

The South Carolina Court of Appeals

Latasha L. Morrell, Appellant,

v.

Beaufort Housing Authority, Respondent.

Appellate Case No. 2024-001091

ORDER

On September 16, 2024, this court dismissed this appeal because Appellant failed to order the transcript. Also on September 16, 2024, Appellant sent an email, which we construe as a motion to reinstate her appeal, requesting to order the transcript outside of the filing deadline. On September 20, 2024, Appellant provided proof of ordering the transcript. On November 18, 2024, Appellant provided proof of serving her motion to reinstate on Respondent on November 16, 2024. After careful consideration, we grant Appellant's motion to reinstate her appeal. *See* Rule 260(a), SCACR ("A case shall not be reinstated except by leave of the court, upon good cause shown, after notice to all parties.").

On September 30, 2024, Appellant moved to proceed *in forma pauperis*. The right to proceed *in forma pauperis* must rest upon a statute or a fundamental constitutional right. *Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995). Appellant has the burden of showing her entitlement to this relief, but she has not done so. Therefore, Appellant's motion is denied.

On October 8, 2024, Appellant filed a motion "due to clerical errors," which we construe as a motion to hold the appeal in abeyance and remand to the circuit court for the filing of a motion pursuant to Rule 60(b) of the South Carolina Rules of Civil Procedure. Respondent filed a return on October 17, 2024, and opposed the requested relief. On November 26, 2024, Appellant filed a motion for "relief from court" seeking the same relief requested in her October 8 motion. After careful consideration, we deny Appellant's motions. *See* Rule 60(b), SCRCPP ("During the pendency of an appeal, leave to make the motion must be obtained from the

appellate court.").

A handwritten signature in black ink, appearing to be "32 l J", written over a horizontal line.

FOR THE COURT

Columbia, South Carolina

cc:

Latasha L. Morrell

Sarah P. Spruill, Esquire

Ronald Talmadge Scott, Esquire

Alexandra Cassidy Glunt, Esquire

FILED
Jan 14 2025