

THE SOUTH CAROLINA COURT OF APPEALS

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FEB 22 2016

SC Court of Appeals

Armando Despaigne Zulveta, Appellant

v.

Charter Communications, Inc., Respondent

Appellate Case No. 2016-000229

THE HONORABLE D. GARRISON HILL

GREENVILLE COUNTY

TRIAL COURT CASE NO. 2015CP2305171

ADZ 02/19/2016

MOTION TO STAY PROCEEDING

Plaintiff-Appellant Armando Despaigne Zulveta now moves this Court to stay this Civil Case pending Appellant Zulveta's completion of the proceedingt with theTHIRTEENTH JUDICIAL CIRCUIT.

The grounds for this Motion are more fully set forth in the attached Memorandum in Support along with its affidavit.

On this day the 19 of February, 2016

Respecfully Submitted;

Armando 02/19/2016
Armando DESPaigne ZULVETA

THE SOUTH CAROLINA COURT OF APPEALS

Armando Despaigne Zulveta, Appellant v. Charter Communications, Inc., Respondent

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APPELLANT ZULVETA'S MEMORANDUM IN SUPPORT OF REQUESTING MOTION TO STAY OF PROCEEDING WITH ITS AFFIDAVIT.

Plaintiff Armando Despaigne Zulveta respectfully submit the following Memorandum of Support of Motion to Stay.

STANDARD OF REVIEW

To avoid repetition Plaintiff-Appellant Zulveta refers this Honorable Court of Appeals to Docker Sheet Of Civil Case No.: C.A. No: 2015-CP-23-05171 Armando Despaigne Zulveta Plaintiff v. Charter Communications, Inc., Defendant as well as the file with this Honorable Court Appellate Case No.:2016-000229.

The reason Appellant Zulveta requested The South Carolina Court of Appeals to hear this case is because as Appellant Zulveta stated there is good reason to believe that among other things OBSTRUCTION OF JUSTICE would be performed by Greenville Circuit Court. Appellant Zulveta already made aware this Honorable Court of Appeals of this possibility. In addition, there is a Constitutional question on whether The South Carolina Honorable Court of Appeals interpreted or misinterpreted Plaintiff Zulveta's clamour for justice.

A) HERE EVENTS OCCURRED ON COURT:

On 01/28/2016 Honorable Judge Code 2138 entered and also on 02/04/2016 filed in

court same judgment that grants Plaintiff Zulveta an amend to reflect the proper name of Defendant as CHARTER COMMUNICATIONS, LLC.

On 02/02/ 2016 Honorable Judge Code 2158 entered an Order and also filed same Order on 02/09/2016 which denied Plaintiff Zulveta's Motion to Leave to Proceed in Forma Pauperis to: ARMANDO DESPAIGNE ZULVETA V. CHARTER COMMUNICATIONS, INC.

Order of Denial Motion to Proceed in Forma Pauperis filed on 02/09/2016 is a disparate. It prejudices Plaintiff Zulveta's Due Process since Order to Amend Charter Communications, LLC was already issued on 01/28/2016 and filed on 02/04/2016 without Plaintiff Zulveta's acknowledgement. There is a Constitutional question t6he way Honorable Judges Code 2138 and 2158 handle of these cases without Appellant Zulveta being notified of Issued order denying Plaintiff MOTION TO PROCEED IN FORMA PAUPERIS.

In addition, Order filed on 02/09/2016 has no foundation since Honorable Judge Code 2158 provided no reason for its denial.

Plaintiff Zulveta doesn't understand why the Orders from South Carolina Court of Appeals are coming super fast even ahead of Greenville County Court's Orders.

B) EVENTS RELATED TO THE SOUTH CAROLINA COURT OF APPEALS' LETTER DATE FEBRUARY 10, 2016.

In order to obtain the Transcript on January 29, 2016 Appellant Zulveta personally requested Clerk of Court of Greenville County the name of the reporter of hearing pertaining to January 25, 2016 and presided by Honorable Judge D. Garrison Hill. For that purpose, Appellant Zulveta had prepared FORM 11 LETTER ORDERING TRANSCRIPT FROM COURT REPORTER along with a MOTION TO PROCEED IN FORMA PAUPERIS (SEE DOCKET SHEET APPELLATTE CASE No.: 2016-000229 and also, COURT CASE NO. 2015CP2305171 filed in Greenville County Court).

Clerk of Court of Greenville County they had trouble trying to find reporter's address and name. For that purpose they instructed at the time Plaintiff Zulveta into leave Form 11 on their custody after being Clock Stamped and filed with said court. Clerk of Court stated that will make sure to find and put the name of reporter on FORM 11 as well as make reporter aware that Plaintiff Zulveta request is in Forma Pauperis. Soon after, Clerk of Court provided Plaintiff Zulveta with a name reporter but insisted they would properly handle Plaintiff Zulveta's Letter Ordering Transcript From Court Reporter.

Appellant Zulveta received a letter form Clerk of Court of Appeals dated February 10, 2016 in which states deficiency noted under the South Carolina Appellate Court Rules (SCACR) must be corrected entirely within ten (10) days which include:

- a) your letter is not addressed to a specific court reporter it does not include the address for the court reporter.
- b) Your letter must show that you have made arrangements with the court reporter to provide payment for production of the transcript, pursuant to Rule 207, SCACR.

