

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. 2013 ALJ040174 AP

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

Without Prejudice

v. [Signature], all right reserved

T. Terrell Bryan

*254638 5MU-B19, MCCI

386 Redemption Way

McCormick S.C. 29899

Sworn to before Me this

_____ day of _____, 2013

_____ (H.S.)

My Commission Expires: _____

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AUG 09 2013

SC Court of Appeals

MCC1
LEGAL MAIL
MAIL ROOM

13/19

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 am granted *in forma pauperis* status, I authorize and consent to collection of the \$ 350 filing fee in accordance with 28 U.S.C. § 1915(b) until the filing fee is paid in full as well as any amount of costs, sanctions, and/or fees that might be imposed by the court during this litigation. I understand that if I do not qualify for *in forma pauperis* status, I will have to pay \$400 to proceed with my case, which includes the full \$350 filing fee as well as an additional \$50 administrative fee established by the Judicial Conference of the United States. The \$50 administrative fee is not applicable to *in forma pauperis* cases.

T. Terrell Bryan
INMATE NAME (PRINTED)

254638
INMATE (PRISONER) NUMBER

[Signature]
INMATE SIGNATURE

MCC1
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 - due upon granting of *in forma pauperis* status (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.

[Signature]
Authorized Officer's Signature

7/29/13 Date

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J Smith Fin. Act
Authorized Officer's Name and Title

MCC1
MAIL ROOM

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SC Court of Appeals

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

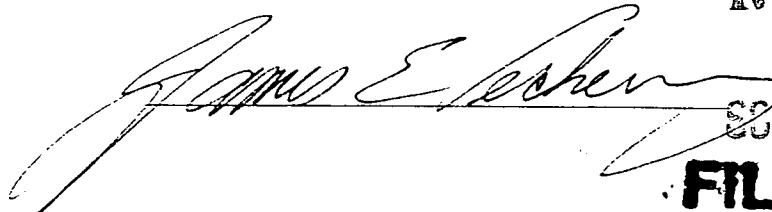
EXHIBIT
#7

ORDER

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.



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FILED

EAC 11/2/13