

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF APPEALS

James A. Tucker # 260993
Appellant,

)
) Appellate Case No. 2024-000718
) Court Case No. 2023-ALJ-040544AP
)

v.

S.C. Dept. of Corrections
Respondent,

)
) APPELLANT'S MOTION TO PROCEED
) WITHOUT PAYMENT OF COST AND
) FEES
)

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SC Court of Appeals

The Appellant, James A. Tucker # 260993, moves the court for an order permitting him to proceed in this action without payment of fees or cost on account of his poverty.

In support of the motion, the Appellant, submits the attached affidavit and financial statement.

WHEREFORE, the Appellant respectfully request the court to allow him to proceed without cost or fees in this action and for such other and further relief in favor of the Appellant that the court deems just and appropriate.

June 3, 2024.



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

29827

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN SOUTH CAROLINA COURT OF Appeal

James A. Tucker # 260993
Appellant,

Appellate Case No. 2024-000718

v.

AFFIDAVIT

OF

South Carolina Department
of Corrections
Respondent,

JAMES A. TUCKER

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I James A. Tucker # 260993, under penalty of perjury states the following:

1). I make this affidavit based on personal knowledge unless stated otherwise. I am over the age of (21) years old, and a competent adult and a resident of the South Carolina Department of Corrections.

2). I do not have the \$ 250.00 filing fees. As of this date, May 22, 2024. I have a current balance of .04 cents.

3). The Department (SCDC) 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.

3). The original financial certificate (State) is attached to the motion.

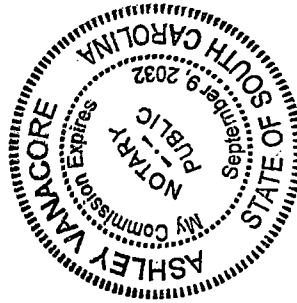
June 3, 2024.

James A. Tucker
James A. Tucker # 260993

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 3rd DAY OF JUNE 2024.

Ashley VanCure

MY COMMISSION EXPIRES: 9/9/32
STATE OF SOUTH CAROLINA



0411 Allendale

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

MAY 09 2024

MAILROOM
ACI

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 A. Tucker

SCDC # 260993 INMATE SIGNATURE: [Signature]

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

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

- (1) Total deposits to inmate's account for preceding six months' period* \$ 197.32
- (2) Twenty percent (20%) of line 1 \$ 39.46
- (3) Account balance - current date \$.04
- (4) PAYMENT AMOUNT ** * Prior Holds / Insufficient Balance
(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 1 / 1

Prepared by Financial Accounting Branch - SCDC

05/22/24

Date 05/22/24 .626actrust0prepared 7/97

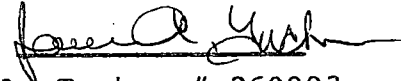
[Large handwritten signature]

CERTIFICATE OF SERVICE

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SC Court of Appeals

Appellate Case No. 2024-000718
Court Case No. 2023-ALJ-040544AP

I did this 3rd day of June 2024. Serve the Appellant's Motion To Proceed without Payment of Cost and Fees, by placing a copy of the same in a United States postal Service mail box, postage paid, and addressed as follows here at the institutions mail-room.



James A. Tucker # 260993
Allendale Corr. Inst. F-3,A42
1057 Revolutionary Trail
FairFax, South Carolina-
29827

CC: S.C. Court of Appeals
Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia, South Carolina - 29211

S.C. Dept. of Corrections
4444 Broad River Rd/P.O.Box 21787
Columbia, South Carolina - 29221

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

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SC Court of Appeals

June 3, 2024.

S.C. Court of Appeals
Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia, South Carolina - 29211

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

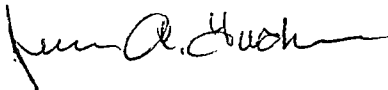
Dear Ms. Kitchings:

Enclosed you will find the original and a copy of the motion to proceed in forma pauperis.

Please file the original and return the copy to me for my record in the postage paid envelope provided for the return.

Thank you very much.

Sincerely,



CC: Kensey Evans, Esquire

James Anthony Tucker 260993
Allendale CI F3-A12
1057 Revolutionary Trail
Fairfax, S.C. 29827

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SC Court of Appeals

S.C. Court of Appeals
Jenny Abbott Kitchings, Clerk
PO Box 11629
Columbia, S.C. 29211

"Inter-Agency"

LEGAL MAIL