

IN THE COURT OF APPEALS FOR MUSKINGUM COUNTY, OHIO

FIFTH APPELLATE DISTRICT

EAGLE VIEW APARTMENTS

Plaintiff-Appellee

-vs-

JAMIE G. PRIDE

Defendant-Appellant

FILED
FIFTH DISTRICT
COURT OF APPEALS
AUG 10 2006
MUSKINGUM COUNTY, OHIO
TODD A. BICKLE, CLERK

JUDGMENT ENTRY
CONDITIONAL ORDER OF
TEMPORARY STAY OF
EXECUTION

CASE NO. CT06-0050

This matter came before the Court for consideration of Appellant's motion to stay execution of judgment.

Upon due consideration, the Court finds Appellant's motion well taken and hereby issues a temporary stay order for the execution of the trial court's writ of restitution entered on August 8, 2006. Appellant is hereby ordered to post a supersedeas bond in the amount of \$124.00 on or before August 18, 2006 at 4:30 p.m. Failure to post a bond shall result in the automatic termination of this temporary stay of execution. In the event that the bond is posted, the temporary stay shall remain in effect until further order of this Court. If the underlying writ of restitution has been executed prior of the filing of this Judgment Entry, this temporary order to stay shall be of no effect.


The Court further finds that pursuant to App.R.7, the trial court has jurisdiction to entertain Appellant's motion for stay. The Court hereby remands this matter to the trial court to consider Appellant's motion for stay and, if denied, to state with particularity its reasons for the denial. It is hereby requested that the trial court do so on or before August 31, 2006.

Appellee shall file any response to Appellant's motion to stay execution of judgment filed in this Court on or before August 22, 2006.

TEMPORARY STAY GRANTED UNTIL FURTHER ORDER OF THE COURT.
SUPERSEDEAS BOND ORDERED.

MATTER REMANDED FOR FURTHER CONSIDERATION.

IT IS SO ORDERED.



JUDGE



JUDGE