

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Joseph Gibbs, #185709)
Appellate)
Vs)
SC. Department of Probation,)
Parole, and Pardons.)
Respondent)

Appellate Case 2025-000926

MOTION: To Reinstate, and
Amend Judgment.

RECEIVED

JUL 10 2025

SC Court of Appeals

On appeal from the SC Administrative Law
Court: Honorable, S. Phillip Lenski, ALJ
Docket # 24-ALJ-15-00043-AP

I, the appellate pro se, respectfully moves this court to reinstate the case, and amend its judgment, dismissing the case for failure to pay \$250.00, and denying IFP, by order dated June/27/25 from Clerk of court, received by me on 6/7/25; and order dated 5/28/25 received by me on 6/3/25, pursuant to Rules 260, 240 SCRAP. Facts;

1. I filed a timely NOA with appealable orders from the ALC, along with a motion for IFP. After receiving instructions on 5/22/25, I filed a motion for extension of time to file brief on 5/27/25. Upon receipt of order denying IFP, with instructions to pay filing fee in 20 days, I moved for reconsideration of order on 6/4/25. Returned on 6/9/25, Rule 240(i) SCACR. Case Dismissed 6/27/25. I was granted IFP in the ALC.

QUESTION:

2. WHETHER THE DENIAL OF IFP, AND DISMISSAL OF APPEAL BECAUSE I DONT HAVE \$250.00 TO PAY FILING FEE, VIOLATES THE RIGHT TO JUDICIAL REVIEW OF EXECUTIVE BRANCH TRIBUNAL (ALC) IE SC.CONST ART 1 § 22: AND DUE PROCESS OF 14'th AMEND US CONST: AND HOLDINGS OF SC SUPREME COURT DECLARING JUDICIAL REVIEW A RIGHT, AND THE IFP MOTION DEMONSTRATED A DENIAL OF ALC REVIEW OF STATE AGENCY (SCPPPSB) WHICH IS A CONSTITUTIONAL CREATED OFFICE.?

ARGUMENT:

3. I submit that the use of Ex Parte Martin, 471 SE.2d 134 (1995), is unreasonable

P. 1 of 2

and did not apply Rule 3(c) SCRPC now (3(b) exceptions, and Head Note 3 (HN/3)
A fundamental right to judicial review is also constitutional, ie Art 1 § 22 SC.
Const which provides a right, which is due process of law and equal protection;
and I am below the poverty line established by court and law. I beleive the case
has merit and will succèed even on pro se standard, as the respondent denied a
full and fair hearing and order, and ALC adopted a false set of facts, and denied
evidence, or application of arguments presented.

4. I futher submit that the IFP and ROA, shows the denial of parole was not
Routine (which is Judge Law), but involved irregular Proceedures by a state agency,
and the use of James V SCPPS 660 SE.2d 288 (2008) is unreasonable, and dose not
fit the facts and law presented in this case, nor the constitutional right of
judicial review and due process. Futher the denial of IFP and Appeal will cause
the denial of access to the courts.

CONCLUSION:

5. I submit that having made my plea, this court will vacate its orders,
and allow the appeal to move forward, because even though i am an inmate I should
not be denied justice just because I cant buy it.

June/8'th/2025

Respectfully

/s/ Joseph Gibbs
Joseph Gibbs
BRCI, Marion-B-163
4460 Broad River Rd
Columbia SC 29210
Ph. 803-896-2200

PROOF OF SERVICE

I THE APPELLATE PRO SE, CERTIFIES THAT ONE COPY OF THIS MOTION TO
REINSTATE AND AMEND JUDGMENT IS SERVED ON COUNSEL MR. MATHEW BUCHANAN, AS ADDRESSED
BELOW, BY DEPOSITING SAME IN THE MAILROOM ON JUNE / 8'th / 2025, POSTAGE PAID
AND PROPER.

Mathew Buchaanan
Office of General Counsel
SC. Dept. of Probation, Parole
and Pardon Services
PO. Box 207
Columbia SC 29202
Ph 803-734- 9220

Sincerely

RECEIVED

/s/ Joseph Gibbs
Joseph Gibbs #185709
Appellate Pro Se

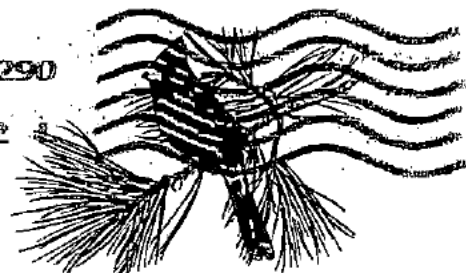
JUL 10 2025

SC Court of Appeals

Joseph H Gibbs, #185709
ERCI, Marion-B-163
4460 Broad River Rd
Columbia SC 29210

COLUMBIA SC 290

8 JUL 2025 4PM 2



FOREVER / USA

RECEIVED

JUL 10 2025

SC Court of Appeals

HONORABLE: CATHRINE HARRIS
DEPUTY CLERK, SC. APPEALS COURT
PO. BOX 11629
COLUMBIA SC. 29211

29211-162929

