

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal From The Administrative Law Court  
Ralph k. Anderson III, Administrative Law Judge

MAY 17 2024

SC Court of Appeals

Appellate Case No. 2024-000718

James A. Tucker, # 260993

Appellate,

v.

South Carolina Department of Corrections

Respondent,

Appellate's Motion To Extend Time For Filing  
A complete Motion For Leave To Proceed With  
out Payment of Cost And Fees

The Appellate James A. Tucker, Pursuant to Rule - 234(B), SCACR, moves the court to extend the time for filing the complete motion by (30) days. In support of this motion appellate shows the following in support:

(1). Appellate need additional time and or counsel to adequately draft the properly framed documents.


(2) Appellate is not a lawyer, nor has been train in law.

(3). See: SCDC Law Library Schedule/Library Schedule,  
Exhibit - A.

(4). Appellate receive the court letter dated May 3, 2024.  
On May 7, 2024.

WHEREFORE, the appellate respectfully submits that good cause  
exist for the court to extend the time for filing a complete  
motion for leave to proceed with out payment of cost and fees.

May 9, 2024.

  
James A. Tucker # 260993  
Allendale Corr. Inst.  
1057 Revolutionary Trail  
FairFax, South Carolina-  
29827

CC: S.C. Court of Appeals  
Administrative Law Court  
Kenny Evans, Esquire

## **Attention-All ACI-Residents**

Due to the influx of Residents visiting the Library on their Library days. Inmates attendance will be limited to only (5) five inmates at a time: for 1 hr. or less. Please know that only those with a pass will be able to attend.

Note: No longer will inmates be allowed to attend the Library on their non-Library days, the only exceptions are (1) if the inmate attends, or work in education, and (2) if their unit is lock-down on their day or school/Library is close. Those make-up days on Fridays.

### **All Unit Library Days**

**F2- A/B** Mondays-8-10am -12-2pm

**F4 A/B** Tuesdays- 8-10am-12-2pm

**F3-A/B** Wednesdays-8-10am-12-2pm

**F1-A/B** Thursdays-8-10am-12-2pm

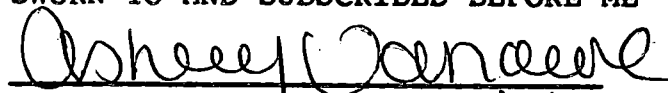


5). The Department's final agency decision is clearly in violation of statutory, authority, made upon unlawful procedures and are arbitrary, capricious or characterized by a clearly unwarranted abuse of discretion.

13 <sup>Ⓜ</sup>  
May 13, 2024.

  
James A. Tucker # 260993

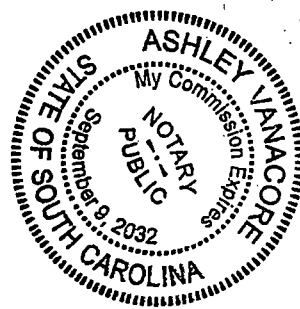
SWORN TO AND SUBSCRIBED BEFORE ME



My Commission Expires: 9/9/32

State of S.C.

CC: S.C. Court Appeals  
S.C. Administrative Law Court  
Kensey Evans, Esquire



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MAY 09 2024

**INMATE TRUST FUND ACCOUNT REPORT  
for SOUTH CAROLINA COURT FILING FEES**

MAILROOM

**INSTRUCTIONS TO INMATE:** Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court.

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

INMATE NAME (print): James Anthony Tucker

SCDC # 260993 INMATE SIGNATURE: James A. Tucker

I plan to file this action in the SC County of Fairfax

*The section below is for SCDC - Financial Accounting Branch's use ONLY.*

(1) Total deposits to inmate's account for preceding six months' period\* ..... \$ \_\_\_\_\_

(2) Twenty percent (20%) of line 1 ..... \$ \_\_\_\_\_

(3) Account balance - current date ..... \$ \_\_\_\_\_

(4) PAYMENT AMOUNT \*\*  
(lesser of line 2 or line 3)  
Enclosed check # \_\_\_\_\_ \$ \_\_\_\_\_

**\*\*NOTE to COURT:** If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections  
Financial Accounting - Room 234  
PO Box 21787  
Columbia, SC 29221-1787

\*Admission date is noted here if inmate incarcerated less than six months \_\_\_\_/\_\_\_\_/\_\_\_\_

---

Prepared by Financial Accounting Branch - SCDC Date \_\_\_\_\_ cslf/actrust/tyr/prepared 7/97

FINANCIAL CERTIFICATE  
FOR THE  
DISTRICT OF SOUTH CAROLINA

(for use in § 1983, *Bivens*, and non-habeas civil actions filed by prisoners)

↓  
Unit # Hampton A12

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.

James Anthony Tucker  
INMATE NAME (PRINTED)

260993  
INMATE (PRISONER) NUMBER

[Signature]  
INMATE SIGNATURE

Allendale  
PLACE OF CONFINEMENT

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

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

\_\_\_\_\_  
Authorized Officer's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Officer's Name and Title

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MAY 09 2024

MAILROOM  
ACI

CERTIFICATE OF SERVICE

**RECEIVED**

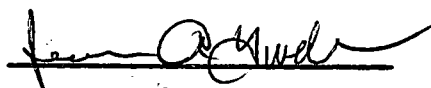
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SC Court of Appeals

I do hereby certify that I have serve there Motion To Extend Time to file Motion For Leave To Proceed With Out Payment of Cost And Fees, by placing the same in the United States mail with sufficient postage affixed thereto here at Allendale Corr. Inst. mailroom.

May 9, 2024.



James A. Tucker # 260993

CC: S.C. Court of Appeals

Administrative Law Court

Kensey Evans, Esquire

james A. Tucker # 260993  
Allendale Corr. Inst. F-3, A-12  
1057 revolutionary Trail  
FairFax, South Carolina - 29827

May 9, 2024.

South Carolina Court of Appeals  
Jenny Abbott Kitching, Clerk  
Post Office Box 11629  
Columbia, South Carolina - 29211

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MAY 17 2024

SC Court of Appeals

Re: James A. Tucker # 260993 v. SCDC  
Appellate Case No. 2024-000718

Dear Ms. Kitchings:

Enclosed you will find the original and a copy of the Motion To Extend Time For Filing all documents in support of the informal pauperis motion.

A financial certificate has been submitted at Allendale Corr. Inst. on this date noted above, and awaiting its completion to be mailed to you. Also Affidavit of James A. Tucker.

Thank you very much.

Sincerely,



CC: Kensey Evans, Esquire  
S.C. Court of Appeals  
S.C. Administrative Law Court

James Anthony Tucker 260993  
Allendale CI E3 A12  
1057 Revolutionary Trail  
Fairfax, S.C. 29827

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Columbia, S.C. 29211

Inter-Agency

