

Dear (Mr./Ms.) Former President of the Court of Justice of the State of Sergipe,

Case 202100733547.

I, INSTITUTE OF HEMATOLOGY AND HEMOTHERAPY OF SERGIPE LTDA, in the records of the above-mentioned case, through its attorney, disagreeing with the decision to dismiss the Extraordinary Appeal, hereby file an APPEAL TO THE HIGHER INSTANCE IN EXTRAORDINARY APPEAL before Your Excellency, based on Article 39 of Law 8.038/1990, the grounds of which are detailed in the attached memorandum.

After customary precautions, the records may be forwarded to the Supreme Federal Court. Requesting approval.

Aracaju/SE, June 5, 2023.

WANDERSON DOS SANTOS NASCIMENTO

OAB/SE 4.793

REASONS

SUPREME FEDERAL COURT,
JUDGING PANEL,

MINISTER(S) RELATOR,

I. FACTUAL SYNTHESIS.

The appellant challenges the decision that dismissed the Extraordinary Appeal filed. The contested decision argues that the alleged violation of the constitution is indirect, and thus, did not admit the extraordinary appeal filed by the appellant.

Contrary to the rationale of the contested decision, the Noble Appeal of the appellant meets all legal requirements for its admission and consideration by the STF.

Therefore, the filing of this appeal is the only option for the appellant to obtain admission and consideration of their Extraordinary Appeal.

II. DIRECT VIOLATION OF THE FEDERAL CONSTITUTION.

Contrary to what the contested decision asserts, the Rare Appeal of the appellant does not raise an indirect violation of the Federal Constitution, but rather, a direct violation of constitutional provisions.

In their Noble Appeal, the appellant points out the direct violation of constitutional provisions, enshrined in Article 5, IV and V of the Federal Constitution.

It is worth noting that the appellant was not notified, through the DJE, about the date on which their appeal would be judged.

Thus, it is clear that the Noble Appeal filed by the appellant must be admitted and considered by this Supreme Court.

III. REQUESTS:

In light of the foregoing, the appellant requests:

- A) Notification of the respondent to submit counterarguments within the legal timeframe;
- B) The granting of this appeal to overturn the contested decision, so that the Extraordinary Appeal filed by the appellant is admitted and considered by this Honorable Court, as it meets all the requirements for appeal admissibility.

Requesting approval.

Aracaju/SE, June 6, 2023.

WANDERSON DOS SANTOS NASCIMENTO

OAB/SE 4.793