

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Clifton Newman, Circuit Court Judge  
Civil Action No. 2015-CP-40-02011

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Appellate Case No. 2015-02177

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Dennis M. Gallipeau,

Petitioner,

v.

Carnaby Square Horizontal Property Regime; Stephanie Carol Trotter;  
D. Ryan McCabe; McCabe, Trotter, Gambrell & Beverly, P.C.; Rogers,  
Townsend & Thomas, P.C.; McCabe, Trotter & Beverly, P.C.; and John  
And Jane Doe(s),

Respondents.

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PETITIONER'S NOTICE OF COMPLIANCE  
WITH ORDER TO PAY FILING FEE

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The court has given petitioner fifteen days [Order, 08/04/2016] to pay the \$100 filing fee or else the petition for writ of certiorari to the court of appeals will be dismissed. Petitioner now believes that the court cannot require him to pay another filing fee, or for that matter, to make another application to proceed *in forma pauperis*, and that the parties and the court have overlooked a key ruling made by the circuit court judge on April 8, 2015 when petitioner filed

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SC SUPREME COURT

his complaint. The circuit court judge granted petitioner's motion to proceed *ifp*. A copy of that order is filed herewith.

In what petitioner makes no attempt to hide his disdain for, *Martin*, the court's 'guidance' both unsolicited and in a case the court acknowledged was not even properly before it, made clear that the decision whether or not a litigant may proceed without prepayment of a filing fee is a decision made by a judge of the court in which the complaint is being filed.

In the future, when an indigent litigant files a motion to proceed in forma pauperis pursuant to rule 3(c) . . .the clerk of court must submit the motion to a judge for a ruling....

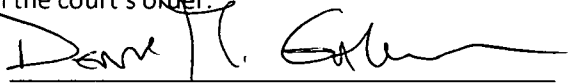
So let's take a look at rule 3,

If the motion is granted, the plaintiff may proceed without further application . . . and file the complaint... without payment of filing fees.

Lines 2 and 3 are interesting, and telling; "without further application" and "without payment of filing fees" ... "fees" not fee. Plural not singular.

In reading Rule 3, *Martin*, and this court's August 4<sup>th</sup> order, it is now clear that petitioner was not required to make further application to proceed in forma pauperis or pay a filing fee. That 'fee', be it the court of appeals or this court, has and is paid for by order of the circuit court judge. Petitioner's motions filed in the court of appeals and in this court were/are nullities. And whether or not the *pro se* petitioner should or should not have been expected to know that, is questionable, he is after all a man proceeding *pro se* who knows little law, but, on the other hand, it does raise questions that respondents and the court knew but looked the other way that petitioner has already been granted a free pass, a ticket it would seem, but it's a ticket that gains petitioner admittance to the state's appellate courts. The determination has been made, the petition is properly before the court, just as the appeal was properly before the court of appeals.

Accordingly, Petitioner is in full compliance with the court's order.

A handwritten signature in black ink, appearing to read "Dennis M. Gallipeau", written over a horizontal line.

Dennis M. Gallipeau, pro se  
1920 Ashford Lane  
Columbia, SC 29210  
764-1718

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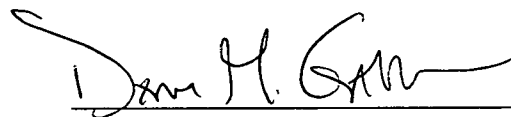
Respondents.

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PROOF OF SERVICE

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I certify that I have served all counsel of record in this action with a copy of Petitioner's  
Notice of Compliance by U.S. Mail, First Class, postage prepaid, on this 19th day of August,  
2016.



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Dennis M. Gallipeau

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

DENNIS M. GALLIPEAU  
Plaintiff

CARNASY SQUARE HORIZONTAL  
PROPERTY REGIME, et als  
Defendants.

IN THE  FAMILY COURT  
 COURT OF COMMON PLEAS  
 MAGISTRATE COURT

JUDICIAL DISTRICT

MOTION AND AFFIDAVIT  
PROCEED IN FORMA PAUPERIS

**2015CP400**

FILE #

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

Sworn to and Subscribed before me

this 3rd day of April, 2015.

Notary Public for South Carolina

My Commission expires 6/25/18

Dennis M. Gallipeau  
Signature of Plaintiff or  
Person Filing Complaint on Behalf of  
Plaintiff

2015 APR -9 PM 1:47  
RICHLAND COUNTY

**ORDER**

Leave  (granted) /  (denied) to proceed in forma pauperis

Dated: 4-8, 2015  
Cola, South Carolina

[Signature]  
JUDGE/CLERK OF COURT

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

CERTIFIED TRUE COPY  
OF ORIGINAL FILED  
[Signature]  
C.C.P. & G.S.  
RICHLAND COUNTY  
SOUTH CAROLINA