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Apr 16 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Milton G. Kimpson Circuit Court Judge

Case No. 2025-000397

Professional Financial Services..... Respondent

v.

Tremaine Golson a/k/a Tremaine D. Golson and Brittney L. Greene a/k/a Brittney L. Golson..... Appellants

MOTION FOR RECONSIDERATION OF DENIAL OF MOTION TO PROCEED IN FORMA PAUPERIS

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SC Court of Appeals

RICHLAND COUNTY
FILED
2025 APR 16 AM 9:28
BRITTNEY M. MENDE

COMES NOW the Appellants, Tremaine Golson a/k/a Tremaine D. Golson and Brittney L. Greene a/k/a Brittney L. Golson and respectfully moves this Honorable Court to reconsider its denial of the Appellant's Motion to Proceed in Forma Pauperis, pursuant to Rule 263, SCACR, and the Court's inherent authority to reconsider interlocutory rulings, in support of this motion, Appellant states as follows:

On April 7, 2025, this Court issued an order denying Appellant's Motion to Proceed in Forma Pauperis.

Appellant seeks reconsideration on the grounds that the denial of in forma pauperis status infringes upon a fundamental constitutional right specifically, the right of access to the courts, as guaranteed by the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the United States Constitution, as well as corresponding provisions of the South Carolina Constitution. In Ex parte Martin, 321 S.C. 533, 471 S.E.2d 134 (1995), the South Carolina Supreme Court made clear that the right to proceed in forma pauperis must rest upon either statutory authority or -a constitutional right. Where denial of such status effectively forecloses access to the courts for indigent litigants, the constitutional right is implicated.

Appellant is indigent and lacks the financial resources to pay the required court costs and filing fees associated with this appeal. The denial of the motion effectively deprives Appellant of any meaningful opportunity to seek appellate review.

The United States Supreme Court has long recognized that the right of access to the courts must not be conditioned on a litigant's ability to pay, particularly where fundamental rights are at stake. See *Griffin v. Illinois*, 351 U.S. 12 (1956); *M.L.B. v. S. L. J.*, 519 U.S. 102 (1996).

Under Rule 240, SCACR, this Court retains the discretion to consider motions, and under Rule 263, SCACR, it may reconsider prior rulings to prevent manifest injustice or the denial of fundamental rights.

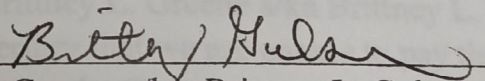
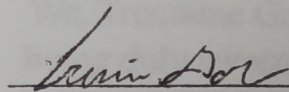
Attached hereto is a renewed Affidavit of Indigency, affirming that Appellant continues to meet the criteria for in forma pauperis status.

WHEREFORE, Appellant respectfully requests that this Honorable Court:

- a. Reconsider and reverse its prior denial of Appellant's Motion to Proceed in Forma Pauperis.
- b. Permit Appellant to proceed with the appeal without payment of fees and costs.
- c. Grant such other and further relief as this Court deems just and proper in the interest of justice and constitutional fairness.

Respectfully submitted,

s/ Tremaine Golson a/k/a Tremaine D. Golson, Brittney L. Greene a/k/a Brittney L. Golson



Tremaine Golson a/k/a Tremaine D. Golson, Brittney L. Greene a/k/a Brittney L. Golson
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Columbia, South Carolina

April 14, 2025

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AFFIDAVIT OF INDIGENCY IN SUPPORT OF MOTION FOR RECONSIDERATION OF FILING FEE WAIVER

We, Tremaine Golson a/k/a Tremaine D. Golson and Brittney L. Greene a/ka Brittney L. Golson, being duly sworn, do hereby affirm under penalty of perjury that we are unable to pay the filing fees required to pursue this appeal and respectfully request the Court to reconsider its denial of my previous motion for waiver of fees.

Personal Information

Full Name: Brittney Latasha Greene a/k/a Brittney Latasha Golson and Tremaine Golson a/k/a Tremaine Dangelo Golson,

Address: 7628 Stone Street Columbia SC 29209

Phone number: 803-309-9064

Email: greene.brittney@yahoo.com

Employment Status:

Other sources of income is \$0

Household Information:

Number of dependents: 4
Total Household monthly income: \$1982

Assets and Property:

Checking/ savings account balance: -8.64
Vehicle(s) owned (make /year/value): 0
Other property(home,land, etc.): 0

Monthly Expenses

Rent/ Mortgage: \$1495
Utilities:\$534
Food:\$614
Transportation: \$245

Reason for Request

I respectfully request reconsideration of the denial of my previous application for waiver of the appellate filing fee on the grounds that I do not have the financial resources to pay the required amount without substantial hardship to both of us and/ or my dependents.

The denial of this waiver may effectively deprive me of access to appellate review and due process as guaranteed under law.

Certification

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated this 14 day of 2025

Signature *Brittney Golson*

Signature *Tremaine Golson*

Brittney L. Greene a/k/a Brittney L. Golson

Tremaine Golson a/k/a Tremaine D. Golson

Notary Public

Sworn to and subscribed before me this 14 day of 2025

[Handwritten Signature]

Notary Public for South Carolina

My Commission Expires: September 10 2031

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Milton G Kimpson, Circuit Court Judge

Appellate Case No. 2025-000397

Case No. 2024-CP-40-03931

Professional Financial Services

Respondent,

v.

Tremaine Golson a/k/a Tremaine D. Golson
Brittney L. Greene a/k/a Brittney L. Golson

Appellants

PROOF OF SERVICE

I certify that I have served the Motion For Reconsideration of Denial Of Motion to proceed in forma pauperis on John S. Kay attorney for Hutchens Law Firm LLP on record for Professional Financial Services by depositing a copy of it in the United States Mail, certified mail 9589 0710 5270 0023 8531 23 on April 16, 2025, addressed to attorney of record, in care of John S. Kay at 240 Stoneridge Drive, Suite 400 Columbia SC 29210.

Courts Served: Office of the Court of Appeals @1220 Senate St. Columbia SC 29201
Means of Delivery: In person

In the Court of Common Pleas @1701 Main Street Columbia SC 29201
Means of Delivery: In person

s/ Tremaine Golson a/k/a Tremaine D. Golson ,
Brittney L. Greene a/k/a Brittney L. Golson

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(803)309-9064

Self Represented, Appellants