

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT  
Department of Corrections

Carolyn C. Matthews, Administrative Law Judge

#2011-ALJ-04-00996-AP

RECEIVED

JUN 13 2012

Phillip Morgenroth #306166 .....

SC Court of Appeals  
Appellant,

vs.

South Carolina Department of  
Corrections ..... Respondents.

NOTICE OF MOTION AND MOTION  
TO PROCEED IN FORMA PAUPERIS

This matter comes before this Court of Appeals where on May 3, 2012, the Honorable Carolyn C. Matthews, Administrative Law Judge, ALJ, has issued an Order of Dismissal relating to a matter in a tribunal proceeding within an Agency of this State.

Appellant is an incarcerated person whom, at this time, does not have the available funds in which to proceed

into this Court, for the purpose of an appeal of the issues previously presented to the ALJ. Appellant has submitted a request for these Respondents financial accounting branch to provide him with an accounting of his inmate account so that he may establish his indigency and proceed into this Court for appellate review.

The purpose of this motion is to provide Appellant an opportunity in which to permit this Court to review all matters and issues previously submitted, and in protection of this Appellant's rights, under Due Process principles in the appellate arena. Especially where Appellant believes that his claims and issues have great merit and require the time and resources of this Court to resolve the matters favorably to this Appellant. Furthermore, this motion is not sought as a means to cause any party associated herewith, undue delay, harassment, to impose any form of economic strain or waste the resources of this Court. Appellant is of an opinion and belief that his claims are protected by Constitutional provision and precedent.

Appellant's incarceration has caused him to suffer economic strains that interfere with his ability to have available funds to pay, at this time, any filing fees that may be applicable to the filing of this matter within this Court.

Appellant would ask this Court to issue an Order that, once the funds become available in his E.H. Cooper Inmate Trust

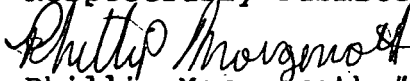
Fund Account, that the debiting process will confiscate the amounts necessary, and this Court's filing fees standard will be satisfied. Justice would demand no less.

CONCLUSION

WHEREFORE, Appellant would respectfully demand that this Court issue an Order holding that Appellant be granted pauperis or indigent status, until such time that the appropriate funds become available upon his E.H. Cooper Inmate Trust Fund Account.

May 30, 2012

Respectfully Submitted,



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PRO SE APPELLANT