

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT

THE HONORABLE S. Phillip LENSKI

APPELLATE CASE No. 2022-001746

RECEIVED

Kevin Harbin, #303214, Appellant,
V.

JAN 27 2023

SC Court of Appeals

SOUTH CAROLINA Department of Corrections, Respondent.

Amended Motion To Proceed In Forma Pauperis Caption

This matter is before the South Carolina Court of Appeals pursuant to the Order Granting Respondent's Motion To Dismiss, from the Administrative Law Judge (ALJ or Court) on December 6, 2022, THE 'ALJ' filed Order and stated at bottom of page captioned number one that as of the date of this Order Appellant has not filed A response to the Department Motion to Dismiss. (Please view attached inmate grievance).

DISCUSSION

Comes Now the Appellant, requesting the Court grant this motion for leave to proceed in forma pauperis. Appellant's grievance involves fundamental rights, and thus, indigent litigant is entitled to proceed in forma pauperis on his appeal from an 'ALJ' decision dismissing his grievance the South Carolina Department of Corrections. (See, MARTIN, 321 S.C. at 535 471 S.E 2d at 135).

(1.)

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v.
South CAROLINA Department of Corrections, Respondent,

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PROOF OF SERVICE

I certify that I have serve the Amended Motion (Captioned) To Proceed In Forma Pauperis on South Carolina Department of Corrections, by depositing A handwritten copy of it in the United States Mail postage prepaid, on January 24 2023, addressed to 444 Broad River Road, Columbia South Carolina 29221;

JANUARY 24, 2023

Sworn before me this 24th day of JAN, 2023

Notary Public for South Carolina

My Commission expires 2/3/2026

Kevin Harbin

Signature

KEVIN HARBIN #303214

Tyger River Corr./Unit/Rm 125

200 Prison Road

Evoree S.C. 29335

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JAN 24 2023

TYRCI MAILROOM



JANUARY 24, 2023

Clerk's Office
South Carolina Court of Appeal
1220 Senate Street
Columbia, S.C. 29201

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JAN 27 2023

SC Court of Appeals

RE: KEVIN HARBIN, # 303214, Appellant,
v.

South Carolina Department of Corrections, Respondent,

Dear Clerk,

Enclosed for filing is A Amended (Caption)
Motion to proceed IN FORMA PAUPERIS on January 24, 2023.
requesting stamped copy returned

Sincerely,

Kevin Harbin

Kevin Harbin # 303214

Tyger River Corr.

200 Prison Road

Enoree S.C. 29335

KEVIN Harbin #303214
Tyger River Corr./Unit 10/Rm 125
200 Prison Road
Enoree S.C. 29335

F/co

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JAN 27 2023

CLERK'S SC Court of Appeals

South Carolina Court of Appeals

1220 SENATE Street

Columbia, S.C. 29201



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Date: 1/24/2023

JAN 24 2023

TYRCI MAILROOM

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