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APR 08 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court Of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Robert L. Reibold, Administrative Law Judge

Docket No. 23-ALJ-04-0572-AP

Charles Madden, #182326,.....Appellant,

v.

South Carolina Department
of Corrections,.....Respondent.

MOTION TO PROCEED IN FORMA PAUPERIS

Charles Madden, the above Appellant, respectfully moves this Honorable Court to allow him to proceed in this matter without prepayment of fees or costs.

In support of this Motion, Appellant herein declares the following:

1. I am the Appellant in the above captioned action and I believe I am entitled to redress;
2. This Appeal involves the dismissal of an Appeal by the ALC, from a decision of the S.C. Department of Corrections holding that I am not entitled to be paid the "prevailing wage" for the labor I performed in the SCDC Prison Industries Program ("PIP").
3. The ALC erroneously dismissed the appeal for lack of jurisdiction based on an erroneous finding that I failed to exhaust my Administrative Remedies.

4. I am indigent, have about \$1000.00 in my E.H. Cooper Trust account that is left over from my Stimulus Checks and I received a total of about \$40.00 to \$50.00 from friends about every one or two months.

5. I hereby request that this Honorable Court allow me to proceed in this action without prepayment of fees and costs.

Respectfully Submitted,

Charles madden

Charles Madden, #182326
Allendale C.I., F3 B-54
1057 Revolutionary Trail
Fairfax, SC 29827

April 3, 2024
Fairfax, South Carolina

Appellant, Pro Se

STATE OF SOUTH CAROLINA)
)
COUNTY OF ALLENDALE)

AFFIDAVIT OF INDIGENCY

Personally appeared before me, Charles Madden, who first being Duly Sworn upon his Oath, states the following:

1. I am the Appellant in an Appeal I have filed in the S.C. Court of Appeals seeking relief from the Administrative Law Court's dismissal of my Appeal from the Final Decision of the S.C. Department of Corrections in Docket No. 23-ALJ-04-0572-AP.

2. I give this Affidavit in support of my Motion To Proceed In Forma Pauperis in the South Carolina Court of Appeals.

3. I am incarcerated within the South Carolina Department of Corrections at Allendale Corr., Inst., and have been incarcerated since 1991.

4. Because of my indigency status, I am unable to pay the filing fees and any costs associated with filing and prosecuting of this Appeal.

5. I have about \$1000.00 in my E.H. Cooper Trust Account, own no Real Estate and have no bank accounts;

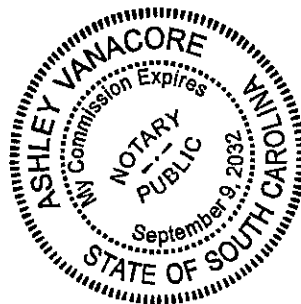
6. I respectfully request that this Honorable Court allow me to proceed in this matter without prepayment of fees or costs thereof.

Sworn to and Subscribed to before me
this 2nd day of April, 2024.

Ashley Vanacore
Notary Public For South Carolina

My Commission Expires: 9/9/32

Charles Madden
Charles Madden



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v.

South Carolina Department of Corrections,.....Respondent.

PROOF OF SERVICE

I, Charles Madden, herein CERTIFY under penalty of perjury that I have on this date, served a Notice of Appeal, a copy of the Order being appealed and a Motion To Proceed In Forma Pauperis with an Affidavit of Indigency in the above captioned case, upon the above Respondent, by depositing a copy of same into the U.S. Mail, First Class Postage prepaid, addressed to:

S.C. Department of Corrections
Attn: Barton J. Vincent, Esq.
Office of General Counsel
4444 Broad River Rd.
P.O. Box 21787
Columbia, SC 29221-1787

Hon. Jana E. Shealy, Clerk
S.C. Administrative Law Court
1205 Pendleton St., Suite 224
Columbia, SC 29201

April 3, 2024
Fairfax, South Carolina

Charles madden
Charles Madden, #182326
Allendale C.I., F3 B-54
1057 Revolutionary Trail
Fairfax, SC 29827

Appellant, Pro Se

Charles Madden, #182326
Allendale Corr., Inst., F3 B-54
1057 Revolutionary Trail
Fairfax, SC 29827

April 3, 2024

Hon. Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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RE: Charles Madden v. S.C. Dep't of Corrections
ALC Case No. 23-ALJ-04-0572-AP
Notice of Appeal, Motion To Proceed
In Forma Pauperis, Affidavit of Indigency,
and, Proof of Service

Dear Ms. Kitchings:

Enclosed for filing in the above referenced matter, please find a Notice of Appeal, the Order being appealed, A Motion To Proceed In Forma Pauperis, an Affidavit Of Indigency, and Proof of Service of these documents on General Counsel for the SCDC and Ms. Jana E. Shealy, Clerk of the Administrative Law Court.

Also enclosed, please find a copy of each of the above documents that I ask you to please file stamp and return to me for my records, if you would please do so. I have enclosed a self addressed, postage prepaid envelope for your convenience.

As always, I thank you in advance for your assistance in this matter.

Sincerely & Respectfully,

Charles Madden
Charles Madden

cc: Barton J. Vincent, Esq.
FILE

Charles Madden #182326
Allendale Inst F-3-B-Rms 4
10517 Revolutionary Trail
Fairfax, SC. 29827



Hon. Jenny Abbott Kithings
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

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LEGAL MAIL

