ext. 7317

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APPEAL FROM BEAUFORT COUNTY
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The Honorable Marvin H. Dukes, III, Circuit Court Judge
Magistrate's Court Case No. 2021CV0710300301

Appellate Case No. 2022-000045

Gilbert Clinton Gee and Lourdes S. Gee Appellants (pro se).

v.

Signature Sales Group, LLC Respondent.

PROOF OF SERVICE

The undersigned hereby certifies that a true copy of Emergency Motion for Immediate Temporary Relief and Temporary Order Staying Proceedings Under the Writ of Possession in the above-referenced case has been served on all parties and/or their counsel of record by mailing a copy of same by way of the United States Postal Service, postage pre-paid, on the date below, addressed as follows:

PARTIES SERVED: Kathleen M. McDaniel, Esq.
BURNETTE SHUTT & McDANIEL, PA
912 Lady Street, 2nd Floor (29201
Post Office Box 1929
Columbia, South Carolina 29202
T. 803-904-7913
F. 803-904-7910
KmcDaniel@burnetteshuttlaw
Attorney for Respondent

Respectfully submitted:



Gilbert Clinton Gee



Lourdes S. Gee

May 11th, 2022



Gilbert Gee
33 Office Park Rd. # A-201
Hilton Head, SC 29928



1000



29211

U.S. POSTAGE PAID
FCM LETTER
HILTON HEAD ISLAND, SC.
29928
MAY 11, 22
AMOUNT

\$0.78

R2305M144904-25

South Carolina Court of Appeals

P. O. Box 11629

Columbia, SC 29211

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SC Court of Appeals

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