

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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MAR 11 2025
SC Court of Appeals

Michael Rowland #163624) C/A No. _____
Appellant,)
-Vs-) MOTION AND REQUEST TO PROCEED
South Carolina Dep't of Prob.) INFORMA PAUPERIS
Parole and Pardon Services)
RESPONDENT,)
_____)

COMES NOW, above captioned Michael Rowland, pro-se, an inmate housed in the South Carolina Department of Corrections...

Appellant has conjunctively filed his Notice of Appeal appealing the Final Order of Dismissal from the Administrative Law Court denying Appellant's appeal from the denial of parole.

In support of this Motion and request Appellant would respectfully show unto this Court the following:

(1). Appellant is serving a 20-life sentence with the possibility of parole, which means Appellant bianually appears before the Parole Board for consideration of parole;

(2). Most recently when Appellant was rejected for parole Appellant appealed that denial to the South Carolina Administrative Law Court;

(3). This appeal is ministerial in nature because of in actions of the Parole Board. When the Board denied Appellant's parole the Board sent Appellant a denial via U.S. Mail.

(4). When Appellant received the denial he appealed to the Administrative Law Court. "[No] appeal form was provided to Appellant so he hand drafted a Notice of Appeal and filed it with

the 30-days allotted by the Rules to appeal a denial.

(5). After Appellant filed it the S.C. Administrative Law Court sent Appellant the proper form to fill out, to which Appellant complied.

(6). Appellant filed his brief on appeal and Respondents filed their brief on appeal. Rather than hear the merits of appeal the Administrative Law Judge denied the appeal and dismissed "because Appellant's Notice of Appeal was not timely." See attached Final Order at page 1.

(7). Appellant appeals this denial because the Parole Board never provided Appellant with a Notice of Appeal form. So out of an abundance of caution Appellant hand drafted his Notice of Appeal and the hand drafted one should have stayed the time on appeal because Appellant's pro-se Notice should have stopped the clock. Appellant believes this time should have been tolled out of fundamental fairness because Respondents did not provide the proper forms in a timely manner and Appellant should not be penalized for seeking review of his routine denial of parole.

(8). Appellant has a liberty interest in obtaining his freedom and therefore respectfully asks this Court to grant Appellant in forma pauperis status and waive the filing fee for this appeal due to the fact its a procedural error not attributable to Appellant or his actions.

CONCLUSION

Based on the above Appellant respectfully prays this Court will grant Appellant In Forma Pauperis status to proceed without payment of the filing fee.

Respectfully Submitted,

/s/ _____
Michael Rowland, pro-se
Appellant,

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Admin.Law Court
Ralph King Anderson, III, Presiding
Docket No.24-ALJ-0034-AP

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C/A No. _____

Michael Rowland #163624 -- APPELLANT,

-Vs-

South Carolina Dep't of Parole, Probation
and Pardon Services..... -- RESPONDENT,

CERTIFICATE OF SERVICE

The undersigned hereby certifies he has served a true and correct copy of the enclosed Notice of Appeal and Motion to Proceed In Forma Pauperis on the persons whose names and addresses appear below by placing the aforesaid in properly addressed first class postage affixed envelopes and placed in the U.S. Mail this 5th day of March 2025.

Those Served:

Respectfully Submitted,

S.C. Court of Appeals
Clerk's Office
P.O. Box 11629
Columbia, SC. 29211

/s/ Michael Rowland
Michael Rowland, pro-se

Hon. Ralph King Anderson, III
SC. Admin.Law Court
Edgar A. Brown Building, suite 224
1205 Pendelton St.
Columbia, SC. 29201

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 5th DAY OF March, 2025

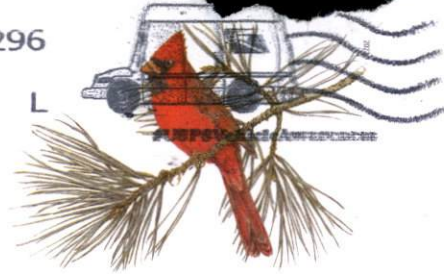
SC. Dep't of Probation
Parole and Pardon Services
293 Greystone Boulevard, P.O. box 207 My Comm. Expires
Columbia, SC. 29202

NOTARY PUBLIC

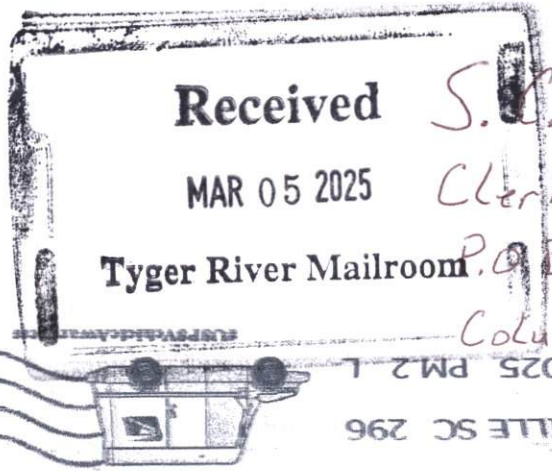
4/14/26

Michael J. Rowland #163624
Tiger River Corr. Inst.
100 Prison Road
Enoree, S.C.
29335

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