

# THE SOUTH CAROLINA COURT OF APPEALS

T. Terrell Bryan, Appellant,

v.

SCDC, Respondent.

Appellate Case No. 2013-000950

The Honorable Shirley C. Robinson  
Trial Court Case No. 2013ALJ045174AP

## MOTION FOR RECONSIDERATION/REINSTATEMENT

I hereby move for Reconsideration/Reinstatement & state:

1. This Case involves the deprivation &/or Unlawful seizure of property, in violation of the 4th Amend. U.S. Const. (the right of the people to be secure in their persons, houses, papers, & effects, against unreasonable searches & seizures), & S.C. Const. Art. I, §3 (No person be deprived of ~~the~~ life, liberty, or property, without due process of law).
2. Per Bryan v. SCDC, 2011-AL-04-00614, this Court granted in forma pauperis per a liberty interest. In the present case, this case involves a property interest, where I have alleged I unlawfully deprived of property.
3. **WHEREFORE**, I pray in forma pauperis is granted, &/or Reconsideration/Reinstatement of the denial thereof & to answer the question of is an IFM entitled to proceed in forma pauperis when the appeal involves a property interest.

7/22/13, SC  
dated

Without Prejudice,  
X. [Signature], all rights reserved,  
T. Terrell Bryan  
#254638, SMU-B19, MCCI  
380 Redemption Way  
McCormick, SC 29899

## PROOF OF SERVICE

I certify I served this, In forma pauperis Motion, & EXHIBIT #1, on: Shanika K. Johnson; 4444 Broad River Rd.; Columbia, SC 29210.

**RECEIVED**

JUL 26 2013

SC Court of Appeals

# THE SOUTH CAROLINA COURT OF APPEALS

T. Terrell Bryan, Appellant,

v.

SCDC, Respondent.

Appellate Case No. 2013-000760

The Honorable Shirley C. Robinson  
Trial Court Case No. 2013ALJ040174AP

## IN FORMA PAUPERIS MOTION

I, T. Terrell Bryan, being duly sworn, deposes & affirms under penalty of perjury, 28 U.S.C. §1746 & 18 U.S.C. §1621, that the following is true & correct:

1. I am the Appellant in this action & I am indigent, see attached "Financial Certificate". I can not pay the Filing Fees for the Motion for Reconsideration/Reinstatement. I believe I am entitled to redress.
2. Per EXHIBIT #7 - ORDER in Bryan v. SCDC, 2011-AL-04-00614, this court granted in forma pauperis per a liberty interest. In the present case, this case involves a property interest, where I have alleged I have been unlawfully deprived of property.
3. WHEREFORE, I pray in forma pauperis is granted.

7/22/13, SC  
dated

Without prejudice,  
X. TRM, all rights reserved,  
T. Terrell Bryan  
#254538, SMU-B19, MCC I  
386 Redemption Way  
McCormick, SC 29899

Sworn to before me this  
23<sup>rd</sup> day of July, 2013  
Penny G. Minton (C.S.)  
My Commission Expires: July 24, 2018

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JUL 26 2013

SC Court of Appeals

MCCI  
LEGAL MAIL  
MAIL ROOM

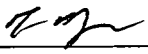
FINANCIAL CERTIFICATE  
FOR THE DISTRICT OF SOUTH CAROLINA  
(for use in § 1983, Bivens, and non-habeas civil actions filed by prisoners)

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I have insufficient funds in my account that prohibit me from paying the full filing fee required by 28 U.S.C. § 1914 (currently \$350.00), I will send with my complaint an initial installment payment, required by 28 U.S.C. § 1915, equal to the amount calculated and entered on line four by the authorized officer signing this form.

I recognize that by filing this case, I am required to pay the full filing fee (or the remaining unpaid portion of the filing fee by installments if necessary) under 28 U.S.C. § 1915(b) even though I am requesting to proceed *in forma pauperis*. I authorize and consent to collection of the filing fee in accordance with 28 U.S.C. § 1915 until the filing fee is paid in full.

T. Terell Bryan  
INMATE NAME (PRINTED)

254534  
INMATE (PRISONER) NUMBER

  
INMATE SIGNATURE

MCCI  
PLACE OF CONFINEMENT

- ◆ (1) Average monthly deposits to the inmate's account.....\$ 0
- ◆ (2) Average monthly balance in the inmate's account calculated for the prior six months period. ....\$ 0.18
- ◆ (3) Current Balance .....\$ 0.18
- ◆ (4) Initial Installment Payment (Take 20 percent of the greater of lines 1 or 2).....\$ 0

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

  
Authorized Officer's Signature

7/3/13  
Date

J. Smith  
Authorized Officer's Name and Title

RECEIVED

JUL - 9 2013

MCCI  
MAIL ROOM

# The South Carolina Court of Appeals

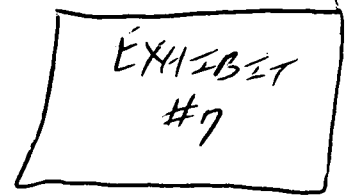
T. Terell (a/k/a Terance) Bryan,  
#254638,

Appellant,

v.

South Carolina Department of  
Corrections,

Respondent.



The Honorable John McLeod  
Administrative Law Court  
Trial Court Case No. 2011-AL-04-00614

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## ORDER

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Appellant moves to proceed *in forma pauperis*. Because the underlying appeal involves Appellant's loss of good-time credits, he is entitled to proceed *in forma pauperis*. See Furtick v. S.C. Dep't of Corr., 374 S.C. 334, 340, 649 S.E.2d 35, 38 (2007) (finding the loss of good-time credits implicates a state-created liberty interest); Ex parte Martin, 321 S.C. 533, 535, 471 S.E.2d 134, 134-35 (1995) ("Motions to proceed *in forma pauperis* may be granted only when authorized by statute or required by constitutional provisions.").

Appellant also moves for this Court to appoint counsel to represent him in his appeal. After careful consideration, Appellant's motion for court-appointed counsel is denied. See Baxter v. Palmigiano, 425 U.S. 308, 315 (1976) (holding prison inmates do not have a right to either retained or appointed counsel in disciplinary hearings).

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "James E. Eskew".

**FILED**

Esc 1/12/12