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SC Court of Appeals

**From:** [John Fontana](#)  
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**Subject:** ExigentInfoRe12.3NegateSale,Stop MvmtMtnAndNoBillsInIndx  
**Date:** Thursday, December 12, 2024 12:24:10 PM

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Exigent Info for 12/3/24 Motion, And Exclude any personal bills from public index

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

Case # 2024-001825

Exigent Info for 12/3/24 Motion to Negate Sale and Stop The Movement of Home,  
And  
Exclude any personal bills from public index

I certify that I'm appealing the Conway case because it was closed due to the fact that when I was trying to get on Webex with Barbara Floyd, a court clerk, starting at 1:38PM (that's documented, but I had been trying to get on much earlier), but couldn't due to technical difficulties, an instant message (IM) was sent then, 1:38PM, notifying that day's clerk of court as such.

My case was closed and I lost by default because this court clerk said my case was already finished by 1:38!!! I was the 7th case on the docket for that afternoon, and 5 were settled beforehand and I don't know if they were called, but there was one case before mine called (case# 2024cp2600775, Patrick Harrison vs Ryan Excavating & Concrete, LLC with attorney Tom Winslow representing Mr. Harrison. The same atty. vs me.)

S. C. Court Administration has told me my case started on the 21st minute of that afternoon's hearings and lasted 6.34 minutes more. Since the hearings started 1:30PM or later, that means mine ended 1:57PM or later. This coincides almost exactly to what I'd been claiming, and also agrees with the phone clerk, Ms Floyd's, documentation. The scheduler, Jennifer Anderson, told me the hearings often start a couple of minutes late. That means mine ended at least 20 minutes after 1:38PM, the time this court clerk wrongly claimed it was already over!!! This is blatantly false, and I believe this clerk had neglected to look at her 1:38PM IM, and is now trying to save face or worse. I'll withhold her name because I don't want to be a fink, but it's traceable.

When I made a timely motion to reconsider (well within 30 days), I mailed \$25 cash, (as my in forma pauperus was wrongly closed upon the closing of the case), from inside my post office and it was never received! And that's why this appeal was necessary. I don't know who, or if one or two people, open(s) their mail, but it's very disturbing, and unfair, that it was "lost". I've since resubmitted the lost papers, but without the fee.

Also, I've finally gotten a new date(2/25/25) to reopen for the prior related case in Conway (#2021cp260-5635). The 9/6/24 hearing was adjourned by counsel for suspect reasons on 8/26; if not it would have been heard by now, and this appeal might not even be necessary. My submitted papers clearly show I paid the bond fund on time and thus I was not non-compliant and my case should have been won or allowed to continue. The magistrate had ruled, ex parte, that I hadn't paid Feb's \$380 lot fees and closed my case, and refused to take my motion to stay eviction until S.C. Administration told him to, but by then I was already evicted, and even then he refused to hear any evidence!! In fact, I'd paid Jan & Feb fees together in one \$760 bank check on 1/12, one month before the 2/12 deadline for Feb!!

That's why this motion is not frivolous and needs to be granted until all facts are heard. If necessary, I can show the Jan bank ck. for \$760 and their confirmation of it in Jan, but don't know how to attach it to this motion. Its in the 38 pgs attached to that case and in the public index for you to see. (It was also promised to have been attached to this Conway case I'm appealing now, but by court oversight it has not yet been done.)

Please also stop all my possessions from being moved, both inside and outside my house.

I've applied for and believe I've been granted in forma pauperus, and do not need to pay any fee.

I also make a motion here that any private bills I've submitted or will submit be kept confidential and not be included in the public index.

It's urgent you act as quickly as possible.

Thank you.

December 12, 2024

John Fontana  
Pro se appellant