

2-C

SB 2-3

# INMATE TRUST FUND ACCOUNT REPORT for SOUTH CAROLINA COURT FILING FEES

Ridgland

**INSTRUCTIONS TO INMATE:** Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court.

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

RECEIVED

SEP 02 2014

INMATE NAME (print): Michael J. Ferola

SC Court of Appeals

SCDC# 291941

INMATE SIGNATURE: Michael J. Ferola

I plan to file this action in the SC County of \_\_\_\_\_.

The section below is for SCDC - Financial Accounting Branch's - use ONLY.

- (1) Total deposits to inmate's account for preceding six months' period\* ..... \$ 0
- (2) Twenty percent (20%) of line 1 ..... \$ 0
- (3) Account balance - current date ..... \$ 0.50
- (4) PAYMENT AMOUNT \*\*  
(lesser of line 2 or line 3)  
Enclosed check # \_\_\_\_\_ \$ 0

**\*\*NOTE to COURT:** If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections  
Financial Accounting - Room 234  
PO Box 21787  
Columbia, SC 29221-1787

RIDGELAND CORRECTIONAL  
INSTITUTION

AUG 20 2014

MAILROOM

\*Admission date is noted here if inmate incarcerated less than six months 8/1/14

[Signature]  
Prepared by Financial Accounting Branch - SCDC

8/15/14  
Date

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF CLARENDON )  
 )  
 Michael J. Ferola, #291941, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 South Carolina Department of )  
 Corrections, Joseph Cannon, )  
 #295844, Officer Fulton, )  
 Michael Bowers, Kenneth Sharp, )  
 )  
 Defendants: )  
 )  
 \_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
 THIRD JUDICIAL CIRCUIT  
 CASE NO.: 2014-CP-14-00017

**RECEIVED**

SEP 02 2014

**SC Court of Appeals**

ORDER DISMISSING DEFENDANTS  
 OFFICER FULTON, MICHAEL BOWERS,  
 AND KENNETH SHARP

This matter was before the Court pursuant to the Notice of Motion and Motion to Dismiss Defendants Officer Fulton, Michael Bowers, and Kenneth Sharp, filed with this Court on March 11, 2014. The Defendants moved to dismiss the employees of the South Carolina Department of Corrections pursuant to S.C. Code Annotated § 15-78-70(c). The Pro Se Plaintiff was present as well as the Attorney for Defendants. The Pro Se Plaintiff opposed the Motion of the Defendants. The Pro Se Plaintiff stated that he was suing the individual employees for deliberate indifference.

*Asc*

The Court has reviewed the Complaint of the Plaintiff and there are no allegations in the Complaint that would rise to the level of conduct outside the scope of the Defendants' duties or conduct that can constitute actual fraud, actual malice, intent to harm, or a crime involving moral turpitude. Therefore, this Court hereby dismisses this action against the Defendants Officer Fulton, Michael Bowers, and Kenneth Sharp.


This action shall continue against the Defendants South Carolina Department of Corrections and Joseph Cannon.

NOW, THEREFORE, based upon the foregoing, it is hereby:

ORDERED that Defendants Officer Fulton, Michael Bowers, and Kenneth Sharp are hereby dismissed pursuant to 12(b)(1), 12(b)(2), and 12(b)(6) of the South Carolina Rules of Civil Procedure as the appropriate entity be named under the allegations of the Complaint or the South Carolina Department of Corrections and Defendant Joseph Cannon.

IT IS FURTHER ORDERED that this matter shall proceed against the South Carolina Department of Corrections and Joseph Cannon.

IT IS SO ORDERED.

  
\_\_\_\_\_  
Ralph F. Cothran, Jr.  
Presiding Judge of the Court of Common Pleas  
Third Judicial Circuit

AT CHAMBERS:

August 6, 2014