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OCT 20 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Joseph H. Gibbs, #185709)	Case # <u>16-ALJ-15-0022-AP</u>
Appellant)	
Vs)	MOTION: <u>For</u>
The SC. Probation, Parole, Pardon)	<u>In Forma Paupris</u>
Services Board.)	
Respondent)	

On Appeal from the Administrative Law Court, Order.

Honorable; John D. McLeod, ALJ

I the appellant pro se, respectfully move this court for informa paupris, from the normal filing requirements of fees, of Rule 203(d)(2)(B)(iii) @ \$100.00, and Motions Rule 240(d), and Rule 267(c)(d)(e)(f), and copy requirements of Rule 210(b) and Rule 211(a), for the following reasons;

FACTS

I had a parole hearing on 5/18/16. Denied by form order, dated 5/19/16. I filed a petition to the SC.PPP.S.B to reconsider and hear the case, dated 5/31/16. Denied by order from counsel not submitting same to board, dated 6/7/16. I filed a timely NOA to the ALC dated 6/15/16, Filed 6/15/16, assigned 6/22/16. The Respondent filed the ROA dated 8/12/16. I filed my Initial Brief, dated 9/5/16. By order dated 9/20/16, the ALC dismissed the appeal with prejudice, based on rulings in Cooper V SCPPPSB 661 SE.2d 106,112 (2003), underscored in Compton V SCPPPSB 685 Se.2d 175 (2009). I am moving for these rulings to be modified.

ARGUMENT

1. I am an inmate in the SCDC, and have been since 1992.
2. As an inmate, I do not have the copy and preparation services nor access to services that this court normal rules require, which would be printing and binding services.
3. I believe that this appeal and motions have merit, and to deny me judicial review on such procedures would be an injustice. I pointed out in the NOA to the ALC that there was no routine denial

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of parole, as no fair hearing was had on material facts, and evidence based system, and the board was not given the petition for rehearing petition.

CONCLUSION

I pray that this court will grant informia paupris, and allow the NOA and Motion to Modify to proceed forward, with relief from fees, and filing and service of one copy of briefs and record; or grant relief as this court deems proper.

October/16/2016

Joseph H. Gibbs

Joseph H. Gibbs, #185709
ECI, F-3-B-242A
610 Hwy 9 West
Bennettsville SC. 29512
Ph 843 479 4181
Appellant Pro Se

Mr. Tommy Evans, Jr
Assistant General Counsel
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PO. Box 50666
Columbia SC. 29250
Counsel For Respondents
Ph # 803-734-9220

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TO: Clerk of Court; Tonya A. Gee
SC. Court of Appeals
1015 Sumter St
Po. Box 11629
Columbia SC 29211

Filing Letter

RE: Joseph H Gibbs #185709 vs The SCPPPSB Case 16-ALJ-15-0022-AP

On Appeal from the Administrative Law Court; Judge J.D. Mcleod

Please find enclosed for filing in the above case, my;

1. Notice of Appeal, Original
2. Copy of the Order appealed.
3. Motion for Informa Paupris.
4. Motion to Modify case law.
5. Proof of service / Filing letter.

Thanks for your time and attention in this case.

Mr. Tommy Evans, jr
Counsel for Respondent,

Respectfully
/s/ Joseph H. Gibbs
Appellant Pro Se

PROOF OF SERVICE

I the undersigned appellant pro se, certifies that i have on this / 19th / day of October / 2016, served one true copy of my NOA W/order, Motion for informa paupris, Motion to modify case law, proof of service & filing letter, to the Clerk of Court, ALC, and Counsel Mr. Tommy Evans, jr, as addressed below, by depositing same in the US mail at evans postage prepaid and proper.

Ms. Jana Shealy
Clerk of Court; ALC
1205 pendleton St. Suite 224
Columbia SC. 29201

Sincerely
/s/ Joseph H. Gibbs
ECI, F-3-B-242A
610 Hwy 9 West
Bennettsville SC. 29512
Appellant pro se

Mr. Tommy Evans, jr
Assitant General Counsel
Dept of general Counsel; SCPPPSB
PO. Box 50666
2221 Devine St. Suite 600
Columbia SC. 29250
Ph 803-734-9220

Ph 843-479-4181

Sworn to and subscribed before me
on 18 day of October, 2016
S. Owen
(Notary Public of South Carolina)
My Commission Expires 2/17/14

Joseph H. Gibbs, 185709
E.C.F., F-3-B-242A
610 Hwy 9 West
Bennettsville SC. 29512



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Clerk: SC. Court of Appeals
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