

THE SOUTH CAROLINA COURT OF APPEALS

T. Terrell Bryan

Appellant

✓

SCDC

Respondent

Clerk / S.C. Administrative Law Court
Administrative Law Court
Grie No. MCCI 0640-13 thru 0643-13
ALC Docket No. N/A

IN FORMA PAUPERIS MOTION

I hereby apply for leave to proceed in this action without prepayment of fees or costs or security thereof, in support of my application I declare under penalty of perjury that the following facts are true:

1. I am the Appellant in this action & I believe I am entitled to redress
2. Because of my poverty I am unable to pay the costs of said proceedings or give security thereof. see attached financial certificate

Sworn to Before Me this

_____ day of _____ 2013

_____ (L.S.)

My Commission Expires _____

Without Prejudice

X _____ all rights reserved

T. Terrell Bryan

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SC Court of Appeals

in a county jail, city jail or local detention center, you do not have to submit the Financial Certificate.

2. If you do not meet the requirements for paying the filing fee in installments, then the full \$350.00 filing fee and \$50.00 administrative fee authorized by 28 U.S.C. § 1914 must accompany the civil rights complaint. If you cannot afford to pay the full filing fee, but you have sufficient funds (as calculated according to the Prison Litigation Reform Act) to pay an installment payment, then you must pay the first installment of the filing fee upon being granted *in forma pauperis* status, as computed on the Financial Certificate, at the time you file your complaint.
3. **A properly completed financial certificate is required for the court to consider the Form AO 240 submitted by a prisoner in the South Carolina Department of Corrections or Federal Bureau of Prisons.** DO NOT submit your own affidavit instead of the Financial Certificate, or your case may be delayed. The obligation to pay the filing fee in a case arises out of the filing of a case. See 28 U.S.C. § 1915.
4. To obtain a financial certificate disclosing how much money you have credited to your account(s) with the institution in which you are confined, you must sign your name and write your prisoner number (if you have one) on the lines provided at the top of the Financial Certificate (form attached). You should then submit only that page to the division/department that keeps the records of how much money you have in your account(s). (The name of that division/department varies depending on where you are being held, for example, "institutional services" - "accounting", etc.) Someone in that division/department will complete the remainder of the Financial Certificate and return it to you. It is then ready to be submitted to the court with the civil rights/*Bivens* complaint. You must submit the original Financial Certificate, not a copy.
5. The Financial Certificate must be current and signed by the authorized officer of the penal institution within six (6) months of its submission to the court. The Form AO 240 with the completed financial certificate, the accompanying civil rights complaint and all other papers listed on the Checklist must be mailed to the Clerk's Office TOGETHER.
6. When you receive the completed financial certificate, it will show whether you have sufficient funds to pay the full filing fee or whether you qualify for proceeding by paying the filing fee in installments. This determination is based on how much money is currently on deposit in your institutional account(s) and how much money to which you had access over the past six (6) months. Below is a line-by-line description of the information provided on the Financial Certificate:
 - (a) The first line shows the average monthly deposits to your prison trust account.
 - (b) The second line shows the average monthly balance in your prison trust account for the immediate past six (6) full months.
 - (c) The third line shows the total amount of money to which you have access in your institutional account(s) as of the date that the financial certificate was completed. Money that is not readily accessible is not included in this total; the institution or agency confining you may have a policy which requires that a certain minimum balance be maintained, and so the amount shown on the third line would only include an amount in excess of the required minimum.
 - (d) The fourth line shows the initial installment payment of the filing fee.

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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.

B/S

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. Terrell Bryan
INMATE NAME (PRINTED)
[Signature]
INMATE SIGNATURE

254638
INMATE (PRISONER) NUMBER
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

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

[Signature]
Authorized Officer's Signature

7/31/13
Date

J. S. Br. Act
Authorized Officer's Name and Title

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Administrative Law Court
Grie No. MCCI 01640-13 thru 01643-13
ALC Docket No N/A

PROOF OF SERVICE

I the pro se Appellant, T. Terrell Bryan, hereby certify that I served a copy of this Notice of Appeal, EXHIBIT # 64- Memorandum, EXHIBIT # 65- step 1 / Grievance & In forma pauperis Motion, on: S.C. Admin Law Court; 1205 Pendleton St., Ste 224; Columbia S.C. 29201, & on: General Counsel; 4444 Broad River Rd; Columbia S.C. 29210

8/12/13 sc
dated

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T. Terrell Bryan
254638 SMUB-19, MCCI
386 Redemption Way
McCormick S.C. 29879

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