

STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal From The South Carolina
Workers Compensation Commission
OF Richland County

Commissioner: Gene McCaskill

Hearing Date: August 28, 2015

Order filed: February 24, 2016

Appeal To Full Commission/Form 32
was Rejected March 29, 2016

Timely Appeal Taken April 19, 2016
Inadvertently Placed in Court of
Common Pleas

Motion To Remove Appeal From
Common Pleas held 11-10-2016

W.C.C. File # 1410083

Civil Case NO: _____

Terry McCall, Appellant
vs.

Trojan Labor/Hire Quest, LLC, Respondent

MOTION TO Proceed In Forma Pauperis
ON Appeal Along with Pro Se Status

Appellant is currently incarcerated within the South Carolina Department of Corrections (S.C.D.C) at Goodman Correctional Institution, where he is serving a sentence. Appellant is currently indigent and without funds to pay the costs of service and filing. The Appellant respectfully request this Court grant him pauperis status. In *Ex Parte*, *Martin v. State* 471 SE2d 134, 135 (1995) the Court wrote further, where certain fundamental rights are involved, the Constitution requires that an indigent be allowed to access the Courts.

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Appellant argues he was denied his fundamental Right / Due Process by the South Carolina Workers Compensation Commission "Chair Person", Rejecting form 32, to waive filing fees \$ 150.00 dollars to Allow Appeal to the full commission be taken by Appellant. (After adequate proof of Indigent status was provided,) Not considering a form 32 had been previously Granted, Prior on A motion for Reconsideration "with proof of same Indigent status. This type rejection / Denial to Allow the Appeal without payment is only to Block the Appeal from Being taken And denies due Process.

The Appellant request this Court grant him the right to proceed In forma Pauperis, In Court of Appeals or send order to South Carolina Workers Compensation Commission "Judicial Department Appellate Division", Ordering the Appellant be allowed his right to Appeal the Single Commissioners decision to the full commission without payment / or / grant pauper status to Appeal to Court of Appeals Because the Appellant argues the South Carolina Workers Compensation Procedure / Process to Appeal without payment on form 32 is Unconstitutional And deprives the indigent "person" the right to Appeal if Chair Person rejects form 32 with NO reason for rejecting.

Appellant request the Court grant him Prose' status As well, which would relax the South Carolina Appellant Court Rules (SCACR) regarding covers for And numbers of Appellants brief And record on Appeal (copies) Requesting to use one copy And grant Pauperis status.

Respectfully submitted this 5 day of December, 2016

S Terry McCall

Terry McCall 233236

G.C.I. - D-3-25-B

4556 Broad River Rd

Columbia, S.C. 29210

Dear Clerk, You will find my Appeal is timely,
Because I inadvertently placed it in the incorrect
court. However, the Order has the July 3, 2014
injury date, which is incorrect and should reflect
July 4th, 2014. From Court of Common Pleas. 11-10-2016
Along with my Appeal was withdrawn After I
inadvertently placed it in the Court of Common Pleas
Due to my Form 32, being Rejected, denying me to Appeal
to the Full Commission, waiving the filing fees.
I did proceed to the Full Commission but denied
because of my indigent status. As well as
incarcerated At this time. I should not been denied.
Your office Court of Appeals is the Next Court
available For Appellate Review & Judge Jean Toal
who heard me 12-1-16 in common Pleas, believed I
should go forward on Court of Appeals. I filed A 59e
motion to correct the order. Okay. Hopefully I will hear something soon.

Thank you -

I will send my Appeal Briefs Very soon.
once I get everything together

12-5-16
DATED

Mr. Jerry McCall

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Certificate of Service

I, Terry McCall have served the Motion to Proceed Informa
Pauferis, Prose's status by placing same in the U.S. Postal
mail service postage prepaid affixed forwarded to the
Address(es) below:

Dated 12-5-16

s/ Terry McCall

Terry McCall 23236
Gic.it - ①-3-25-B
4556 Broad River Rd
Columbia, S.C.
29210

S.C. Court of Appeals
Jenny Abbott Ritchings, clerk
P.O. Box 11629
Columbia, S.C. 29211

To: Jennifer Honeycutt
Collins@Lacy
Attorney At Law
P.O. Box 12487
Columbia, S.C.
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Terry McCall 233236
G.C.II-D-3-25B
4556 Broad River Rd
Columbia, S.C.
29210

12-5-16
DATE

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In Re: Notice of Appeal / Motion To Proceed In
Forma Pauperis And Pro Se' status

Dear Court of Appeals,

I find enclosed my NOTICE OF
Appeal And Motion To Proceed In Forma Pauperis,
Along with Pro Se' status. Place Motion before Judge
for immediate review. And file my notice of
Appeal, return to me a filed clock stamped copy
for my records please. As our prison printer is
out of service at this time.

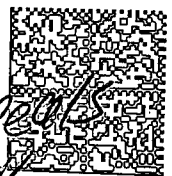
"Thank You Kindly"
Mr. Terry McCall

Ferry McCall 233236
Goodman Court Frost
Dorm 3-25B-BB
4556 Broad River Rd
Columbia, S.C.

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