

# The Supreme Court of South Carolina

Therl Taylor, Petitioner,

v.

Charles Brooks, John & Jane Doe, Respondents.

Appellate Case No. 2013-001986

**RECEIVED**

SEP 26 2013

**SC Court of Appeals**

The Honorable James R. Barber, III  
Richland County  
No Lower Court Case Number Assigned

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ORDER

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Petitioner has filed a petition for a writ of certiorari seeking review of the decision of the South Carolina Court of Court of Appeals in *Taylor v. Brooks*, Appellate Case No. 2013-0000803. Petitioner has failed to:

- (1) File an appendix that complies with the requirements of Rule 242(e)(2)-(4) of the South Carolina Appellate Court Rules (SCACR);
- (2) Provide a proof of service showing that a copy of the petition for a writ of certiorari and a copy of the appendix have been served on the opposing counsel (or the party if unrepresented by counsel) as required by Rule 242(c) and (e), SCACR; and,<sup>1</sup>
- (3) Either pay the filing fee required by Rule 242(c), SCACR, or serve and file with this Court a motion seeking a waiver of that fee. *See Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995)(" In the absence of a statutory provision allowing the general waiver of filing fees, we conclude motions to proceed in forma pauperis may only be granted where specifically

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<sup>1</sup> While the cover letter sent with the petition for a writ of certiorari indicates that an affidavit of service is enclosed, no affidavit of service was received by this Court.

authorized by statute or required by constitutional provisions.") and *Martin v. South Carolina Dept. of Corrections*, 350 S.C. 196, 565 S.E.2d 756 (2001) ("[T]he payment plan laid out in [S.C. Code of Laws] sections 24-27-100 and 24-27-150 is not applicable to filing fees incurred at either the Supreme Court or the Court of Appeals." ).

Accordingly, the petition for a writ of certiorari is hereby dismissed. If a motion to reinstate is not actually received by this Court within the time specified by Rule 260(a), SCACR, the Court of Appeals may send the remittitur under Rule 221(b), SCACR.

FOR THE COURT

BY



CLERK

Columbia, South Carolina  
September 25, 2013

cc: Mr. Therl Taylor, 00260961  
Charles Brooks, Esquire  
General Counsel, South Carolina Department of Corrections  
The Honorable Jenny Kitchings