

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable Kristi V. Curtis, Circuit Court Judge

Case No. 2023-CP-40-03612

Emily Major,

Appellant,

v.

James Major,

Respondent.

**NOTICE OF MOTION AND MOTION
TO PROCEED IN FORMA PAUPERIS**

Comes now Brett L. Stevens, Attorney for Appellant, who moves this Court to allow her client, Emily Major, to proceed in this appeal without paying the filing fee. The bases of this Motion are as follows:

1. Ms. Major is 34 years of age and is the primary caregiver to a three-year old autistic child;
2. Ms. Major is unemployed and has been so since the commencement of the underlying action in the magistrate's court in May of 2023;
3. Ms. Major has no savings or investments;;
4. Ms. Major lives in government-provided housing, and her rent payment is \$117 per month. Ms. Major owns a 2012 Kia Forte that was gifted to her by her aunt in 2023;
5. Ms. Major receives the following monthly financial benefits:
 - (A) Social Security Income for her child in the average amount of \$339.50;
 - (B) Child Support in the amount of \$556.00;
 - (C) Food Stamps in the amount of \$318.00.

6. Ms. Major came to me as a client through the South Carolina Coalition against Domestic Violence and Sexual Assault (SCCADVASA). SCCADVASA is paying my attorney's fees at a rate of \$81.00 per hour and covering the cost of the transcript;
7. Ms. Major does not have the money to pay the filing fee in this case.
8. I am attaching an affidavit I filed in the circuit court regarding Ms. Major's financial status. Based on the attached affidavit, she was allowed to proceed without paying the filing fee in the circuit court.

Thank you for your consideration of this motion. If additional information is needed to make a determination in this matter, please let me know.

Respectfully Submitted:

September 15, 2024

s/ Brett L. Stevens
Brett L. Stevens, S.C. Bar No. 73830
Stevens Law, LLC
P.O. Box 5290
Columbia, South Carolina 29250
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STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
Emily Major,)
)
Appellant,)
)
v.)
)
James Major,)
)
Respondent.)

IN THE CIRCUIT COURT
FIFTH JUDICIAL CIRCUIT

Docket No. 2023-CP-40-xxxxx

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

I, Emily Major, being first sworn, state as follows:

1. I am the Appellant herein;
2. I am unemployed;
3. Counsel is being provided to me through the South Carolina Coalition against Domestic Violence and Sexual Assault (SCCADVASA);
4. I am not paying attorney's fees;
5. I do not have any means of paying the costs of filing in the present matter;
6. Accordingly, I hereby request that the Appeal be filed without paying the filing fee.


Emily Major

SWORN to and SUBSCRIBED before me
This 9th day of July, 2023


Notary Public for South Carolina

Printed Name: Brett L. Stevens
My Commission Expires: 5/3/2028

RECEIVED

Sep 17 2024

SC Court of Appeals

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Case No. 2023-CP-40-03612

Emily Major,

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**CERTIFICATE OF SERVICE
FOR THE MOTION TO PROCEED IFP**

I, Brett L. Stevens, Attorney for the Appellant, certify to the Court that service of the Motion to Proceed In Forma Pauperis was effectuated as set forth below and as evidenced by the attached document.

September 16, 2024

s/ Brett L. Stevens
Brett L. Stevens, S.C. Bar No. 73830
Stevens Law, LLC
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Attorney for Appellant

By Electronic Delivery on September 15, 2024
Mr. Michael Laubshire, Esq., Attorney for Respondent
michael@laubshirelaw.com



Major v. Major, 2023-DR-40-03612: Motion to Proceed In Forma Pauperis

Brett Stevens <brett@brettstevenslaw.com>
To: Michael Laubshire <michael@laubshirelaw.com>

Sun, Sep 15, 2024 at 12:23 PM

Dear Mr. Laubshire,


Please see the attached Notice of Motion and Motion to Proceed In Forma Pauperis on the appeal being filed with the Court of Appeals in the above-referenced case which I hereby serve upon you.

Sincerely,
Brett Stevens

Brett L. Stevens
Stevens Law, LLC
P.O. Box 5290
Columbia, South Carolina 29250
(803) 587-8506

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