CONCLUSION

In response to: A) EVENTS OCCURRED IN COURT Appellant Zulveta states that it can be clearly seen that there is neither transparency nor good faith processing or handling CASE NO. 2015CP2305171 and Appellate Case No. 2016-000229. Even departure from the real course of Appellant Zulveta's action.

In response to: B) THE SOUTH CAROLINA COURT OF APPEALS' LETTER DATED FEBRUARY 10, 2016 Plaintiff Zulveta states:

Appellant Zulveta's allegations against Clerk of Court of Greenville County related to FORM 11 LETTER ORDERING TRANSCRIPT FROM COURT REPORTER can be denied but it would leave said Clerk of Court with the option of lack of job performance, irresponsibility, inefficiency, no interest regarding the handling of business to a party of the proceeding when allowed an incomplete South Carolina Judicial's Form to be Clock Stamped in Court while as happened to Appellant Zulveta's FORM 11 LETTER ORDERING TRANSCRIPT FROM COURT REPORTER filed in Greenville County Court. Another good reason to grant Appellant Zulveta's Stay of Proceeding in this case.

Therefore, for reason stated above Appellant Zulveta requests from this Honorable Court of Appeals a Stay of the Proceedings be granted until business relating to this Court of Appeals be complete at the lower Court of Greenville County which according to the deliberate low speed and obstruction of justice in which Greenville County Court is willingness involve it could take time. Appellant Zulveta requests until April 04, 2016 to properly respond to South Carolina Court of Appeals' Order dated February 11, 2016.

On this day the 19 of February, 2016

Respectfully Submitted

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Armando Despiñon Zulveta
02/19/2016

EXHIBIT "B"

Armando Despaigne Zulveta

01/29/2016

P.O. BOX 24892

Winston-Salem, NC 27114

Email: acere1296@gmail.com

Phone: (864) 305-9480

Hollie M. Jenkins, Court's Reporter

P.O. Box 16506

Greenville, SC 29606

RE: Armando Despaigne Zulveta, Plaintiff v. Charter Communications, Inc.,

Civil Action No.: 2015-CP-23-05171. Requestion of Transcript.

Dear Ms. Jenkins:

Please find enclosed LETTER ORDERING TRANSCRIPT FROM COURT REPORTER regarding case mentioned above. Please send transcript to address stated above.

Sincerely;

Armando 01/29/2016
Armando Despaigne Zulveta

EXHIBIT "A"

Hollie M. Jenkins

P.O. BOX 16506

Greenville, SC 29606

ee

ee

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GREENVILLE COUNTY

TRIAL COURT CASE NO. 2015CP2305171

AFFIDAVIT

I, ARMANDO DESPAIGNE ZULVETA; state that I am the Plaintiff and that everything states in the Stay of Proceeding along with its Memorandum is Support is true and correct.

On this day the 19 of February, 2016

Armando Despaigne Zulveta
Armando Despaigne Zulveta

UNITED STATES COURT OF APPEALS

1) FOR THE FOURTH CIRCUIT

No.: 15-2561, Armando Despaigne Zelveta

Plaintiff-Appellant

vs.

State Automobile Mutual Insurance Co., Steadman Hawkins of the Carolinas, Tim Case,
Wilson Jones Carter & Baxley, PA, Philpot Law Firm, P.A., TC Unlimited, Inc., Curtis Elliot,
Robert P. Restrepo, Jr., Stephen R. Bruner, Irvin H. Philpot, III, and Wesley J. Shull

Defendants-Appellees,

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SC Court of Appeals

CERTIFICATE OF SERVICE

This is to certify that a true copy of APPELLANT ZULVETA'S STAY OF PROCEEDINGS along with its MEMORANDUM IN SUPPORT AND AFFIDAVIT was served at: GALLIVAN WHITE and BOYD, Michelle D. Yarbough, attorney for defendant Charter Communications, LLC 55 Beattie Place, Suite 1200, Greenville, SC 29601 by depositing it in the United States Postal Service with proper postage.

On this day the 19th of February, 2016

Armando Despaigne Zelveta 02/19/2016
Armando Despaigne Zelveta

P.O. Box 24892

Winston-Salem, NC 24892

(864) 305-9480

Email:acere1296@gmail.com

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Appellate Case No. 2016-000229

THE HONORABLE D. GARRISON HILL

GREENVILLE COUNTY

TRIAL COURT CASE NO. 2015CP2305171

Clerk of Court:

Please find enclosed self addressed-stamped envelope. Please send copy of all document back to Appellant Zulveta Clock Stamped.


Thanks you in advance for your concern.

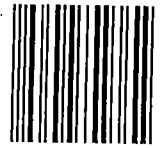
Sincerely;

Armando 02/19/2016
Armando Despaigne Zulveta

Armando Despaigne Zulueta
P.O. Box 24892
Winston-Salem, NC
27114




1000


29201

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SC Court of Appeals

Jenny Abbott Kitchens, Clerk
The South Carolina Court of Appeals
1200 SENATE STREET
COLUMBIA, SC 29201