

The State of South Carolina

In the Court of appeal

Appeal from the Administrative,
and Parole and Probation Board.

John D. McLeod, Administrator

Case No # 2013-002805.

Emmanuel McLeod - - - - - appellant,

v.
South Carolina Parole
and Probation Board - - - - - Respondent,

Proof of Service

I, certify that, I have served the Notice of appeals
on the Respondent, by depositing a copy of it in the
United State Mail Postage Prepaid, on date Jan 2014
address to the Respondents, and also Clerk of Court, P. O Box
11629 Columbia S.C. 29211, Parole and Probation, P. O. Box 50666
Columbia, S.C. 29250.

and To: Clerk of Court Emmanuel McLeod
Pro, Se. # 2013-002805

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Administrative Court.
1205 Pendleton St.
Columbia SC 29201

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SC Court of Appeals

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JAN 21 2014

The State of South Carolina
In the Court of Appeals

Appeal from the Administration
Law Court, from South Carolina
Parole and Probation, Pandow.
John D McLead, Administration

Case No #, 2013-002805

Emmanuel Mc Fadden - - - - - appellant

South Carolina Parole, v.
and Probation, Pandow. - - - - - Respondent.

Notice of Appeal.

On date 1/21/14, the appellate received a deficiency or deficiencies have been noted under the South Carolina appellant Court Rules according to Rule 203. The appeal Notice of appeal, the decision of the Honorable John D. McLead. The appellant file this Notice, as Pro, Sec at this time.

SWORN to and subscribed before me this
21st day of January, 2014
Emmanuel Mc Fadden (L.S.)
Notary Public for South Carolina

My Commission Expires: 4-27-2016

Emmanuel Mc Fadden
Pro # 00124011

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The State of South Carolina Court of Appeals
In the Court of Appeal

CASE NO# 2013-002805

Emmanuel McLeod appellant

South Carolina Parole V.
and Probation, Pardon Respondent.

Proof of Service

I, certify that I have served the
Fed. R. Civ. Proc 60(a) Motion to Reconsider
SFP" status on the clerk of court, and
the Respondent, and the clerk of court
administrative Law Court by depositing a
copy of it in the united states mail postage
prepaid on Feb 2014 addressed to the Respondent and
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Parole and Pardon P.O. Box 50666 Columbia SC 29250
clerk of court administrative court 1205
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SC Court of Appeals

Emmanuel McLeod
Att. - SC # 124011

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THE SOUTH CAROLINA COURT OF APPEALS

State of South Carolina
County of Richland

EMMANUEL MCFADDEN #124011)

C/A NO: ^{2013CO2805}
~~2013CO2805~~

V.)

DEPARTMENT OF PROBATION)
PAROLE & PARDON SERVICES)
DEFENDANT)

FED. R. CIV. PROC. 60(a). MMOTION TO RECONSIDER "IFP" STATUS

To: Chief Justice Kaye G. Hearn

The plaintiff, Emmanuel McFadden #124011, now moves this Honorable Court on a motion for Reconsideration from the denial of Plaintiff's right to proceed *In Forma Pauperis* (IFP) and states as follows:

Plaintiff is an indigent state prisoner, housed at Turbeville Correctional Institution (TCI) in Clarendon County Turbeville S.C., requesting of this court his right to proceed (IFP). The United States Supreme Court in Douglas V. Peoples of State of California, 372 U.S. 355, 83.ct.814 (1963) states that it is unconstitutional to deny a plaintiff access to court on the grounds that he is a "poor person" (28 U.S.C.A. § 1915.et.seq.) and can not pay the filing fees. The United States Supreme Court states that constitutes discrimination between the poor and the rich and deprives the plaintiff of his Constitutional Rights 1,5,6,9 and 14 to access the courts without due process and equal protections of the law. And the Supreme Court has made clear in Elrod V. Burns 427 U.S. 347,373 (1976) that the infringement of a prisoner's First Amendment right to court access for even a minimum amount of times constitutes not only a legal injury but an "irreparable injury."

The Equal Protection Clause of Constitutional amendments 5 & 14 at its core prohibits the disparate treatment of similarly situated individuals as stated in City of Cleburne, 427 U.S. at 439; and Pylor V. Doe, 456 U.S. 202, 216 (1982). Equal Protections Clause embodies a general rule that states must treat like cases alike. As held Valco V. Quill, 521 U.S. 793, 799 (1997) and on June 19, 1997 the Supreme Court entered the following order pursuant to article V. § 4. of the South Carolina Constitution.

it is ordered that upon the filing of a post-trial motion under rule 50, 52, 59 and 60(a) SCRCPP by a party in a jury or non-jury action the party shall within ten (10) days provide a copy of the motion to the trial judge.

Wherefore after fully addressing the order requesting payment of a filing fee in this action before this Court. Plaintiff appeals to the Chief Judge. Plaintiff prays for an order granting plaintiff his right by law to proceed "IFP."

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RESPECTFULLY SUBMITTED

Emmanuel McFadden
pro se RECEIVED
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SC Court of Appeals

State of South Carolina
County of Pickland

Emmanuel M^c. Fadden
appellant,

v.

South Carolina, Department
of Probation, Pardon and
Parole Service,
Respondent,

In the Court of Common Pleas,
5th Judicial Circuit

Case No# 2013-002805.

Application to Proceed
in Forma Pauperis.

I, Emmanuel M^c. Fadden, am the applicant
in the above captioned in this case.

In support of my Request to proceed without being
Required to pre-pay and fees or costs.

I, state that because of my indigent status, I am
unable to pay the costs of said proceedings or to give
any Security Therefore.

Respectfully Submitted
Emmanuel M^c. Fadden

SCDC

JAN 21 2014

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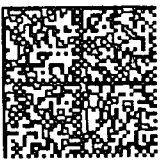
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Emergency 8-154 South Carolina 29211
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Turkeyville, SC 29162

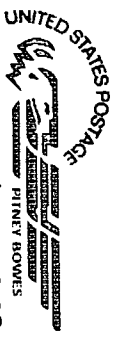
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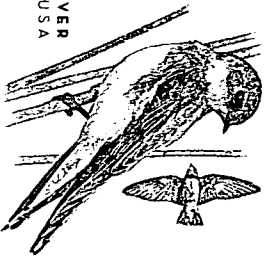
SC Court of Appeals



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