

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW ~~JUDGE~~ COURT

H.W. FUNDERBURK JR. ADMINISTRATIVE LAW JUDGE  
CASE No.: 15-ALJ-04-0443-AP

ANTONIO BARNES, # 186511

APPELLANT

VS.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

RESPONDENT

ORDER GRANTING APPELLANT LEAVE TO PROCEED IN FORMA PAUPERIS

THIS MATTER COMES BEFORE THE COURT BY WAY OF APPELLANT'S MOTION SEEKING LEAVE OF THIS COURT ALLOWING APPELLANT MENTIONED ABOVE TO PROCEED WITH HIS APPEAL IN FORMA PAUPERIS THUS ALLOWING THE APPEAL TO BE FILED WITHOUT PREPAYMENT OF COST OR AFTER REVIEW OF THE PLEADING INCLUDING APPELLANT'S INDIGENCY THIS COURT FINDS THAT IT IS PROPER FOR SAID LEAVE TO BE GRANTED. ACCORDINGLY THIS COURT GRANTS THE APPELLANT ANTONIO BARNES SCDC # 186511 LEAVE TO PROCEED IN FORMA PAUPERIS.

THE CLERK OF COURT IS NOW DIRECTED TO FILE APPELLANT'S APPEAL INCLUDING HIS AFFIDAVIT WITHOUT PREPAYMENT OF COST OR FEES THE APPELLANT SHALL INFORM THE COURT OF HIS FINANCIAL CONDITION IF IT HAPPENS TO CHANGE WHEREBY HE BECOMES ABLE TO PAY THE COST CUSTOMARILY ASSESSED IN THIS STATE OF [APPEAL]

THIS 18<sup>th</sup> DAY OF September 2015

PRESIDING JUDGE

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THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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SEP 23 2015  
SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

H.W. FUNDERBURK JR. ADMINISTRATIVE LAW JUDGE  
CASE No.: 15-ALJ-04-0443-AP

ANTONZO BARNES, # 186511

APPELLANT

VS.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT

AFFIDAVIT IN SUPPORT OF APPELLANTS MOTION TO PROCEED ON APPEAL IN FORMA  
PAUPERIS

NOW COMES ABOVE PETITIONER SWORN UNDER OATH DEPOSE AND STATES THE FOLLOWING:

- 1) THAT HE IS ABOVE NAMED PETITIONER;
- 2) THAT HE IS A INMATE INCARCERATED WITHIN THE PARAMETERS OF THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS AT ALLENDALE C.I.;
- 3) THAT HE IS INDIGENT, OWNS NO PROPERTY OR REAL ESTATE WHICH COULD BE SOLD OR REPLACED AS SECURITY TO PAY THE COST AND FEES OF FILING THE APPEAL IN QUESTION;
- 4) PETITIONER LACK OTHER MEANS TO OBTAIN SUFFICIENT FUNDS TO PAY THE COST OF FILING THE PRESENT APPEAL.
- 5) THAT THE PETITIONERS MOTION TO PROCEED RAISES A CONSTITUTIONAL QUESTION WHICH CONCERNS HIS RIGHT TO RECOVERY OF SAID RELIEF;
- 6) THAT PETITIONER IS INFORMED OR BELIEVES HE IS ENTITLED TO THE RELIEF IN APPEAL;

PETITIONER FOREVER PRAYS THAT THIS HONORABLE COURT WILL GRANT LEAVE TO PROCEED IN THIS APPEAL WITHOUT PREPAYMENT OF COST OR FEES.

PETITIONER HEREBY DECLARES UNDER THE PENALTY OF PERJURY AND UNDER OATH BEFORE THE COURTS THAT HE IS THE MAKER OF THE AFORE AFFIDAVIT AND THAT THE ABOVE INFO IS TRUE AND CORRECT AND THAT I AM ENTITLED TO REDRESS. THANKS IN ADVANCE!

1/5/ Antonzo V. Barnes

ANTONZO BARNES

DATE 9-18-15

LETTER TO THE APPELLATE COURT  
CLERK FILING THE NOTICE OF APPEAL

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SEP 23 2015

THE HONORABLE JENNY ABBOTT KITCHINGS SC Court of Appeals  
CLERK, POST OFFICE BOX 11629  
COLUMBIA SC 29211

RE: BARNES  
V.  
SCDC

APPELLANT  
RESPONDENT

CASE No.: 15-ALJ-04-0443-AP

DEAR MS. JENNY ABBOTT KITCHINGS,

ENCLOSED FOR FILING IS A NOTICE OF APPEAL IN THE ABOVE CASE, ALSO ENCLOSED  
ARE THE FOLLOWING:

- 1) PROOF OF SERVICE OF THE NOTICE OF APPEAL ON THE RESPONDENTS.
- 2) A COPY OF THE ORDER/JUDGMENT WHICH IS TO BE CHALLENGED ON APPEAL.
- 3) MOTION TO PROCEED IN FORMA PAUPERIS etc.
- 4) CERTIFICATE OF COUNSEL.

SINCERELY,

Antonio V. Barnes Jr.

ANTONIO BARNES  
ALLENDALE C.I.  
R.H.V. 118  
P.O. BOX 1151  
FAIRFAX SC 29827

MR. Antonio Vyshome BARNES SR. #186511

Alendale A.I.

Fairfax SC. 29827

P.O. Box 1151

R.H.U. <sup>Rm #</sup>

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SEP 18 2015

MAILROOM  
ACI

**LEGAL MAIL**

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SEP 23 2015

**SC Court of Appeals**

SOUTH CAROLINA COURT OF APPEALS  
JENNY ABBOTT KITCHINGS, CLERK  
POST OFFICE BOX 11629  
COLUMBIA SC 29211

"THE DEPARTMENT OF CORRECTIONS HAS  
NOT CENSORED OR CENSORED THE  
THEMSELVES, THE DEPARTMENT HAS  
ADULTS RESPONSIBILITY FOR ITS CONDUCT  
ALLENDALE CORRECTIONAL INSTITUTION  
S.C. DEPARTMENT OF CORRECTIONS