

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

NOV 27 2023

SC Court of Appeals

Roger Young, Circuit Court Judge

Case No. 2023-001672

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Willie A. Key, ..... Appellant,

v.

Ansonborough House and Karen Schlabs, Property Manager,  
Individually and in her Official capacity and Unknown Board  
of Directors of Ansonborough Housing  
Corporation, ..... Respondents.

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BRIEF OF APPELLANT

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Willie A. Key  
71 Society St., Apt. 501  
Charleston, S.C. 29401  
(843) 530-0284  
Pro se

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## STATEMENT OF ISSUES ON APPEAL

- I. DID JUDGE YOUNG ERR IN DENYING APPELLANT'S MOTION TO PROCEED IN FORMA PAUPERIS?

### STATEMENT OF THE CASE

On September 27, 2023 Appellant, Willie A. Key, brought an action alleging violation of the S.C. Homeland Security Act against Karen Schlabs, Property Manager and Unknown Board of Directors of Ansonborough Housing Corporation. Said action was never served, where appellant's Motion to Proceed in Forma Pauperis was denied by the court, Judge Young.

### FACTS

Same as described in Statement of the Case above.

### ARGUMENTS

- I. BECAUSE APPELLANTS NET FAMILY INCOME IS BELOW THE 2023 FEDERAL POVERTY GUIDELINES ESTABLISHED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, HE SHOULD BE ALLOWED TO PROCEED IN FORMA PAUPERIS.

**RULE 608 (b)(4)**, SCACR defining *Indigent*, provides in part:

“A presumption that the person is indigent shall be created if the person's net family income is less than or equal to the Poverty Guidelines established and revised annually by the United States Department of Health and Human Services ... . Net Income shall mean gross income minus deductions required by law.”


The Affidavit in support of appellant's Motion to Proceed in Forma Pauperis clearly shows that his net family income — **Family Size 2** — is less than one hundred percent (100%) of HHS's 2023 Yearly and Monthly Federal Poverty Guidelines. Thus, the court, Judge Young, erred in denying appellants Motion to Proceed in Forma Pauperis.

#### CONCLUSION

For the reasons stated, appellant should be allowed to proceed In Forma Pauperis.

Respectfully submitted,

November 27, 2023.

  
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PROOF OF SERVICE

I certify that I have served the Brief of Appellant and Designation of Matter to be Included in the Record on Appeal on the respondent Honorable Roger Young by personally serving a copy of same to him at the office of the Clerk of Common Pleas Court located at 100 Broad St., Suite 106, Charleston, S.C. 29401

November 27, 2023.



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SC Court of Appeals

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