

S.C. Supreme Court
P.O. Box 11330
Columbia, SC 29211-1330

Re: Bryan v. SCDC, Appellate Case No. 2014-001933

Dear Clerk,

Enclosed for your filing is a proof of service, in forma pauperis motion, financial certificate, & petition for Rehearing En Banc.

10/21/14, SC
dated

Thank you,
T. Terrell Bryan
#254638, MAILS, LCI
P.O. Box 205
Ridgeville, SC 29472

THE SUPREME COURT OF SOUTH CAROLINA

T. Terrell Bryan, #254638, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2014-001933

IN FORMA PAUPERIS MOTION

I hereby apply for leave to proceed in this action without prepayment of fees or costs or security thereof, in support of my application I declare under penalty of perjury, 28 U.S.C. § 1746 & 18 U.S.C. § 1621, that the following facts are true:

- 1.) I am the Appellant in this action & believe I am entitled to redress.
- 2.) Because of my poverty I am unable to pay the costs of said proceedings or give security thereof. see attached financial certificate.
- 3.) WHEREFORE, I pray in forma pauperis is granted.

10/01/14, SC
dated

x. MM

T. Terrell Bryan
#254638, MAILS, LC I
P.O. Box 205
Ridgely, SC 29472

sworn to before me this
____ day of _____, 2014

my Commission Expires: _____

MAKIS

INMATE TRUST FUND ACCOUNT REPORT
for SOUTH CAROLINA COURT FILING FEES

RECEIVED

SEP 17 2014

RECEIVED
AUG 28 2014

MAIL ROOM
LIEBER CI

INSTRUCTIONS TO INMATE: Complete top portion of this report in your mailroom. If returned from Accounting, you must mail this form with any payment to the Court.

WARDEN'S OFFICE
LIEBER CI

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.

INMATE NAME (print): T. Terrell Bryan

SCDC # 254638 INMATE SIGNATURE: [Signature]

I plan to file this action in the SC County of Dorchester

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 \$ 0.18
- (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

* Admission date is noted here if inmate incarcerated less than six months _____

[Signature]
Approved by Financial Accounting Branch - SCDC

9/5/14
Date

THE SUPREME COURT OF SOUTH CAROLINA

T. Terrell Bryan, #254638, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

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PETITION FOR REHEARING EN BANC

I, T. Terrell Bryan, the pro se Petitioner, hereby moves the Court for rehearing En Banc, where an En Banc Consideration is necessary to secure & maintain uniformity of the Court's Houston v. Lack, mailbox Rule decision; & the proceeding involves a question of exceptional importance - where SCDC is using transfer, denial of legal materials & tampering with or delaying legal mail to gain an unfair advantage & states:

JURISDICTION

1. This Court should entertain this "petition for rehearing En Banc" where per the "Guide for Prospective Indigent Petitioners for writ of Certiorari", § VII, Index of Appendices "B. State Courts" an order denying a petition for rehearing starts the time for filing a writ of certiorari pursuant to (U.S.) supreme Ct. Rule 13.3. **MOREOVER**, in the petition for writ of certiorari per the questions asked in the section label jurisdiction, it is undisputable that it is a jurisdiction requirement to petition the highest state court for rehearing. **THEREFORE**, as is Rule 242 (a), SCACR, the U.S. supreme court will only review a final decision of this court, & a decision is not final for the purpose of review until a petition for rehearing or reinstatement has been acted on by this court.

2. **WHEREFORE**, I pray that this court entertain this "petition for rehearing En Banc" in the interest of access to the court. S.C. Const.

Art. I, § 2 (address of grievances) & U.S. Const. 1st Amend.

ADDRESS CHANGE

3. The court held that "... any delay in the receipt of the order denying rehearing, it is due to [p]etitioner's failure to promptly notify the court of Appeals of the changes in his mailing address." This court overlooked the letters to the court of Appeals where I pointed this out. once I got my case file!!!

4. This court also overlooked the fact that I did not have my case file. Per page 5 of 8 "statement of the case" per my "petition for writ of certiorari" I stated "I repeatedly requested my case file in this case from Respondent & was denied ... I was transferred from MCCI to LEECI on 6/3/14 ... on 8/28/14 Capt. Brightbarr gave me my case file, it was in a legal box I never seen before," so I did not have my case file from 6/3/14 until 8/28/14.

5. I can not be expected to prosecute this case without my case file. **MOREOVER**, to deny me relief where SCOC intentionally denied me my case file is to give SCOC the green light to transfer an ILM, & keep his legal materials past his deadline, to gain an unfair advantage.

6. **FURTHERMORE**, judicial notice should be taken of Bryan v. SCOC, 2014-002033 state in section "II" first line "[i]n his brief..." **THIS IS EVIDENCE I FILED A BRIEF**. see the "petition for rehearing En Banc", paragraphs* 3-6 in that case where I prove that Appellate case management system is inaccurate.

TOLL TIME

7. I pray the court **REHEAR** this case **EN BANC**, order Respondent to reply to make a determination of whether from 6/3/14 until 8/28/14 SCOC denied me my case file in bad faith.

8. **WHEREFORE**, if the court finds SCOC denied me my case file in bad faith, I pray that certiorari is grant &/or grant a full

hearing into my petition for writ of certiorari.

10/01/14, SC
dated

x. MMA

T. Terrell Bryan
#254638, MA115, LC3
P.O. Box 205
Ridgeville, SC 29472

RECEIVED

OCT 6 2014

S.C. SUPREME COURT

THE SUPREME COURT OF SOUTH CAROLINA

T. Terrell Bryan, #254638, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2014-001933

PROOF OF SERVICE

I hereby certify that I served a copy of 1.) this, 2.) In forma pauperis motion, & 3.) Petition for Rehearing En Banc, on: Chris Florian; staff Attorney (Inter-Agency Mail.)

10/1/14, SC
dated

x. M M

T. Terrell Bryan
#254638, MA115, LCI

P.O. Box 205

Ridgeville, SC 29472

OTHER COUNSEL OF RECORD

General Counsel

Headquarters

(Inter-Agency Mail)

RECEIVED

OCT 06 2014

S.C. SUPREME COURT

T. Terrell Bryan
#054630, MA115, LC I
P.O. Box 205
Ridgeville, SC 29472

RECEIVED

OCT 0 3 2014

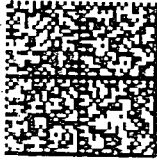
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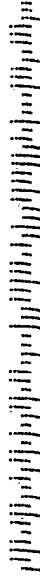
FOR LEGAL USE ONLY

29211-1330

FIRST CLASS



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MAILED FROM ZIP CODE 29472



T. Terrell Bryan

#054538, MAILS, LC-I

P.O. Box 205

Ridgerville, SC 29472

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OCT 0 3 2014

MAILROOM
LIBERAL

S.C. Supreme Court

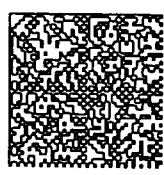
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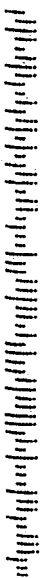
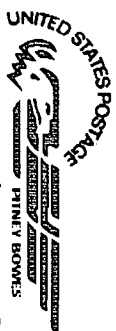
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29211-1330

FIRST CLASS



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THE DEPARTMENT OF CORRECTIONS HAS NOT
INSPECTED OR CENSORED THIS ITEM; THEREFORE,
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY
FOR ITS CONTENTS.

LIEBER CORRECTIONAL INSTITUTION
S.C. DEPARTMENT OF CORRECTIONS