

THE SOUTH CAROLINA COURT OF APPEALS

Jeffrey D. Jones

Appellant

✓

Richard A Shirley etal, all in

Respondent

Judge Alexander S. Macaulay
Anderson County Court of Common Pleas
C/A No 2013-CP-04-01691

MOTION TO PROCEED IN FORMA
PAUPERIS & AFFIDAVIT IN SUPPORT

I the pro se Appellant Jeffrey D. Jones being duly sworn, affirms under penalty of perjury, 28 U.S.C § 1746 & 18 U.S.C § 1621 that: 1) I am the Appellant in this case & I am indigent, the attached "Financial Certificate" is proof I can not pay the fees to proceed in this action & believe I am entitled to redress. 2.) I make this Motion / Affidavit Moving this court to proceed in forma pauperis. see Memorandum in Support of In Forma pauperis

8/14/13 sc
dated

Respectfully

x Jeffrey Jones

Jeffrey D. Jones 290522
MCCI SMU B25
386 Redemption way
McCormick S.C. 29849

Sworn to before Me this

_____ day of _____ 2013

(L.S)

My Commission EXPIRES _____

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AUG 21 2013

SC Court of Appeals

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C/A No 2013-CP-04-01691

MEMORANDUM IN SUPPORT OF
IN FORMA PAUPERIS.

I the pro se Appellant, Jeffrey D. Jones, hereby submits the following Memorandum in support of his Motion to Proceed In Forma pauperis & Affidavit in support & states:

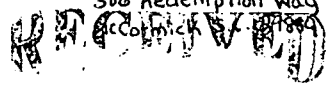
1. On July 26, 2013 the Honorable Macaulay denied me leave to proceed In forma pauperis
2. This case deals with: A) Due Process Clause of the U.S. Const Amend. XIV, § 1 & the S.C. Const. Art. I § 3 B.) the sixth Amend of the U.S. Const., C.) The State constitutional Mandate that all courts shall be public, of the S.C. Const Art. I § 9, & D.) Public policy as expressed in the State Freedom of Information Act of S.C. Code Ann. § 30-4-15 to 165 (1991 & Supp 2003) & the Federal Freedom of Information Act 5 U.S.C § 522, where Appellant has a constitutional right to obtain the grand jurys documents which indicted him to determine whether the grand jury which indicted him was properly established, constituted under law & Whether they in fact consider the criminal allegations against him.
3. Motions to proceed in forma pauperis May be granted only when specifically authorized by statute or require by constitutional provisions. Rule 3(c) SCRPC
4. WHEREFORE, statutory & constitutional provision warrant the grant of in forma pauperis, MOREOVER, it would be a Fundamental miscarriage of justice not to rule on the novel issue argued in this appeal

8/14/13 s.c. 02
dated

Respectfully

Jeffrey D. Jones

Jeffrey D. Jones 290522
MCCI SM4 B 25
386 Redemption Way
Columbia, SC 29204



AUG 21 2013

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A TRUE COPY

STATE OF SOUTH CAROLINA)

COUNTY OF ANDERSON)

JEFFREY D. JONES #290522)

JUL 29 2013

IN THE COURT OF COMMON PLEAS

10TH JUDICIAL CIRCUIT

Richard A. Shirley
CLERK OF COURT

**MOTION AND AFFIDAVIT TO
PROCEED IN FORMA PAUPERIS**

vs.)

RICHARD A. SHIRLEY, CLERK OF)
COURT, ANDERSON COUNTY, ET)
AL)

Defendant.) FILE NO. 2013-CP-04-01691

GENERAL SESSIONS AND
13 JUL 29 A 9:27
CLERK'S OFFICE

I, JEFFREY D. JONES #290522, being duly sworn, state that I am the Plaintiff and that I do not have the funds available to pay the costs of filing and service in the present matter. I hereby request that the complaint be filed and service made without costs.

Sworn to and Subscribed before me)
this day of , 2)
)
)
Notary Public for South Carolina)
)
My Commission expires)

Signature of Plaintiff or
Person Filing Complaint on Behalf of
Plaintiff

ORDER

- Leave is *granted* to proceed in forma pauperis without payment of the filing fee.
- Leave is granted to proceed in forma pauperis without payment of the service cost.
- Leave is *denied* to proceed in forma pauperis.

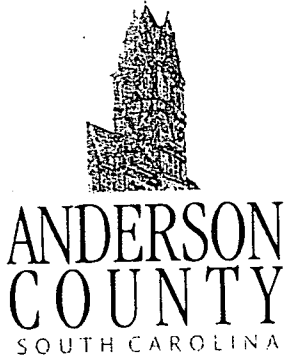
Dated: 26th JULY , 2013
ANDERSON , South Carolina

[Signature]
JUDGE/CLERK OF COURT

NOTICE TO PLAINTIFF: The Court may assess costs against either party at hearing.

AUG 26 2013

EXHIBIT #3



Anderson County Clerk of Court

P.O. Box 8002
Anderson, SC 29622
(864) 260-4053
Fax: (864) 260-4715

August 9, 2013

Mr. Jeffrey D. Jones 290522
MCCI SMU B25
386 Redemption Way
McCormick, South Carolina 29899

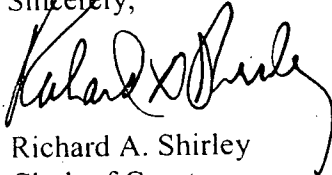
Re: Rule 59(e) Motion

Dear Mr. Jones:

Please find enclosed a Form 4 from Judge Alexander S. Macaulay's ruling on your Rule 59(e) Motion. Judge Macaulay, Chief Administrative Judge for the Tenth Judicial Circuit, denied your motion.

A stamped copy of this form is provided for your files.

Sincerely,



Richard A. Shirley
Clerk of Court

RAS/rs

enclosure

EXHIBIT
#4

INMATE TRUST FUND ACCOUNT REPORT
for SOUTH CAROLINA COURT FILING FEES

MCC
RECEIVED
AUG 13 2013
MCC
MAIL ROOM
BZS

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): Jeffrey Jones

SCDC # 290522 INMATE SIGNATURE: Jeffrey Jones

I plan to file this action in the SC County of ~~Columbia~~ Columbia

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

- (1) Total deposits to inmate's account for preceding six months' period* \$ 0
- (2) Twenty percent (20%) of line 1 \$ 0
- (3) Account balance - current date \$ 0
- (4) PAYMENT AMOUNT **
(lesser of line 2 or line 3)
Enclosed check # _____ \$ 0

**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 [Signature] Financial Accounting Branch - SCDC

8/15/13

Date

efiletrustprepared 7/97

S.C. Court of Appeal
P.O. Box 11629
Columbia S.C. 29211-1629

RECEIVED

Re: Appeal of Jeffrey D. Jones v Shirely et al, all in, 2013-CP-04-01691

Dear Clerk

Enclosed for your filing is EXHIBIT #3 & 4 & financial certificate that was not sent with Appeal because they was getting copied so please stamp/file and return copy

8/29/13 c

Respectfully

X Jeffrey D Jones

Jeffrey D Jones 290522
MCC I SMU B 25
386 Redemption Way
McCormick S.C 29899

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