

STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable Carolyn Matthews, Administrative Law Court Judge

---

Case No. 13-ALJ-04-0456-AP  
Appellate Case No. 2014-000318

---

Perry J. Harrison, #127979 ..... Appellant

v.

South Carolina Department of  
Probation, Parole, and Pardon Services ..... Respondent

---

**MOTION TO PROCEED *IN FORMA PAUPERIS***

---

**RECEIVED**

MAR 24 2014

**SC Court of Appeals**

PERRY J. HARRISON  
#127979  
Lieber Correctional Institution  
Post Office Box 205  
Ridgeville, South Carolina 29472

**APPELLANT, pro se**

The Appellant herein sought review of the final agency decision of the South Carolina Department of Probations, Parole and Pardon Services (SCDPPPS) in his denial of parole in violation of controlling South Carolina statutory law regarding criteria utilized in the determination of parole. This matter was dismissed by the Administrative Law Court, the Honorable Carolyn Matthews, dated January 16, 2014. Appellant is indigent and believes he is entitled to proceed without prepayment of the \$100 filing fee prescribed by Rule 203(d), SCACR. This motion is brought pursuant to Rule 240, SCACR.

Appellant submits that this Court enjoys the discretion to grant a motion to proceed *in forma pauperis* where it may be required by constitutional provisions, *see, Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995).

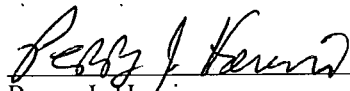
Where certain fundamental rights are involved, the United States Constitution requires that an indigent person be allowed access to the courts. *See Boddie v. Connecticut*, 401 U.S. 371. This Court may also allow proceeding without prepayment of costs from appeals of administrative agency decisions, such as the instant case, *see, Ex parte Cauthen*, 291 S.C. 465, 354 S.E.2d 381 (1987).

Appellant suggests that the instant matter bears on the unconstitutional application of *Thelma Barton v. DPPPS*, and South Carolina statutory law regarding the five (5) criteria set forth in §24-21-645 and begs this Honorable Court to accept this matter *in forma pauperis*.

### CONCLUSION

**WHEREFORE**, based on the foregoing, the Appellant prays this Honorable Court grant this Motion to proceed *in forma pauperis*.

March 18, 2014

  
Perry J. Harrison  
#127979  
Lieber Correctional Institution  
Post Office Box 205  
Ridgeville, South Carolina 29472

**APPELLANT, pro se**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable Carolyn Matthews, Administrative Law Court Judge

---

Case No. 13-ALJ-04-0456-AP  
Appellate Case No. 2014-000318

---

Perry J. Harrison, #127979 ..... Appellant

v.

South Carolina Department of Parole  
Probation and Pardon Services ..... Respondent

---

**PROOF OF SERVICE**

---

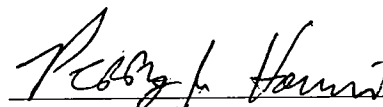
The undersigned hereby certifies that he has served a true and correct copy of the Motion to Proceed *In Forma Pauperis* on all parties required by Court Rules, by placing a copy in the U.S. Mail, first-class postage affixed thereto, this 19 day of March, 2014, addressed as follows:

Tommy Evans, Esq.  
General Counsel  
S. C. Dept. of Probation, Parole, and Pardon Servs.  
P.O. Box 50666  
Columbia, SC 29501

**RECEIVED**

MAR 24 2014

**SC Court of Appeals**



\_\_\_\_\_  
Perry J. Harrison  
#127979  
Lieber Correctional Institution  
Post Office Box 205  
Ridgeville, South Carolina 29472

**APPELLANT, pro se**

Berry S. Harrison  
# 127979  
Lieber Conn. Inst. SB-14  
P.O. Box 205  
Ridgeway, SC 29472-0205

AMS

**RECEIVED**  
MAR 19 2014  
MAIL ROOM  
LIBER/C.I.

---

The Honorable Claire Allen  
Deputy Clerk  
Court of Appeals of South Carolina  
Post Office 11629  
Columbia, SC 29211

**RECEIVED**  
MAR 24 2014  
SC Court of Appeals