

August 26, 2020

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RECEIVED

AUG 28 2020

S.C. SUPREME COURT

South Carolina Court of Appeals
Clerk of Court
Jenny Abbott Kitchings
1220 Senate Street
Columbia, SC 29201
(803)734-1890
(803)734-1839 (fax)

Re: Aspyre Assembly Station, Respondent vs. Travis Stewart, Appellant
Appellate Case Number: 2019-000422
Appellate Case Number: 2018-CP-40-04557
Original Trial Case No: 2018CV4010800184

Dear Ms. Kitchings:

I respectfully submit this Motion and Memorandum for Leave of Court for Excusable Neglect to Motion the Court for Rehearing and Reinstatement of the above referenced case and Recall of the Remittitur sent to the Richland County Court of Common Pleas April 23, 2020 upon dismissal of the above referenced case for Appellant's failure to file an Initial Brief and Designation of Matter in the above matter to Stay Respondent's *Writ of Ejectment*, and to Compel Respondent to Return SCE&G Utilities to Appellant, Add Beverley D. Wilson as Co-Appellant to this Complaint, and Abate Appellant's lease late fees and interest; and to file this Motion and Memorandum for Rehearing and Reinstatement, for Recall of the Remittitur and all previously filed Motions and Memoranda in this matter *in forma pauperis* due to Appellant/Defendant's extreme extenuating circumstances. Appellant/Defendant asserts those extreme circumstances resulted in an abject absence of funds that were exacerbated by restrictions preventing gainful employment occasioned by the COVID-19 Coronavirus Pandemic which created a financial impossibility to timely tender additional payment requested by the transcriptionist for the transcript of the December 14, 2018 Richland County Court of Common Pleas Hearing or to secure legal representation in this matter to properly represent my and Beverley D. Wilson's leasehold interests in YUnion Apartment 3106.

I am also enclosing a copy of Defendant/Appellant's **MOTION AND MEMORANDUM FOR LEAVE OF COURT FOR MOTION TO STAY FOR CAUSE, AS A PRIORITY MATTER OF AN EMERGENT NATURE DUE TO EXTENUATING**

CIRCUMSTANCES, THE JUNE 26, 2020 WRIT OF EJECTMENT IN THE RULE TO VACATE OR SHOW CAUSE ACTION, TO COMPEL PLAINTIFF TO CONTINUE DEFENDANT'S TENANCY DURING THE PENDENCY OF THE APPEAL OF THIS CASE TO THE S.C. COURT OF APPEALS FOR A PETITION FOR REHEARING AND REINSTATEMENT OF THIS CASE, INCLUDING THE STAY OF THE WRIT OF EJECTMENT AND THE RECALL OF THE REMITTITUR, AND DURING DEFENDANT'S PETITION TO THE SOUTH CAROLINA SUPREME COURT FOR A DECLARATORY JUDGMENT REGARDING ALTERNATIVELY, ADDITION OF CO-PARTIES, THIRD PARTY CLAIMS AND COUNTERCLAIMS TO THE ABOVE ACTION OR INDEPENDENT CLAIMS AND CROSS-CLAIMS THAT ARE DERIVATIVES OF THE ABOVE ACTION filed with the Richland County Central Magistrate's Court.

I enclose herewith a copy of the Proof of Service that the above documents and this letter were submitted in today's mail, August 26, 2020 to opposing counsel, Mr. Thomas I. Howard, Jr. at the address listed below. Please time stamp these documents and immediately file them *in forma pauperis* with the South Carolina Court of Appeals.

Respectfully,



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With full assistance from
Beverley D. Wilson, M.D.,
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