

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS
HON. D. CRAIG BROWN JUDGE


CASE NO.# 2011-CP-21-2095

WILLIAM K. BOONE, ETAL . . . RESPONDENT
VS
CARMICHAEL T. FLOWERS : : . APPELLANT

PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED THE MOTION TO PROCEED
IN FORMA PAUPERIS ON ATTORNEY OF RECORD, J. SCOTT KOZACKI,
by depositing A COPY OF IT IN THE U.S. MAIL, POSTAGE PREPAID,
ON APRIL 15, 13, ADDRESSED TO ATTORNEY OF RECORD J. SCOTT KOZACKI,
P.O. Box 1909, FLORENCE, S.C. 29503.

April 15, 2013


CARMICHAEL T. FLOWERS #335945
EVANS CORR. INST.
610 HWY. # 9 WEST, F1-B-123A
BENNETTSVILLE, S.C. 29512

RECEIVED

JUN 11 2013

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA)

COURT OF APPEALS)

CARMICHAEL T. FLOWERS,)

APPELLANT,)

VS.)

WILLIAM K. BOONE,
FLORENCE COUNTY SHERIFF
ET AL.,)

RESPONDENT.)

MOTION/APPLICATION TO PROCEED
WITHOUT COST AND AFFIDAVIT IN
SUPPORT THEREOF.

I CARMICHAEL T. FLOWERS HEREBY APPLY FOR LEAVE TO
PROCEED IN THIS ACTION WITHOUT PREPAYMENT OF FEES OR COSTS OR
SECURITY THEREFOR. IN SUPPORT OF MY MOTION AND APPLICATION I
DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING FACTS ARE
TRUE.

- 1.) I AM THE APPLICANT IN THIS ACTION AND I BELIEVE I AM ENTITLED TO REDRESS.
- 2.) BECAUSE OF MY POVERTY I AM UNABLE TO PAY THE COST OF SAID PROCEEDING OR GIVE SECURITY.
- 3.) AN AFFIDAVIT IN SUPPORT THEREOF SUBSTANTIATING THE SAME IS HERE WITH ATTACHED.

SWORN TO AND SUBSCRIBED BEFORE ME

Carmichael Flowers

THIS 15 DAY OF April, 2013.

Jay Thomas
NOTARY PUBLIC FOR SOUTH CAROLINA

MY COMMISSION EXPIRES. September 19, 2014

- () LEAVE GRANTED
- () LEAVE DENIED

HONORABLE COURT OF
APPEALS/ JUDGE/ CLERK

DATE

RECEIVED

APR 17 2013

SC Court of Appeals

COPY

RECEIVED

JUN 11 2013

SC Court of Appeals

STATE OF South Carolina
County of Florence
CARMICHAEL T. FLOWERS
Plaintiff

IN THE Court of Appeals

Affidavit in Support of
Motion TO PROCEED in forma
PAUPERIS

- VS -
William K. BOONE
ET AL DEFENDANTS

RECEIVED
APR 17 2013
COPY

SC Court of Appeals

I, CARMICHAEL T. FLOWERS, BEING OF SOUND MIND,

DO HEREBY DEPOSE AND STATE UNDER OATH AND THE
PENALTY OF PERJURY, THAT THE FOLLOWING IS TRUE AND
CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND
BELIEF:

I, CARMICHAEL T. FLOWERS THE APPELLANT IN THE ABOVE
MATTER, HANDED OVER PERSONAL PROPERTY TO EMPLOYEES OF
THE FLORENCE COUNTY DETENTION CENTER, THAT PERSONAL PROPERTY
WAS NOT RETURNED, NOR DID ANYONE COMPENSATE ME FOR
MY LOSS.

THE U.S. CONSTITUTION REQUIRES THAT WHERE CERTAIN
FUNDAMENTAL RIGHTS ARE CONCERNED AN INDIGENT BE ALLOWED
ACCESS TO THE COURTS. BECAUSE I WAS DENIED DUE PROCESS,
AND ABSENT A COUNTERVAILING STATE INTEREST OF OVERTIDING
SIGNIFICANCE, I MUST BE GIVEN A MEANINGFUL OPPORTUNITY
TO BE HEARD.

IT'S MY BELIEF THAT MY COMPLAINT FITS WITHIN A STATUTORY
EXCEPTION OR CONCERNS A ~~fundamental~~ FUNDAMENTAL RIGHT.

Apr: 15 2013

Carmichael Flowers