

# The South Carolina Court of Appeals

Russell Crawford, Appellant,

v.

Raymond Babich, Respondent.

Appellate Case No. 2022-000622

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## ORDER

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First, Attorney Matthew M. Billingsley's motion to be relieved as counsel for Appellant is granted. This appeal will be held in abeyance for 30 days to allow Appellant to retain new counsel. New counsel shall file a notice of appearance within thirty days or this court will presume Appellant is proceeding pro se.

Second, Appellant's petition for supersedeas is granted and any eviction shall be stayed pending this appeal because Appellant has complied with the requirements set forth in section 27-40-800 of the South Carolina Code. *See* S.C. Code Ann. § 27-40-800(f)(1) (2007) ("Upon appeal to the Supreme Court or to the court of appeals, it is sufficient to stay execution of a judgment for ejection that the tenant sign an undertaking that he will pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered. The judge of the court having jurisdiction shall order stay of execution upon the undertaking."); § 27-40-800(f)(2) ("The tenant's failure to comply with the terms of the undertaking entitles the landlord to execution of the judgment for possession in accordance with the provisions of subsection (e) of this section."); § 27-40-800(e) ("If the tenant fails to make a payment within five days of the due date according to the undertaking and order staying execution, the clerk, upon application of the landlord, shall issue a warrant of ejection to be executed pursuant to § 27-37-40 of the 1976 Code.").



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FOR THE COURT

**FILED**  
**Jun 02 2022**

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Columbia, South Carolina

cc:

Matthew M. Billingsley, Esquire

Russell Crawford

Raymond Babich