

May 05 2025

SC Court of Appeals

From: [John Fontana](#)
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Subject: Recap. Get10dayDefncy&Reopen;GetPaup;RemvBill
Date: Monday, May 5, 2025 8:11:19 AM

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

Case 2024-001825

- 1) Request for 10 Day Notice to Cure Order, and thus Reinstate Case
 - 2) Reconsider in Forma Pauperis
 - 3) Remove Bill submitted 10/24/24 from Public Index
- Request to Remove Transcript

I certify that the following chronological recap is true, and thus I should be given 10 days to cure any new deficiency.

2/25/25: This court sent me a letter stating "...10 days from the date of this letter, you must provide proof of having made satisfactory arrangements...in writing with the court reporter for furnishing the transcript." "Failure (to do so)... will result in the dismissal of this appeal."

3/7: I submitted written payment arrangements for the transcript from the court reporter. You stamped this "received 3/7/25". This corrected the 2/25 Deficiency, and so the case should not be dismissed.

3/10, Mon: The court reporter, and later I, withdrew our request for the transcript.

3/11: Court Admin told this court of the withdrawal request.

3/11: The court clerk issued an Order dismissing the appeal. It mentioned that day's (3/11) notice from Ct Admin to you of my withdrawing the transcript request, and then stated "Accordingly, the appeal is dismissed." (This means that it's dismissed because of the withdrawal of the transcript request. If so, then that's a New deficiency, and I should be given 10 days to cure it.) It then states I did not "make satisfactory (payment) arrangements... In writing with the court reporter for furnishing the transcript." But I had done that 3/7, and thus that deficiency Was cured.

3/11: I 1: made a motion/notice to not issue a Remittitur, 2: showed written agreement transcript does not need to be ordered nor paid for, and 3: asked for clarification of the 3/11 order and/or 2/25 letter.

3/13: The court clerk sent me a deficiency letter stating unless I pay the \$50 filing fee my 3/11 filing will not be considered.

3/24: I answered the 3/13 deficiency letter stating nothing is due while my 10/24 in forma pauperis request is pending. I also asked that a bill I'd sent with my 10/24/24 in forma pauperis request be removed from the public index.

4/23: Court considered and denied my 3/11 "petition for rehearing", confirming it

was for my cancelling the transcript request. It did this without me having to pay the filing fee, in a seeming reversal of it's 3/13 deficiency letter. Thank you. However, it claimed it was unable to discover any material fact that was overlooked. With all due respect, I believe this is not entirely accurate. The first I'd heard of this specific demand it was in dismissing my case, without any notice of deficiency. If I'd misunderstood a point of law, I should be given a chance to correct it. Perhaps I hadn't been as clear in my previous correspondence. Please reconsider.

Also on 4/23, my 10/24/24 in forma pauperis request was denied because I have "the burden of showing (my) entitlement to this relief, but (I have) not done so." I'm not sure if the court is aware I submitted an unpaid bill in my original request. It's still unpaid and I believe it clearly shows my entitlement to this relief, and should be granted, thus preserving my fundamental constitutional right to appeal and have my day in court. The citing of Ex parte Martin doesn't apply to me. He was a convict who had his room and board supplied to him. I don't. Please reconsider. Even if this case eventually gets dismissed, it's not moot to grant this, as it may someday be reinstated, and thus applicable.

Also, can you please remove this bill from the public index. I've made motions or asked for this many times: 10/24/24, 12/12/24, 1/6/25 and 3/24/25. They've always been ignored, and that's why I think you may not have been aware of the bill.

Thank you.

5/4/2025

John Fontana
Pro se appellant