

The State of South Carolina
The South Carolina Court of Appeals

Appeal From The Administrative Law Court

The Honorable Ralph King Anderson III, Chief Administrative Law Judge

Appellate Case No. 2016-000179

Johnny Lawrence #232835

vs

Appellate
RECEIVED

FEB 19 2016

South Carolina Department of Probation, Parole
and Pardon Services

SC Court of Appeals

Petition For Leave To Proceed In Forma Pauperis

Jurisdiction; Remount to, Rule 3 @ S.C.R.C.P.

"A prisoner was denied due process by the family court's denial of leave to proceed, in forma pauperis, where the family court found that he was not indigent based on an earned monthly income of ~~\$360~~ \$360 per month and a monthly expenditure of ~~\$360~~ \$360, but it would have taken almost four years for him to afford the filing fee and costs of process change." Ex - Parte, Rice, 307 S.C. 469, 415 S.2d 819.

Petitioner is serving a life sentence. All that petitioner has to his name is his good conduct pay of ~~\$250~~ \$250 a month. Because of this pay petitioner receives only two (2) uniforms a year from S.C.D.C. all else he must purchase, from shoes, socks, shirts, towels, and hygiene. All medical visits and medication are ~~\$0~~ \$0 - even if he has a chronic illness.

Under the doctrine of, parens patriae, parent of his country refers traditionally to the of the state as sovereign and guardian of persons under legal disability. 440 F.2d 1079, 1085 "historically, parens patriae, has embodied the duty of the sovereign to protect both the public interest and those with disabilities."

In, Coopers - South Carolina Department of Probation, Parole and Pardon Services

661 (ser) 106/111-12 (S.C. 7008) "Prisoners had liberty interest in having parole board decide, based on the factors dictated by the state parole statute." "Right not to have parole release decision based on false information, only if there is a liberty interest in getting parole." Reiff v. Nixon 917 F. Supp 409.

"As one who is unable to pay his own support and is otherwise without financial resources, under the Equal Protection Clause, to the United States Constitution, indigent and proper may be excused from paying certain court costs and other legal fees so that they may have equal access to the courts. v. 428 F. Supp 728. Petitioner at this time only has pennies in his account and medical has been debiting my account for some reason unknown to J. Petitioner is unable to pay \$12500 fee at this time, the court is free to do what it believe justice requires for the issue is important and a narrow one.

Petitioner Ernest Pross

Respectfully Submitted

That the foregoing are the true facts as I have come to know them to be under penalty of perjury Pursuant to 281(c)(5), C.S. 1746
Ernest Pross Date 02-17-2016

Johnny Lawrence 737835

Ernest Conottonol Trust

661 Highway Northwest

Beardsville, S.C. 29512

Date 02-17-2016

J. Johnny Lawrence 237833 State that this paper
exhibit shows the current state of his funds
as of this date (02-17-2016) that petitioner
is unable to pay cost at this time.

under penalty of perjury 28.05.06 31746

Johnny Lawrence, 02-17-2015

on the back verification

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

EVANS MAIN CANTEEN #01

LOCATION: 0531 CANTEEN # 01

RECEIPT #: 693685

SCDC ID: 00232835

WEEKLY SPENDING LIMIT: 0.13

LIVING AREA: F5D0143B

DUPLEX CREAM COOKIES	2 @	0.78 =	1.56
INSTANT RICE	2 @	1.02 =	2.04
SWEET & LOW	1 @	2.98 =	2.98
GARDINES, POUCH	2 @	1.10 =	2.20
BANANA MOON PIE	2 @	0.52 =	1.04
FOLGERS COFFEE 4 OZ	1 @	3.59 =	3.59
DORITOS NACHO 1.75 OZ	1 @	0.64 =	0.64

TOTAL: 14.05

2/10/16

10:40:57

The State of South Carolina
South Carolina Court of Appeals

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Appeal From Administrative Law Court

The Honorable, Ralph King Anderson, Chief Justice

FEB 19 2016

Appellee Case No. 2016-0017

SC Court of Appeals

Johnny Lawrence #232835

vs

Appellant

South Carolina Department of Probation, Parole
and Pardon Services

Appellant

Proof of Service

I, Johnny Lawrence, declare that I have served a copy of petition for leave to proceed in forma pauperis and notice to Jenny Abbott, Kitching Clerk South Carolina Court of Appeals, Post Office Box 11629, Columbia S.C. 29221 and Deputy Director of legal services, Mr. Jimmy Ewens in Department of P.P.S.P.D., Box 666, Columbia S.C. 29262, by depositing in mail in my own name at 610 Highway 1196 West, Bennettsville, S.C. 29512, with postage prepaid. This being proper service, under penalty of perjury pursuant to 26 C.S.C. 3174b, I, Johnny Lawrence Date 02-17-2016

Johnny Lawrence #232835

Ewens CJ

610 Highway 1196 West

Bennettsville S.C. 29512

Date 02-17-2016

RECEIVED

Johnny Lawrence #237835

SC Court of Appeals

FEB 19 2016

610 Highway Nine West

Bennettsville, S.C. 29512

South Carolina Court of Appeals

Jenny Abbott Kitchings, Clerk

Post Office Box 11629

Columbia, S.C. 29211

Re: Abbott Case No. 2016-000179

Dear Ms. Kitchings

Please find the amended Proof of Service to the Honorable Ralph King Anderson III Chief Judge Administrative Law Court. Included is Petition for leave to proceed In forma Pauperis. Also in lieu of the affidavit, I am sending my last receipt for printed pencils, that shows my present balance of \$10.34.

I will send the affidavit however this prison is not inclined to expedite prison paperwork; unless they are clearly directed to do so by the Courts. I have asked the mailroom to put their date stamp on all my mail to the Courts. The response is that the post mark will be the factor. I think that having the mailroom stamp would be simpler and more effect for prisoners especially because, then the Court would know when a prisoner was mailing. That is as far as he has control/limited as it is. This small assistance would greatly help the prisoner who is being over by the awesome oncoy of its capacity, that the State can bring to bear.

Prisoner Forever Freys
Respectfully Submitted

Always Sincerely

Johnny Lawrence #237835
SC Court of Appeals
610 Highway Nine West
Bennettsville S.C. 29512

Date 02-17-2016

Johnny [unclear] #232835
Evens Correctional Inst,
Cold Highway N/A West
Bennettsville, SC 29312

COLUMBIA SC 292

17 FEB 2016



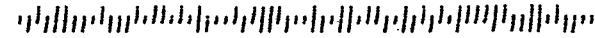
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MAILED FROM ZIP CODE 29512

RECEIVED
FEB 19 2016
SC Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Post Office Box 11629
Columbia, S.C. 29211

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THE DEPARTMENT OF CORRECTIONS HAS NEITHER
CENSORED NOR INSPECTED THIS ITEM. THEREFORE,
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY
FOR ITS CONTENTS.

EVANS CORRECTIONAL INSTITUTION
S.C. DEPARTMENT OF CORRECTIONS