

To. Honorable Kaye G Hearn
Chief Justice
1015 Sumter St
Columbia, S.C. 29201

From: Michael J. Ferola # 291941
Ridgeland Correctional Inst
Po Box 2039
Ridgeland, S.C. 29936

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OCT 29 2014

October 28, 2014

SC Court of Appeals

RE: Ferola v SC.DC. et-al
Appellate Case No: 2014-001877

Subject; Motion For Reconsideration
Denying Motion To Proceed In Forma Pauperis

Dear Judge Hearn,

On 10-15-14 my motion to proceed in forma pauperis was denied in the above entitled matter and this letter will serve as a request said denial be reconsidered. My motion to proceed in forma pauperis was denied pursuant to Ex parte Martin 321 S.C. 533, 471 S.E.2d 134 (1995) which is based on statutory requirements which my case meets.

I filed the case under the South Carolina Tort Claim Act which is a statutory law and on August 6, 2014 the Honorable Ralph Cochran JA dismissed (3) named defendants from the case thus ending the case against those defendants making it a appealable order under Rule 201 (a), (b), of S.C. Appellate Rules, and under Lakes v State this court held

"An order denying Lakes request to proceed in forma pauperis effectively "discontinued" the action because lakes only means of bringing the action was in forma pauperis and therefore the order was immediately appealable. 333 S.C. 382, 510 S.E.2d 228 (Ct App 1998)

Under the S.C. Tort Claim Act 15-78-60 (17) the dismissed defendants can be held accountable if their conduct was outside the scope of their duties and for the purpose of a motion to dismiss hearing all my allegations in the complaint taken as true survives a motion to dismiss.

LEGAL MAIL

I would therefore request I be allowed to proceed in Forma Pauperis
And Respondent(s) ordered to respond to my Initial brief filed on
October 15, 2014.

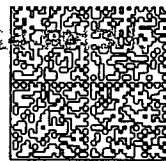
Sincerely
Michael J. Heala

cc: G. Murrell Smith Jr

Michael J. Ferola #291941
R.C.I SB-23
Po Box 2039
Ridgeland, S.C 29936

CHARLESTON SC 294

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**RIDGELAND CORRECTIONAL
INSTITUTION**

OCT 27 2014

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