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APR 16 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

<+=====+>

Rondal H Nixon,163482 )  
Appellant )  
Vs )  
The SC.P.P.P.S.B )  
Respondent )  
=====)

Case # 14-ALJ-15-0035-AP

**MOTION:** For In Forma Paupris &  
Waiver of copies/preparation rules

Appeal from Administrative Law Court &  
SC. Parole, Probation, Pardon, Services Board.  
Honorable Ralph King Anderson, III CJ/ALJD

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The undersigned appellant pro se, respectfully moves this court for in forma paupris, and to waive strick copy and preparation requirments of Rules 208, 209, 210, 211, 267 SCACR, with regards to number of copies, and service to ALC & Respondent, and certificates, and allow Original & one copy to this court, and one copy to respondents, and waiver of filing fees. I believe that this appeal has merit, and is made in good faith, for the following reasons;

**Statement of Case**

I have been eligible for parole since @ 1997, and was denied again by order dated 8/8/14, that relied on fixed immutable criteria, and petitioned for rehearing,"denied" 9/17/14. A timely notice of appeal was filed 9/3/14. The respondents did not file the ROA, so I filed a timely Brief on 11/7/14. The ALC issued an order to respondents to file the ROA and adjusted times for briefs on 11/7/14. Respondents filed the ROA on 11/12/14. I filed a timely Initial Corrected Brief on 12/2/14. The agency filed a motion for extension, and court granted same on 1/7/15. Respondents filed there brief on 2/6/15. I filed a reply brief on 2/18/15. By order dated March/3/2015.® The respondents Amended the Order on March/5/2015, received by me on 3/12/15. I prepared a Motion to make an order on issues in appeal briefs that were not ruled on, and reinstate appeal on amended order, dated 3/17/15, Filed about March/19/2015. The court denied same by stamp on original and returned it received March/24/15. Petition

® The ALC remanded the case to respondent.

for rehearing to respondents were denied March/24/2015. I wrote to the Clerk ALC and requested Notice of Appeal Forms. Not Received. Time to appeal amended order expired @ 4/5/15.

### Argument

1> I am an inmate in the SC.DOC and have been since @ 1989. As an inmate I do not have access to copying and printing services, that are required to meet the requirments of this courts rules, and that would cause an unfair denial of appeal from the ALC and judicial review on errors of law.

2> The order of the ALC dated 3/3/15, remanding the case to respondents for assessment under §24-21-10(F)(1) did not make a finding of fact and law on the issues raised in the appeal briefs, or the requirments of §24-21-10(D)(1-5), 280(c), nor did the respondents Amended Order, which just re-wrote the order, without meeting the requirments of the law: And I did file a Motion to rule on the issues to preserve same for appeal, and reinstate appeal on amended order since it was part of the original appeal, and the Court Denied same by Stamp on Rule 65 ALJD. Here the Supreme court ruled in Risker V SCDHEC 393 SC 198, 208 712 SE.2d 428, 433 (2011), which was followed by this court in Bagley V SCPPPS 2014 WL 4217379, that when adjudication of issues raised in ALC is not had, then a motion to that court to rule on same is required. Without that it places@ arbitrary denial of issues in ALC and Judicial Branch courts, and makes for repetitive and evading review. The motion was not merely one for rehearing, under Rule 65 ALJD, but one to hear ongoing issues and errors of law already before the court.

3> Because I am an inmate, the \$100.00 filing fee should be waived, and a demonstration of merit is shown in this motion, and record, that perhaps a lawyer should be appointed, to meet this courts stringent requirments for review of lower court orders.

### Conclusion

Wherefore having made my pleading, I pray that this court will grant in forma paupris, and futher waive copy and preparation requirments for judicial review, or take other action as it deems proper, to assure a fair and meaningful appeal from the ALC and Respondent.

April/12/2015

Mr. Michael C buchanan  
General Counsel, SCPPPSB

Ms. Jana Shealy  
Clerk of Court, ALC

Sincerely

s/ Rondal H. Nixon  
Rondal H Nixon, 163482

Appellant Pro Se  
ECI, F-3-B-238  
610 Hwy 9 West  
Bennettsville SC. 29512  
Ph 843-479-4181

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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SC Court of Appeals

Filing Letter

TO: Honorable: Tonya A. Gee  
Clerk of Court  
1015 Sumpter St  
Po. Box 11629  
Columbia SC 29211

RE: Rondal H Nixon, 163482 V The SC.PPPSB 2014-ALJ-15-0035  
On appeal from the ALC: Judge R. K. Anderson, CJ/ALJD

Court,

Please find enclosed for filing in the above case, my original;  
Notice of Appeal.  
Motion for In Forma Paupris.  
Copy of Orders.

The ALC order @ 3/19/15, is stamped on face of Motion dated 3/16/15,, and not signed or dated.

Please let me know of what I must do, prior to ruling on informa paupris motion.

Sincerely

s/ *Rondal H. Nixon*

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Proof of Service

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I, the undersigned appellant pro se, certifies that I have served one true copy of my, Notice of Appeal, Motion for informa paupris, and Orders, on Counsel, Mr Michael C Buchanan, and Clerk of Court for the ALC, as addressed below, by depositing same in the Mailroom at Evans, postage prepaid, on this/ 14<sup>th</sup> /Day of/ April /2015, and that mail is in normal operations.

Mr. Michael C Buchanan  
General Counsel, SCPPSB  
2221 Devine St. Suite 600  
PO. Box 50666  
Columbia SC. 29250  
Ph 803-734-9220

Respectfully  
s/ *Rondal H. Nixon*  
Rondal H Nixon, 163482  
Appellant Pro Se  
ECI, F-3-B-238  
610 Hwy 9 West  
Bennettsville SC. 29512  
Ph 843-479-4181

Ms. Jana Shealy  
Clerk of Court, ALC  
1205 Pendleton St. Suite 224  
Columbia SC. 29201

Subscribed and sworn to and subscribed before me  
on 14<sup>th</sup> day of April 2015  
*J. Outlaw*  
(Notary Public of South Carolina)  
Commission Expires 2/24

4-12-15|eci/rtn