

The South Carolina Court of Appeals

Julian Richards, Appellant,

v.

Midland Credit Management, LLC, Respondent.

Appellate Case No. 2026-001216

ORDER

On May 26, 2026, Appellant filed the notice of appeal from a February 23, 2026 order. Appellant also filed motions to allow late filing of the notice of appeal, to proceed *in forma pauperis*, and to proceed without a transcript. Respondent did not file returns. Appellant's motion to allow late filing provided a proof of service evidencing that on March 23, 2026, Appellant served Respondent with the notice of appeal. Respondent did not file a return refuting service on March 23, 2026. Appellant served the notice of appeal within thirty days of receiving notice of the entry of the order on appeal. Therefore, the notice of appeal was timely served and this appeal may proceed.

As to Appellant's motion to proceed without a transcript, we deny this motion. *See* Rule 207(a)(1), SCACR ("Where a transcript of the proceeding must be prepared by the court reporter, appellant shall, within [ten days after the date of service of the notice of appeal], make satisfactory arrangements (including agreement regarding payment for the transcript), in writing with the court reporter for furnishing the transcript."). Within ten days of the date of this order, Appellant shall provide this Court with notification that she ordered the transcript from the court reporter. Failure to do so may result in dismissal of the appeal.

As to the motion to proceed *in forma pauperis*, the right to proceed *in forma pauperis* must rest upon a statute or a fundamental constitutional right. *Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995). Appellant has the burden of showing his entitlement to this relief, but he has not done so. Therefore, Appellant's motion is denied. The filing fee must be paid within fifteen days of the

date of this order. Failure to provide the filing fee may result in dismissal of the appeal.



FOR THE COURT J.

Columbia, South Carolina

cc:
Julian Richards
Stephen Elias Fain, Esquire

FILED
Sep 08 2026