



TABLE OF AUTHORITIES CITED

PAGE NUMBER

CASES

Berkeley County Sheriff

B erkeley County Magistrate

S outh Carolina Courts of Appeals

B erkeley County Circuit Court

B erkeley County Clerk of Courts

STATUTES AND RULES

I , Tevin Stevens has appealed and the circuit court affirmed the magistrate's grant of summary judgment to the Berkeley Homes. I Tevin Stevens has appealed the circuit court's order to the court of appeals, and Berkeley Homes moved to certify the case to this Court pursuant to Rule 204(b), SCACR. This Court granted Berkeley Homes motion, and Tevin Stevens raise the following issues for review:

- I . Did the circuit court err in affirming the magistrate's grant of summary judgment to Berkeley Homes based on a finding that Landlord provided the proper notice for terminating the tenancy established by the lease agreement?
- I . Did the circuit judge err in failing to recuse himself in this matter?
- II. Should eviction proceedings require a court to find at least "clear and convincing proof" of a breach by Tevin Stevens of a lease agreement?
- I , Tevin Stevens appealed and the circuit court affirmed the magistrate's grant of summary judgment to the Landlord. Tenants appealed the circuit court's order to the court of appeals, and Landlord moved to certify the case to this Court pursuant to Rule 204(b), SCACR. This Court granted Landlord's motion, and Tenants raise the following issues for review:
- I . Did the circuit court err in affirming the magistrate's grant of summary judgment to Landlord based on a finding that Landlord provided the proper notice for terminating the

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED  
The State Department of Social Services and the Department of Health and Human Services, and the Department of Public Safety, are hereby notified that the following provisions of the Constitution of the State of North Carolina are hereby cited in this petition for writ of habeas corpus for the reasons stated below:

REASONS FOR GRANTING THE PETITION  
To prevent homelessness and pay the rent that is owed to Berkeley Homes

No. 2024-CV-00106-0012

IN THE  
SUPREME COURT OF THE UNITED STATES  
South Carolina

\_\_\_\_\_, PETITIONER

VS.

Berkeley Homes, RESPONDENTS

PROOF OF SERVICE

I, the undersigned, \_\_\_\_\_, a member of the State Bar of South Carolina, hereby certify that I have served the enclosed MOTION FOR LEAVE TO PROCEED AS FORMA PAUPERIS on the Respondents at their last known addresses as shown on the Return of Service filed in this case. I have also served a copy of this motion on the Respondents by first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:  
Berkeley Homes, Case #1, Creek, Courts of Appeals, Berkeley, Magistrate Court, Berkeley County, South Carolina

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 20, 2024.

\_\_\_\_\_  
(Signature)

CONCLUSION

The petition for writ of certiorari should be granted.

Respectfully submitted,

John Stevens

Date: 10/20/24

No. 2024-CY-08-10400176

IN THE  
SUPREME COURT OF THE UNITED STATES  
South Carolina

Tevin Stevens  
(Your Name) — PETITIONER

VS.

Berkeley Homes — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Berkeley County courts and Court of Appeals

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: \_\_\_\_\_ or \_\_\_\_\_

a copy of the order of appointment is appended.



(Signature)

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; or,
- has been designated for publication but is not yet reported; or,
- is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; or,
- has been designated for publication but is not yet reported; or,
- is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; or,
- has been designated for publication but is not yet reported; or,
- is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; or,
- has been designated for publication but is not yet reported; or,
- is unpublished.

**LIST OF PARTIES**

- All parties appear in the caption of the case on the cover page.
- All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:
  - Berkeley Homes 121 Marilyn street Moncks Corner SC 29461
  - C  
hase M Cooke PO Box 62975 North Charleston South Carolina 29419
  - B  
erkeley County Magistrate Court 223 N Live Oak Drive Moncks Corner SC 29461
  - S  
outh Carolina Court of Appeals 1220 Senate Street Columbia SC 29201
  - B  
erkeley county sheriff Office 223 N Live Oak Road Moncks Corner SC 29461