

FORM 18
PETITION FOR A WRIT OF CERTIORARI TO THE
COURT OF APPEALS

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Shannon M. Phillips, Circuit Court

Judge

Case No. 2023-CP-42-01755
Civil Case No. 2023CV4210102987
Appellate Case No. 2023-001068

River Run and Greystar
Management
901 Meridian River Run
Spartanburg, SC 29301

Respondent,

v.

Shaneka Flournoy
2301 Meridian River Run
Spartanburg, SC 29301

Petitioner.

PETITION FOR A WRIT OF CERTIORARI

Brownlee Whitlow & Praet
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Charlotte NC 28204
Attorney for Respondent

Other Counsel of Record:

RECEIVED
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S.C. SUPREME COURT

Pending
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Currently Pro se

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Counsel for petitioner certifies that the Petition for Rehearing was dismissed and never ruled on by the Court of Appeals on November 9, 2023.

QUESTIONS PRESENTED

1. I filed a motion to reconsider after dismissal of case for no legitimate reason; The Magistrate court and the SC court of appeals are being prejudice and biased. Why are they dismissing my case and not letting the panel of judges review my case?
2. I also filed a motion to stay against an unlawful ejection. How can someone be charged to live somewhere that is inhabitable and not in compliance with Department of Social Health Standards? Why are they dismissing my case and not letting the panel of judges review my case?

STATEMENT OF THE CASE

On July 7, 2023, Shaneka Flournoy brought this action. . . .

I asked the courts to dismiss the eviction/ejection that was filed against me and reinstate my motion to stay until my lease is up December 29, 2023. My Landlord has agreed to this and submitted me a letter as when my lease is up and when I have to vacate the apartment by before the rent goes up for month to month.

My landlord breached my contract dated all the way back to January. On January 2, 2023, two days after I moved in, my sprinkler system busted flooding my bedroom with water. The maintenance men from River Run came to knock out my wall, vacuum up the water and I haven't seen them since. They left a huge hole in my wall with open insulation which made my apartment **Inhabitable for 6 months.**

I reached out to management for 6 months and they failed to fix my wall. River Run/Greystar Management have been charging me for services that I have not received. Neglecting to fix my wall has **exposed my health** to insulation which has **airborne fiberglass and asbestos.** I

have been having symptoms of redness of the skin, shortness of breath, and chest pains; medical assistance is needed. And years from now, I am at risk of developing lung cancer.

The Court of Appeals affirmed the judgment of the circuit court. Brownlee Whitlow & Praet, as Personal Representative of the River Run Apt, (S.C. Ct.App. filed November 9, 2023). Petitioner seeks a writ of certiorari to review that decision.

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ARGUMENT

- a. I filed a motion to reconsider after dismissal of case for no legitimate reason; The Magistrate court and the SC court of appeals are being biased and prejudice. Why are they dismissing my case and not letting the panel of judges review my case?
- b. I also filed a motion to stay against an unlawful ejection. How can someone be charged to live somewhere that is inhabitable and not in compliance with Department of Social Health Standards?

CONCLUSION

For the reasons stated, petitioner asks the Court to grant the petition for a writ of certiorari. I ask to be treated fairly. It is unjust and unfair to take my court fees and dismiss my case without even reviewing it. They should dismiss all my fees that came with it as well. The magistrate court and the SC Appeals court both wouldn't even review my case yet took my filing fees. This act is so unjust and inhumane. It is unheard of to dismiss my case for lack of evidence when I submitted 30 pages of evidence. SC Court of appeals made up false information to have my case dismissed; They had no legitimate reason to dismiss my case. Both courts are taking the side of the landlord and is not considering any damages of the tenant Shaneka Flournoy.

I do have plans to evacuate the apartment in December which is in a couple of weeks. I need more time than a 24-hour notice to vacate. I will also file a motion to stay until mid-December. River Run sent me a letter agreeing that my lease was up in December. However, they are also continuing with ejection when they agreed on the move out day. Ill submit a copy to the courts as well.

Respectfully submitted,

November 15, 2023

Shaneka Flournoy
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