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Affidavit of Indigency and Application for Counsel SC Court of Appeals

South Carolina Department of Probation  
Parole and Pardon Services

vs

James Wesley Peterson # 296129

Docket No. 16-10515-0038-AP

In the Court of Appeals  
Affidavit of Indigency  
and

Application for Counsel

Name of Applicant

James Wesley Peterson #296129

Address

Kirkland Corr. Inst B215

4344 Broad River Rd Columbia, S.C. 29210

Date of Birth:

October 9, 1974

Social Security No

251-45-3264

1. Are you presently employed? No

Last employer Prison Industries Enoch, S.C.

\$7.25 per hour Termination Date: November, 2015

made total of \$1292.50 in a year

2. Include employment information for spouse of applicant

N/A

3. List by name, age, and relationship to you, any persons who are dependent upon you for support. Indicate beside each how much you contribute toward their support.

N/A

4. Have you received in the past twelve months any money from any of the following sources.

a. Business, profession or firm of self employment? No

b. Rent payments, interests or dividends? No

c. Pensions, annuities or life insurance payments? No

d. Gifts or inheritances? No

e. Any other sources? No

5. Do you own cash or do you have any money in a checking or savings account? No

6. Do you own any real estate, stocks, bonds, notes, or other valuable property (excluding ordinary household furnishings and clothing)?

NO

7. What kind of motor vehicle do you own? None

8. How much do you owe (on loans, mortgages, other encumbrances or debts)?

None

I do solemnly swear that the account by me delivered into this court with my application for counsel does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I or any person in trust for me have or at the time of my possession had, or am, or was, in any respect, entitled to, in possession, remainder or reversion and that I have not at any time since charges were made against me or before, directly or indirectly sold, leased, assigned or otherwise disposed of or made over, in trust for myself or otherwise, other than is mentioned herein.

I understand the appointment of counsel creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in an amount equal to the cost of representation less the amount paid to appointed counsel, the public defender office and/or the Commission of Indigent Defense. I understand that such a claim shall be filed in the office of the Clerk of Court in the county where I, my child, or ward are assigned counsel, but that the filing of a claim shall not constitute a lien against my real or personal property unless, in the discretion of the court, part of all such claim is reduced to judgment by appropriate order of the court, part of all of such claim is reduced to judgment by appropriate order of the court after serving me with at least thirty (30) days notice that judgment will be entered.

I understand that pursuant to §17-3-30(b), I am required to pay a non-refundable \$40.00 application fee to the clerk of court for public defender services or other appointed counsel.

I am financially unable to employ counsel and request that counsel be assigned to represent me. I understand that I am entitled to at least thirty days notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

This 16 day of February, 2017

James Wesley Peterson #2916129  
Defendant or Parent/Guardian if applicable

Subscribed and sworn to before me this  
16 day of February, 2017

Melissa Spruiell (L.S.)

Notary Public for South Carolina

My Commission Expires Dec 1, 2025

The applicant's request for court-appointed counsel is hereby  granted  denied  
Dated: \_\_\_\_\_

\_\_\_\_\_, South Carolina

Judge/Clerk or Deputy Clerk