

The South Carolina Court of Appeals

Akeem Alim Nafis Abdullah Malik, Appellant,

v.

Bruce M. Bryant, Respondent.

Appellate Case No. 2015-002412

ORDER

On February 3, 2016, this appeal was dismissed for failure to serve Respondent with the notice of appeal. Appellant has now filed a petition for rehearing, explaining there is no counsel of record for Respondent because his summons and complaint were not accepted and filed by the circuit court.

After careful consideration, we grant Appellant's petition for rehearing and remand the matter to the circuit court.

Appellant is appealing the trial court's denial of his motion to file his action without paying filing fees. Appellant does not argue the circuit court erred in denying his motion; instead, he argues the circuit court should have permitted him to file his action pursuant to section 24-27-100 of the South Carolina Code of Laws (2007). Appellant's filings, however, do not indicate whether Appellant has filed a certified copy of his trust account with the circuit court or whether the circuit court has previously considered this issue. Accordingly, we remand this matter to the circuit court for consideration of whether Appellant should be permitted to file his action and make payments from his inmate trust account as provided in section 24-27-100.

Thomas E. Huff A.C.J.

[Signature] J.

Jasper W. Curran A.J.

FILED

5/12/16

Columbia, South Carolina

cc:

Akeem Alim-Nafis Abdullah Malik
David Hamilton