

Writ of Certiorari To The Supreme Court  
The State of North Carolina  
In The Supreme Court

Appeal of S. Carolina Court of Appeals (In The Supreme Court)  
Case # 2022-0759

JOHN FONTANA, Appellant

V.

Shady Grove NHP, Respondent

Writ of Certiorari (Notice of Appeal)  
John FONTANA Appeals the Order (Judgment) of The S. Carolina  
Appellate Court, dated 2/13/23, (Dismissal for Non-Payment of Court Costs),  
March 15, 2023

John Fontana  
JOHN FONTANA  
40107-17 111st.  
Richmond Hill, NY 11419  
Pro se Appellant

(Other) Counsel of Record  
Thomas Winslow  
11019 Ocean Highway  
Pawleys Island, SC 29585  
Attorney for Respondent  
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S.C. SUPREME COURT

I certify that I made what I believe was a Petition to reinstate the case on 12/16/22. It was denied 2/13/23.

On 10/24 they denied my *Forma Pauperis* request, citing *Et Parte Martin*, which states their function is to review other judge's decisions, and so it was too early to make my request as a judge hadn't granted waiver of fees yet. This is wrong, as the circuit judge had previously granted that. They gave me 15 days (fifteen) to pay the filing fee.

11/8 I asked for clarification of the denial, and "for an extension of time to pay ANY court fees." I'd been told by my appeal specialist, Shelby, that I wouldn't have to pay anything until I got my clarification, and then I could ask for reconsideration of that denial and still not yet have to pay anything.

11/17 they said I had to pay a \$50 fee for my 11/8 motion, but they misquoted me as asking for extra time to pay the "notice of appeal filing fee," when in fact I'd asked for "any court fees" to be put on hold until I'd gotten clarification. Their letter gave no deadline to pay by.

12/11 it was dismissed for not paying the fee, just 14 (fourteen) days later!! Their earlier 10/24 letter had expressly stated 15 (fifteen) days to pay. 14 (fourteen) days, unstated, is not timely, and is, in fact, so inconsistent that it caused me detrimental reliance.

11/4 they said I had to pay the fee to extend my Initial Brief. This was while I was still waiting for the *Pauperis* clarification. They also denied that 12/11, 27 (Twenty-seven) days later!! I request additional time of other information to submit, which I'm waiting for.

Thank you

John Fontana, 3/15/23.

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Motion to Proceed in Forma Pauperis

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The State of South Carolina  
In the Supreme Court

Appeal of S.C. Court of Appeals (In the Supreme Court)  
Case # 2022-0759

John Fontana, Appellant

V.  
Shady Grove Mobile Home Park, Respondent

Motion to Proceed in Forma Pauperis

I certify that I filed a similar affidavit with the Court of Common Pleas for this first appeal on 8/20/21, and it was granted. Since then my financial situation and living conditions have gotten worse. I've been unfairly evicted, (without being given any notice or opportunity to give an adversarial stance, (as is my Constitutional Right), against the Respondent's false affidavit claiming I was in non-compliance, and all my possessions have been thrown out and destroyed. As of now, my home <sup>even</sup> does not belong to me! I still have no income, and my health has deteriorated.

For food, there are various Covid distribution sites, especially for senior citizens like myself.

I have over \$40,000 in debt. I'm waiting for its proper correspondence in order to submit it as proof. As such, I request an Extension of time to do this before you make your Decision.

Because of the delicate nature of this very personal information, I ask that after you receive it, you seal this and all the specifics of this motion from the public.

Thank you.

3/15/23

John Fontana  
c/o: 107-17 111st.  
Richmond Hill, NY 11419  
Pro Se Applicant

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S.C. SUPREME COURT

Fentana  
c/o: 107-17 111st  
Richmond Hill, NY 11419

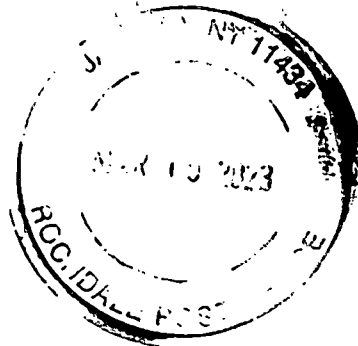


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