

The South Carolina Court of Appeals

John Fontana, Appellant,

v.

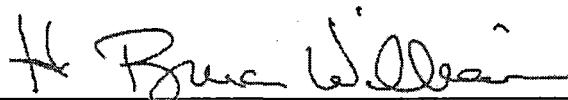
Shady Grove Mobile Home Park, Respondent.

Appellate Case No. 2024-001825

ORDER

On October 24, 2024, Appellant filed a motion to proceed *in forma pauperis*. The right to proceed *in forma pauperis* must rest upon a statute or a fundamental constitutional right. *See Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995). Appellant has the burden of showing his entitlement to this relief, but he has not done so. Therefore, Appellant's motion is denied.

On March 11, 2025, this court dismissed this appeal because Appellant cancelled his request for the production of the transcript. Also, on March 11, 2025, Appellant filed a "motion/notice to not issue remittitur," which we construe as a petition for rehearing. Appellant stated he was not required to order the transcript because he had reached an agreement with the court reporter that he was not required to order the transcript or pay for it. After careful consideration of the petition for rehearing, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. *See* Rule 207(a)(1), SCACR ("Unless the *parties* otherwise agree in writing, appellant must order the transcript of the entire proceedings below." (emphasis added)). Accordingly, the petition for rehearing is denied.


C.J.



J.



J.

Columbia, South Carolina

FILED
Apr 23 2025

cc:

John Fontana

Michael S. Harrison, Esquire

Thomas William Winslow, Esquire