



SOUTH CAROLINA JUDICIAL BRANCH

STATE OF SOUTH CAROLINA )  
COUNTY OF Greenville )  
Armando Despaigne Zolvesta )

IN THE Court of Common Pleas )  
132 JUDICIAL CIRCUIT )

Plaintiff, )

ORDER  
IN FORMA PAUPERIS

vs. )

Augustz Lawn Care of Greenville, LLC )  
Defendant. )

FILE NO. 2025CP2303524

25 JUN 10 PM 3:00  
JANIKRESHAM CDDC GUL SC

RECEIVED

ORDER

AUG 11 2025

SC Court of Appeals

- Leave is Granted to proceed *in forma pauperis* without payment of the filing fee.
- Leave is Granted to proceed *in forma pauperis* without payment of the service cost.
- Leave is Denied to proceed *in forma pauperis* pursuant to *Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995).
- Leave is Denied to proceed *in forma pauperis*. Plaintiff has failed to establish compliance with the Poverty Guidelines pursuant to Rule 3(b)(1), SCRCP.

If denied, this case will be dismissed without further order of the court if the filing fee and associated costs are not paid on or before \_\_\_\_\_, 20 \_\_\_\_.

Dated: June 9, 20 25

[Signature]  
Presiding Judge, 132 Judicial Circuit

Greenville, South Carolina

**NOTICE TO PLAINTIFF:** The Court may assess costs against either party at hearing.

STATE OF SOUTH CAROLINA, )

COUNTY OF GREENVILLE )

Armando Despaigne Zolvetz )  
Plaintiff )

vs. )

Augusta Lawn Care of Greenville, LLC )  
Defendant. )

IN THE COURT OF COMMON PLEAS

13TH JUDICIAL CIRCUIT

**MOTION AND AFFIDAVIT TO  
PROCEED IN FORMA PAUPERIS**

FILE NO. 2025CP2303524

25 JUN 10 PM 3:00 P  
JAY GRESHAM CJC GUL SC

I, Armando Despaigne Zolvetz being duly sworn, state that I am the Plaintiff and that I do not have the funds available to pay the costs of filing and service in the present matter. I hereby request that the complaint be filed and service made without costs.

Sworn to and Subscribed before me )  
this 5th day of June, 2025 )

Betania Freire )  
Notary Public for South Carolina )

My Commission expires My Commission Expires  
July 8, 2029 )

[Signature] )  
Signature of Plaintiff or )  
Person Filing Complaint on Behalf of )  
Plaintiff )

**ORDER**

Leave is granted to proceed in forma pauperis without payment of the filing fee.

Leave is granted to proceed in forma pauperis without payment of the service cost.

Leave is denied to proceed in forma pauperis. See Martin v. State, 3215.C.533

Dated: June 9, 2025  
Greenville, South Carolina

[Signature]  
JUDGE/CLERK OF COURT



NOTICE TO PLAINTIFF: The Court may assess costs against either party at hearing.

STATE OF SOUTH CAROLINA  
COUNTY OF Greenville  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2023CP2302780

Armando Despaifgne Zulveta  
PLAINTIFF(S)

Augusta Lawn Care Of Greenville Llc  
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

See Page 2 for Order of Court.

**RECEIVED**  
AUG 11 2025  
SC Court of Appeals

ORDER INFORMATION

This order  ends  does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 07/04/2025 .

Armando Despaifgne Zulveta for Armando Despaifgne Zulveta  
Augusta Lawn Care Of Greenville Llc  
Armando Despaifgne Zulveta for Armando Despaifgne Zulveta

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

## Court Reporter:

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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This matter comes before the Court upon a variety of Motions filed by the Plaintiff on June 17, 2025. The Plaintiff filed a Summons and Complaint on June 2, 2023. Upon review of the file, there is no documentation of Service on the Defendant as required by Rule 4, South Carolina Rules of Civil Procedure. The file does not reflect any activity on the file since the filing of the Complaint. On May 1, 2025, an Order was issued dismissing the case for lack of prosecution. Sometime later that day after the filing of the Order of Dismissal, Plaintiff filed a Motion for Entry of Default with supporting Affidavits—none of which established that the Defendant had ever been Served with the Summons and Complaint. Subsequent to the Dismissal, Plaintiff filed a Motion to Amend the Complaint (on June 5, 2025) and then the current Motion styled as a Motion to Reconsider on June 17, 2025. This Court hereby confirms that this action has been dismissed without prejudice as of the Order of May 1, 2025 and that no other pleading or motions will be accepted for filing under this Civil Action Number. It is so Ordered.

STATE OF SOUTH CAROLINA  
COUNTY OF Greenville  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2023CP2302780

Armando Despaifgne Zulveta  
PLAINTIFF(S)

Augusta Lawn Care Of Greenville Llc  
DEFENDANT(S)

**DISPOSITION TYPE (CHECK ONE)**

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- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

See Page 2 for Order of Court.

**ORDER INFORMATION**

This order  ends  does not end the case.  See Page 2 for additional information.

**For Clerk of Court Office Use Only**

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 05/08/2025 .

Armando Despaifgne Zulveta for Armando Despaifgne Zulveta  
 Augusta Lawn Care Of Greenville Llc  
 Armando Despaifgne Zulveta for Armando Despaifgne Zulveta

**RECEIVED**  
 AUG 11 2025  
 SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

ELECTRONICALLY FILED - 2025 May 09 8:24 AM - GREENVILLE - COMMON PLEAS - CASE#2023CP2302780

**Court Reporter:**

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This matter was dismissed by Order filed May 1, 2025 for Plaintiff's failure to prosecute. Upon review of the previous Order, the Court has determined that the actual basis for the dismissal should have been that Plaintiff has never filed a Proof of Service documenting that Service of the Summons and Complaint as required by Rule 4(d), South Carolina Rules of Civil Procedure. The Plaintiff filed documentation that the Summons and Complaint were served on the South Carolina Secretary of State. Since this company maintains a Registered Agent, service on the Secretary of State would not be proper. See S.C. Code Section 33-33-111 (a) and (b). Further, the Plaintiff took no additional action since filing his Notice even after communication from the Clerk of Court. Therefore, this Order confirms this matter is dismissed without prejudice and no further action can be taken by the Court. The Plaintiff will need to refile his action if he wishes to proceed. It is so Ordered.