

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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SC Court of Appeals

The Supreme Court of South Carolina ("SCSC")

Appellate Case No.2026-001113

The South Carolina Court of Appeals ("SCCA")

Appellate Case No. 2025-001480

Greenville, SC Court of Common Pleas Case No.: 2023-CP-2302780

Perry H. Gravely, Circuit Court Judge

Case No.: 2023-CP-2302780

Armando Despaigne Zulveta, Appellant

v.

Augusta Lawn Care of Greenville, LLC, Respondent

MOTION TO REINSTATE DISMISSAL OF CASE.

1) Armando Despaigne Zulveta, Appellant, requests that this Court reinstate the dismissal of this Case entered March 20, 2026.

This Case was heard by The Supreme Court of South Carolina ("SCSC") on May 13, 2026.

On May 14, 2026, The South Carolina Court of Appeals ("SCCA") made Appellant aware of the acknowledgement of "SCSC" Order of May 13, 2026, and invited Appellant to file a motion to reinstate the case with

the Court. As result, Appellant makes this motion pursuant to Rule 41(a), of South Carolina Rules of Civil Procedure (“SCRCP”).

2) Appellant commenced Civil Action Case No. 2023-CP-2302780 on June 02, 2023, with the filing of the Summons and Complaint along with Motion/Order Granted to Proceed In Forma Pauperis in South Carolina (“SC) Greenville County Court of Common Pleas against Augusta Lawn Care of Greenville, LLC, herein known as (“August”). The matter presented has great implications beyond the parties and require reconsideration to guarantee consistency in application of the law. It is prejudicial and heightened scrutiny over the matter is justified from the Court.

3) Summons and Complaint were served to “Augusta” on September 11, 2023. The entity responsive filing was due on October 11, 2023.

4) To this point, “Augusta” never has answered to the pleadings nor has filed for an extension of time after being served.

5) On May 01, 2025, Appellant filed Motion for Default Judgment and the Entering of Default Judgment against “Augusta”. Prior to this occasion, hours before on same day Common Pleas’s Chief Administrative Judge Perry H. Gravely (“Judge Gravely”) issued an Order of Dismissal for which supported by Courts’ record shows Bias and Prejudice, lack of Due Process and Equal Protection of the Law performed against Appellant it was the issuance of a timely Order aggravated by being accompanied by unconstitutional Orders including a Motion for Reconsideration be denied to

proceed In Forma Pauperis (“IFP”) after initially being filed “IFP”, and used as a subject for Dismissal of the Case South Carolina Code Section 33-33-111 that has no relevance nor attachment to the Case.

6) Appellant contends that according to Courts’ records, and (“SCRCP”) evidence this Court should reinstate this Case by remand it back to the Lower Court with clear indication to: a) the Case be proceeded In Forma Pauperis, and b) Lower Court to set a schedule Hearing for Appellant’s Motion of Default Judgment and the Entering of Default Judgment against “Augusta”.

7) Petitioner is asking this Court to review the action taken on Case entered March 20, 2026, Order Denying Petitioner to proceed In Forma Pauperis, and the Dismissal of the Case by the Lower Court apparently issued by both Courts without making an assessment in this Case that involves a “review worthy” issue as a legal claim that could be of interest to the South Carolina’s and The United States’ Supreme Court.

On this day the 29th of May, 2026.

Armando Despaigne Zulveta
Armando Despaigne Zulveta

606 Pendleton St., Greenville, SC 29601

Phone No.: (864) 371-0573 Email Address: contrapala7@gmail.com

Armando Despaigne Zolvetz
606 Pendleton St.,
Greenville, SC
29601

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1200 SENATE ST.,
Columbia, SC
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