STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
JUL 17 2026
SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
(Name illegible), Circuit Court Judge

EX PARTE STEWART R. BUCHANAN,

APPELLANT.

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

I am the Appellant above named and am without sufficient funds or other assets to pay for or provide surety for the costs of the above-captioned action. I believe I am entitled to the relief requested in this appeal. (See also, Explanation of Appeal, Cf. Rule 243, SCACR, enclosed herewith and aby this reference made part hereof).

S/ Stewart R. Buchanan

Stewart R. Buchanan, Pro Se
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

Dated: 7/10/26

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EXPLANATION OF APPEAL
Cf. Rule 243, SCACR

EX PARTE STEWART R. BUCHANAN,

APPELLANT?

This action is a contract dispute. On July 30, the lower Court issued an order denying leave to proceed in forma pauperis pursuant to Ex parte Martin, 321 S.C. 533, 471 S.E.2d 134 (1995). The Order was received July 10, 2026. This order is in error as matter of law insomuch as this case involves fundamental rights the Constitution requires that an indigent be allowed access to the courts, the fundamental right to Equal Protection of the Law, 14th Amend., U.S. Const.

> "All persons within the jurisdiction of the United States shall have the same right in every state and Territory to make and enforce contracts, to sue, be party, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property ...". 42 U.S.C. §1981.

Martin, supra., grants the same right to Plaintiff/Appellant to proceed in forma pauperis:

> "Motions to proceed in forma pauperis may only be granted where specifically authorized by statute or required by constitutional provisions. ... Further, where certain fundamental rights are involved, the Constitution requires that an indigent be allowed access to the courts". (Emphasis supplied).

WHEREFORE, Appellant prays that this Court grant him leave to proceed with this appeal, and for any such and further relief as may be deemed appropriate and just.

RESPECTFULLY SUBMITTED:

Stewart R. Buchanan

Stewart R. Buchanan, Pro Se
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

Dated: 7/10/26

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SOUTH CAROLINA
JUDICIAL BRANCH

STATE OF SOUTH CAROLINA)
) IN THE COURT OF COMMON PLEAS
COUNTY OF Richland)

Stewart R Buchannan #069848) FIFTH JUDICIAL CIRCUIT

Plaintiff,)
) ORDER
vs.) IN FORMA PAUPERIS
)
Joel Anderson)
Defendant.) FILE NO. 2026CP4003910

RICHLAND COUNTY
FILED
2026 JUN 30 PM 12:53
JEANETTE W. McBRIDE
C.C.P., G.S., & F.C.

ORDER

☐ Leave is Granted to proceed *in forma pauperis* without payment of the filing fee.

☐ Leave is Granted to proceed *in forma pauperis* without payment of the service cost.

☒ Leave is Denied to proceed *in forma pauperis* pursuant to *Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995).

☐ Leave is Denied to proceed *in forma pauperis*. Plaintiff has failed to establish compliance with the Poverty Guidelines pursuant to Rule 3(b)(1), SCRCP.

If denied, this case will be dismissed without further order of the court if the filing fee and associated costs are not paid on or before _____, 20 _____.

30 days

Dated: June 30, 20 26

Presiding Judge, FIFTH Judicial Circuit

Columbia, South Carolina

NOTICE TO PLAINTIFF: The Court may assess costs against either party at hearing.

Stewart R. Buchanan, #069848
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

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