

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JAN 09 2023

SC Court of Appeals

APPEAL FROM FAIRFIELD COUNTY
COURT OF COMMON PLEAS

William P. Keesley, Circuit Court Judge

APPELATE CASE NO.: 2022-001788

Larry Edward Hendricks,

Appellant,

v.

South Carolina Dept. of Mental Health,

Respondent.

MOTION TO PROCEED INFORMA PAUPERIS

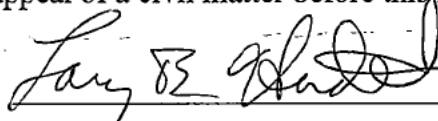
The Appellant, Larry Edward Hendricks, humbly comes before this Honorable Appellate Court in pursuit of an Order Granting him Informa Pauperis status. The Appellant is an involuntarily committed resident of the South Carolina Dept. of Mental Health's Sexual Violent Predator Treatment Program, pursuant to S.C. Code § 44-48-10 et al, and as such is indigent and unable to submit the filing fee, or subsequent motion fees.

The Appellant believes the issue that will be presented to be novel. The Appellant issue concerns his fundamental Due Process rights pursuant to the decision In re Chapman, 419 S.C. 172 (SC 2017). In Ex parte Martin, 321 S.C. 533, 535, 471 S.E.2d 134, 134-35 (1995), the

Supreme Court held, where certain fundamental rights are involved, the constitution requires that an indigent be allowed access to the Courts. The Appellant also believes the appeal to be a fundamental right pursuant to S.C. Code Ann. § 44-48-100(A).

CONCLUSION

Based on the fore mentioned facts of law and precedent, the Appellant should be allowed to proceed Informa pauperis in this appeal of a civil matter before this Honorable Court.



Larry Edward Hendricks
4546 Broad River Road
Columbia, SC 29210-4014

Wednesday, December 14, 2022

January 4, 2023

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM FAIRFIELD COUNTY
COURT OF COMMON PLEAS

William P. Keesley, Circuit Court Judge

APPELATE CASE NO.: 2022-001788

Larry Edward Hendricks,

Appellant,

v.

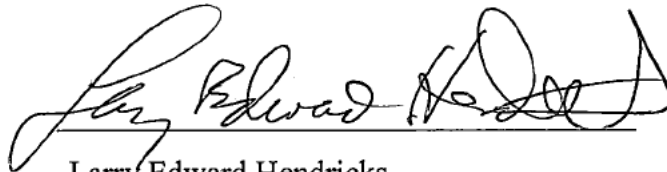
South Carolina Dept. of Mental Health,

Respondent.

PROOF OF SERVICE

I certify that I have served the MOTION TO PROCEED INFORMA PAUPERIS on the Defendant by depositing a copy of it in the United States Mail. Postage prepaid on January 5, 2023, addressed to their attorney of record, Matthew G. Gerald, PO Box 8448, Columbia, SC 29202.

Wednesday, January 4, 2023



Larry Edward Hendricks
4546 Broad River Road
Columbia, SC 29210-4014

RECEIVED
JAN 09 2023
SC Court of Appeals

Post Office Drawer 299
Winnsboro, South Carolina 29180



Clerk of Court (803) 712-6526
Fax (803) 712-1506
Family Court (803) 712-6528
Fax (803) 712-1478

CLERK OF COURT FAIRFIELD COUNTY
JUDY M. BONDS

Tammy I. Durham
Deputy Clerk of Court

Beverly D. Simmons
Family Court Deputy

CERTIFICATE OF MAILING

DATE: December 19, 2022

RE: Larry E. Hendricks
2016-CP-20-410

RECEIVED

JAN 09 2023

SC Court of Appeals

Judy M. Bonds, Clerk of Court of Fairfield County, has personally mailed a copy of the **NOTICE OF APPEAL** by mailing the same in the United States mail at the United States Post Office, Winnsboro, South Carolina, at 2:00 PM on December 19, 2022, properly addressed to each party named at the address opposite his/her name as set out below, with correct postage prepaid on each:

Larry Hendricks
Wellpath R. S.
4546 Broad River Road
Columbia SC 29210

Ola A. Johnson
PO Box 549
Lexington SC 29071

Matthew G. Gerald
PO Box 8448
Columbia SC 29202

s/Judy M. Bonds

Judy M. Bonds
Clerk of Court for Fairfield County

Larry Edward Hendricks
Wellpath R.S.
4546 Broad River Road
Columbia, SC 29210-4014

2022 DEC 19 A 10:30

Clerk of Court Fairfield County
Po Drawer 299
Winnsboro, SC 29180

FAIRFIELD COUNTY
CLERK OF COURT
JUDY M BONDS

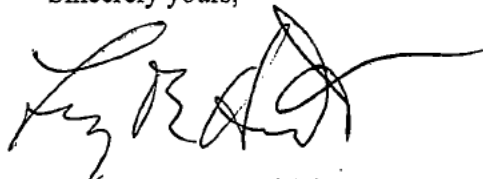
December 14, 2022

Re: Appeal of Hendricks v. South Carolina Dept. of Mental Health, Case #2016-CP-40-410.

Dear Sir or Madam;

Enclosed for filing is a notice of appeal in the above matter.

Sincerely yours;

A handwritten signature in black ink, appearing to read 'L E Hendricks', with a long horizontal flourish extending to the right.

Larry Edward Hendricks

Cc:

Matthew G. Gerald
PO Box 8448
Columbia, SC 29202
Attorney for Resondent

Larry Edward Hendricks
Wellpath R.S.
4546 Broad River Road .
Columbia, SC 29210-4014

Clerk , S.C. Court of Appeals
Columbia, SC

RECEIVED

JAN 09 2023

SC Court of Appeals

January 4, 2023

Re: Appeal of: Hendricks v. South Carolina Dept. of Mental Health, Appellate Case #2022-001788.

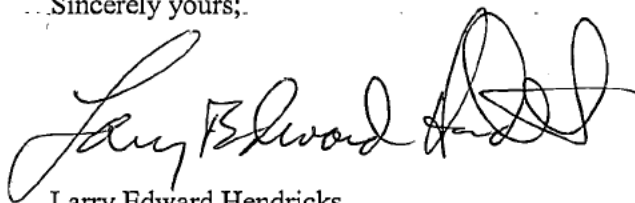
Dear Sir or Madam;

Hello, I hope that this letter finds you and yours in good health and spirits. I am in receipt of your letter of December 22, 2022, which I received yesterday, January 3, 2023, stating there were deficiencies in my original filing. Please find enclosed my *Motion to Proceed Informa Pauperis* and a copy of my clocked stamped filing of the Notice of Appeal with the Fairfield County Clerk of Court and a copy of their Certificate of Mailing.

I would like to reiterate, though I was represented in the matter by counsel, it is my decision to file this appellate action pro-se. Recent communications with assigned habeas counsel regarding this appeal has me believing that I am getting bad advice, as such I will continue this pro-se, unless the Court grants my Motion for Assignment of Appellate Counsel.

I thank you for your time and attention to this matter. Please do not hesitate to contact me if I need to file additional material, before I receive the initial order of the Court.

Sincerely yours;



Larry Edward Hendricks

Cc: Matthew G. Gerrald, Esq.
File

Larry Hendricks
4546 Broad River Rd
Columbia, SC 29210-4014

COLUMBIA SC 290

5 JAN 2023 PM 2 L



South Carolina Court of Appeals
RECEIVED

Clerk

P.O. BOX 11629

Columbia, SC 29211

JAN 09 2023

SC Court of Appeals