

STATE OF SOUTH CAROLINA

In The Court Of Appeals

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SC Court of Appeals

APPEAL FROM SUMTER COUNTY

Ferrell Cotheran Jr., Court of Common Pleas

Case No. 2017-001112

Robert Wazney, Appellant,

v.

Sharon Wazney a/k/a Sharon Chabassole, Respondent.

PETITION FOR REHEARING

Date: August 7th, 2017

s/

Robert Wazney
990 Wisacky Highway
Bishopville, SC 29010
Indigent, Pro se, Appellant

DECLARATION

Robert Wazney, Being duly sworn, deposes and states:

" MEMORANDUM

1. I am the Appellant in this case, Appellate case Number 2017-001112.
2. This is an action for Rehearing.
3. I am in receipt of the Courts Order (attached), denying my application for In Forma Pauperis, filed July 27, 2017.
4. Pursuant to Rule 221 SCACR, I move the Court to reconsider its opinion in denying my application for In Forma Pauperis. In support of my Motion, I show the following to the Court:
 5. The Court has overlooked material facts in the record in the following respects:
 - (a) I do not have the money to pay for the proceedings in the Court of Appeals.
 - (b) The suit I serve against the person who has control of my assets and she will not give me money to sue her.
 - (c) My assets are frozen by the Family Court and the Family Court denies me any monetary relief.
 - (d) This Court, Court of Appeals, has approved my In Forma Pauperis for appeals collateral to this matter.
 6. The material facts that:
 - (a) I dont have the money to pay for these proceedings,
 - (b) The Defendant/Respondent has control of my assets,
 - (c) My assets are Court Frozen and will not release them, and
 - (d) This Court approved me for In Forma Pauperis in the past;Requires a different decision from that rendered by the Court of Appeals.
7. Regarding any new matters mentioned above, '...where good cause appears for the consideration of such new matters, a Court has discretion to do so for the first time on a petition for rehearing.' Mounts v. Uyeda, 227 CalApp.3d 111; Hunt v. County of Shasta, 225 Cal.App.3d 432 (1990).
8. The decision should have been rendered is In Forma Pauperis granted.

CONCLUSION


WHEREFORE, I respectfully request the Court to reconsider its opinion

and rule in favor of Me, the Appellant, Granting In Forma Pauperis in the interest of justice."

I declare under penalty of perjury the foregoing is true and correct to the best of my knowledge and understanding.

Executed on August 7th, 2017

s/


Robert W. Wazney
990990 Wisacky Highway
Bishopville, SC 29010
Indigent, Pro se, Appellant

The South Carolina Court of Appeals

Robert W. Wazney, Appellant,

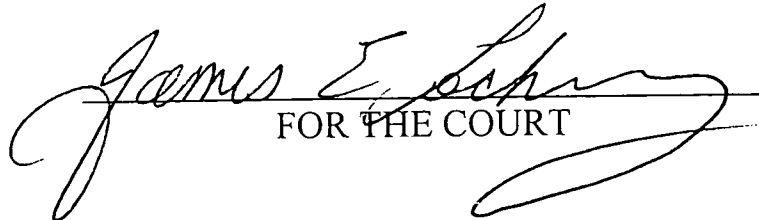
v.

Sharon R. Wazney, a/k/a Sharon R. Chabassole,
Respondent.

Appellate Case No. 2017-001112

ORDER

Appellant's motion to proceed *in forma pauperis* is denied. Appellant must submit the notice of appeal filing fee within fifteen days of the date of this order. This court will not consider Appellant's remaining motion unless Appellant submits the motion fee.


FOR THE COURT

Columbia, South Carolina

cc:
Robert William Wazney, 00363679
William Ceth Land, Esquire

FILED

July 27, 2017

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In The Court of Appeals

APPEAL FORM SUMTER COUTNY

Ferrell Cotheran Jr., Court of Common Pleas

Case No. 2017-001112

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SC Court of Appeals

Robert Wazney, Appellant,

v.

Sharon Wazney a/k/a Sharon Chabassole, Respondent.

CERTIFICATE OF SERVICE

I, Robert Wazney, do hereby certify that I have served the Petition For Rehearing by depositing the same in the prison mail system, addressed to Land Parker & Welch, PA., PO Box 138, Manning SC 29102; James C. Campbell, Clerk of Court, 215 N. Harvin Street, Sumter SC 29150, postage prepaid on August 7th 2017.

s/ 

Robert Wazney
990 Wisacky Hwy.
Bishopville, SC. 29010
Indigent, Pro se, Appelant

ROBERT WAZNEY / 363674 / 1A2132
Lee Connecticut / 2057220720W
990 W25ACKY HIGHWAY
Bishopville, SC 29010

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S.C. SC Court of Appeals
COURT OF APPEALS

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