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SC Court of Appeals

From: [John Fontana](#)
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Subject: MotnToNegateSale&StopMovement OfHomeAftAuctnTilAllFactsAreIn
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Motion to Stay Movement
And Negate Sale

of Home After Auction

The State of South Carolina
In the Court of Appeals
(In the Supreme Court)

Case # 2024-001825

Motion to Stay Movement of Home
And Negate Sale

I certify there was an auction yesterday of my home before all the issues had been heard and considered on my case(s), even though I'd raised them in a timely way before the auction. The buyer was the respondent Shady Grove, and I request the sale be negated and the house not moved.

I'd previously made a motion for clarification and reconsideration of the court's 10/4 order, which has still not been rendered.

I'd also requested that the auction be stopped until after my 2021 case (#2021cp260-5635) be heard, which is related to this case. I'd previously was inaccurate on my previous 12/2 motion to this court on the timing of it's scheduling. I'd made a motion to reopen on 8/20/24, and the Court posted it 8/22, and a hearing was scheduled the week of 9/3. That's just 12 days later, ! (not over 3 months as I'd previously stated.) Counsel adjourned it 8/26, and it still has not been rescheduled!! That's now 3 months and a week and counting! Why the disparity? This lack of consistency and timeliness is interfering with justice. It's urgent my 38 pg. attachment be read by a court, any court. It never has been. It proves I was not non-compliant, and should not have been evicted.

As my previous motion stated, the 10/4 order said the lower court should consider staying the sale, but Conway, the lower court, refused to consider it unless it was remanded back from this court. Can this request be fulfilled?

I was never given notice of the 12/2 auction.

I've ordered, but still don't have the Webex transcript for the 2024 Conway hearing. This will show I was, in fact, present during the hearing, but technical difficulties impeded me. I was not in default, and my appeal should have continued.

Thank you.
November 3, 2024

John Fontana
Pro se appellant