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S.C. SUPREME COURT

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Subject: Motion to reinstate and clarify Order
Date: Thursday, April 13, 2023 11:59:00 PM

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Motion to reinstate (and clarify Order) to the Supreme Court of South Carolina

Appellate Case #2023-000444

John Fontana, Petitioner

V

Shady Grove, Respondent

Motion to reinstate and clarify Order

John Fontana appeals the Order (Judgment) of the South Carolina Supreme Court, dated March 29, 2023, (dismissal for not filing timely). I also ask for clarification of the Order.

April 13, 2023
John Fontana
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Pro se Petitioner

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You're 3/29 Order specifically stated this was dismissed because I "failed to timely file...in compliance with the content requirements (of) Rule 242". It didn't state I "failed to timely file...AND was not in compliance with the content requirements (of) Rule 242". As such, I'm only going to address the timeliness aspect.

I respectfully request that you confirm and/or further clarify this for me.

Re: my timeliness. The Court of Appeals order dismissed my case on 2/13. I knew

that a 30 day deadline would fall on 3/15, so I called the Court of Appeals on 3/14 at 4:38 & 4:43PM and spoke a total of 33 minutes. I was told for the first time that my appeal specialist specific to my case, Shelby Spencer, no longer works there.

I don't know if she was fired, but I'd previously had a problem with getting a hold of Ms. Spencer to ask questions and get info. I'd call, be transferred to her voice mail, leave a message, and never hear back from her. That Court's stated goal is to get back to you within 24 hours. At one point she'd told me she'd had surgery and was out for week(s) at a time, and hadn't gotten more than half my messages. All her coworkers had described her as the one I should always speak with as she was the one with the most knowledge of my case. In other words, I, appearing pro se, had no access to my appeal specialist who could most help me, and in which I am entitled, as all appellants are. I'd made a previous complaint about this.