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JAN 21 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appellate Case No. 2015-002177

Dennis M. Gallipeau,Appellant

v.

Carnaby Square Horizontal Property Regime, et als,Respondents

PETITION FOR REHEARING

Now Comes the Appellant, *pro se*, pursuant to Rule 240(j) and petitions the court for a review of an Order issued by the Chief Justice denying his motion to proceed *in forma pauperis*. Appellant argues that this appeal concerns fundamental rights that requires waiver of the filing fees. *Ex parte Martin*, 321 S.C. 533, 535 (S.C. 1995)(“The examples given are not exhaustive ... other fundamental rights may require the waiver of filing fees for indigents.”). *Martin, supra*, at fn. 1. If allowed to stand, the effect of the Circuit Court’s Court of Common Pleas decision would be astounding, to say the least. Attorneys in this great state of South Carolina, would now be able, and allowed, to invoke “attorney immunity” to forever shield them for such acts as conspiring among themselves and their clients to commit willful and premediated fraud. For example, as was done by these appellants, to deny an opposing litigant his or her constitutional right of access to the courts and of his or her constitutional right of notice and opportunity to defend against a lawsuit or foreclosure action. To commit premeditated fraud upon the courts by knowingly and falsely representing to the courts that they do not know the whereabouts of a

litigant who they not only do know is out of state but know exactly where he or she is. To file false affidavits with the courts. To knowingly and deliberately withhold from the court that the subject property is protected by the Homestead laws of this state, in an attempt to literally steal a condominium that they know they cannot lawfully foreclose on and is protected homestead property. And, just as in *Ex parte Martin*, these examples are not exhaustive of the acts the lower court has now allowed attorneys in this state to invoke attorney immunity to shield themselves from. Indeed, under the lower court's decision, attorneys could commit crimes with impunity. Accordingly, Appellant petitions the Court to review the Order denying him IFP status.¹

Respectfully submitted,



Dennis M. Gallipeau, pro se
1920 Ashford Lane
Columbia, SC 29210
803-319-0506

¹ Should the Court decline to set aside the Order, Appellant would ask the Court to limit the fees assessed by the clerks and to permit him to pay the filing fee in installments of \$10 monthly with the understanding that this is a debt which must be paid regardless of whether the case is decided before the entire filing fee has been paid.

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PROOF OF SERVICE

I certify that I served the Petition for Rehearing on the following counsel of record by depositing a copy of it in the US Mail, postage prepaid, on 1/21/16.

Robert P. Wood
Rogers, Townsend & Thomas, P.C.
220 Executive Center Drive
Columbia, SC 29210

Stephanie Carol Trotter
McCabe, Trotter & Beverly, P.C.
P.O. Box 212069
Columbia, SC 29221



Dennis M. Gallipeau