

The South Carolina Court of Appeals

Armando Despaigne Zulveta, Appellant,

v.

Charter Communications, Inc., Respondent.

Appellate Case No. 2016-000229

ORDER

Appellant appealed from an order requiring him to submit a written reply to Respondent's response in opposition to Appellant's motion for entry of default judgment. On February 11, 2016, we dismissed the appeal because the underlying order is not immediately appealable. Subsequently, Appellant filed several documents which we construe together as a petition for rehearing. After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

Appellant has also filed a new notice of appeal from an order denying his request to proceed in forma pauperis and an order denying reconsideration. These orders are immediately appealable. *See Lakes v. State*, 333 S.C. 382, 384–85, 510 S.E.2d 228, 230 (Ct. App. 1998) (stating an order denying a request to proceed in forma pauperis is immediately appealable because it discontinues the action). However, Appellant's filing fee of \$100 for the new notice of appeal must be paid within fifteen days of the date of this order or the appeal will be dismissed.


_____ J.

James E. Sch J.
Stephen T. McDonald J.

Columbia, South Carolina

cc: Armando Despaigne Zulueta
Michelle Deluca Yarbrough, Esquire

FILED
4/21/16 