

STATE OF SOUTH CAROLINA
COURT OF APPEALS

RECEIVED
AUG 14 2023
SC Court of Appeals

Case # 2023-000950

Sandtario Poole, #360120)
Appellate)
vs)
SC. Dept. of Corr.)
Respondent)

MOTION: FOR
REHEARING

On appeal from administrative law court

I respectfully move this court to reconsider its order dated 8/1/23 and received by me on 8/6/23, denying but granting in part, my motion for informa pauperis, for the following reasons:

1 The court denied informa pauperis, and waiver of \$250.00 filing fee, citing Ex Parte Martin 321 SC 533. I submit that because this is an appeal from an administrative decision, and not a circuit court complaint, that Martin should not foreclose the issue. I do not have funds to pay the fee, yet SC Law grants the right of judicial review of administrative actions, and SC Const Art 1 §8, §9 & 1-23-610(A)(1), (B)(b,c,e,f), and I believe that the case has merit and I would prevail [if] not denied judicial review because I dont have enough money. I submit that a specific constitutional right is not required for this court to grant informa pauperis.

2 The court denied appointment of counsel citing Ex Parte Dibble 279 SC 592 and Rule 608(g) SCACR: I submit that this is in error because, in Dibble the court dealt with a different matter, yet did at Head Note 2, hold "courts have inherent power to do all things necessary to insure that just results are reached to fullest extent possible." This case is an appeal for judicial review §1-23-610 from (ALC), in which the order of summary dismissal was uncalled for on question of law and fact, and in plain error and contrary to the record. I just want a fair and impartial review of agency & ALC decisions, and I dont believe that a specific const right to counsel is controlling.

Conclusion

Wherefore I pray that this court will reconsider this case and make adjustments to its order. I thank the court for waiver of Rule 267.

August/9th/2023

Respectfully

Mr. Joseph R. Shakibanasab, esq
Office of General Counsel; SCDC
4414 Broad River rd
PO Box 21787
Columbia SC. 29221

/s/ Sandtario Poole
Sandtario Poole, 350120
BRCI, Marion 281
4460 Broad River rd
Columbia SC 29210

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STATE OF SOUTH CAROLINA
COURT OF APPEALS

TO: Honorable Clerk of Court
Jenney A Kitchings
PO. Box 11629
Columbia SC. 29211

August/9/2023

RE: Sandtario Poole 00360120 Vs The SCDC Case 2023-000950
BRCI, Marion 281
4450 Broad River rd On appeal from the ALC
Columbia SC 29210

Court,

Please find enclosed my original, motion to rehear this courts order dated 8/1/23.

Thank you for your time and assistance.

Sincerely

/s/ Sandtario Poole
Appellate pro se

PROOF OF SERVICE

I certify that on this day, I did serve one true copy of my motion for rehearing, and filing letter/proof of service, on counsel, Mr. Joseph Shakibanasab, as addressed below, by depositing same in the mailroom at BRCI, marked as INTRAAGENCY for delivery, in proper order

This/ 10 /Day of/ August/ 2023

Respectfully

/s/ Sandtario Poole
Sandtario Poole
Appellate Pro Se

Mr. Joseph R. Shakibanasab, esq
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4444 Broad River rd
PO Box 21787
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Counsel of record
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Honorable Clerk of court
Jenney A. Kitching
PO. Box 11629
Columbia, SC 29211

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