

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

HONORABLE S. PHILLIP LENSKI
CASE NO. 16-ALJ-15-0052-AP

APPELLATE CASE NO. 2017-001066

DERRICK B. WOODS, # 197161

APPELLANT,

V.

SOUTH CAROLINA DEPARTMENT OF
PROBATION, PAROLE AND PARDON SERVICES

RESPONDENT.

MOTION TO
REINSTATE APPEAL

DERRICK B. WOODS, # 197161
EVANS CORRECTIONAL INSTITUTION
610 HIGHWAY 9 WEST
BENNETTSVILLE, SC 29512

RECEIVED

JUN 20 2017

SC Court of Appeals

2) THE APPELLANT WOULD ALSO DIRECT THE COURTS ATTENTION TO THE ATTACHED RECENT FINANCIAL CERTIFICATE DATED JUNE 12, 2017 WHICH DOES SHOW THAT THE APPELLANT DOES NOT HAVE ANY FUNDS IN THE ACCOUNT AND HAS RECEIVED NO FUNDS IN THE ACCOUNT FOR MORE THAN 6 MONTHS ; AND

3) AS APPELLANT ARGUED IN THE ADMINISTRATIVE LAW COURT A CLEAR VIOLATION OF STATUTORY AND CONSTITUTIONAL LAW HAS IN FACT OCCURED WHICH DOES RENDER THAT COURTS DECISION "CLEARLY ERRONEOUS IN VIEW OF RELIABLE , PROBATIVE AND SUBSTANTIAL EVIDENCE ON THE WHOLE RECORD" AND THE APPELLANT BELIEVES HE IS ENTITLED TO REDRESS AND REMEDY.

CONCLUSION

WHEREFORE , BASED ON THE FOREGOING REASONS AND FOR GOOD CAUSE HAVING BEEN SHOWN , THE APPELLANT RESPECTFULLY REQUESTS THAT THIS HONORABLE COURT GRANT THE MOTION AND ORDER THE REINSTATEMENT OF THE APPEAL AND ISSUE ANY OTHER ORDER THE COURT DEEMS APPROPRIATE AND PROPER FOR THIS MATTER .

RESPECTFULLY SUBMITTED ,



DERRICK B. WOODS # 197161
EVANS CORRECTIONAL INST.
610 HIGHWAY 9 WEST
BENNETTSVILLE SC 29512

APPELLANT

BENNETTSVILLE , SC
JUNE 19 , 2017

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

HONORABLE S. PHILIP LENSKI
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DERRICK B. WOODS, # 197161

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SOUTH CAROLINA DEPARTMENT OF
PROBATION, PAROLE AND PARDON SERVICES,

RESPONDENT.

CERTIFICATE OF SERVICE

THE UNDERSIGNED HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT ON THIS 19TH DAY OF JUNE 2017 A COPY OF THE 'MOTION TO REINSTATE APPEAL' WAS SERVED ON THE OFFICES LISTED BELOW BY DEPOSITING SAID MOTION IN THE U. S. MAIL VIA THE PRISON MAIL ROOM POSTAGE PREPAID ADDRESSED TO:

JENNY ABBOT KITCHINGS, CLERK
SOUTH CAROLINA COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, SC 29211

TOMMY EVANS JR. ESQ.
SOUTH CAROLINA DEPT. OF
PROBATION, PAROLE AND PARDON SERVICES
2221 DEVINE STREET, SUITE 600
P O BOX 50666
COLUMBIA SC 29250

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 19 DAY OF JUNE 2017

S. I. Sullivan

NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: 2/11/24

Derrick B. Woods

DERRICK B. WOODS
EVANS CORRECTIONAL INST.
610 HIGHWAY 9 WEST
BENNETTSVILLE SC 29512

The South Carolina Court of Appeals

Derrick B. Woods #197161, Appellant,

v.

South Carolina Department of Probation, Parole and
Pardon Services, Respondent.

Appellate Case No. 2017-001066

The Honorable S. Phillip Lenski
Trial Court Case No. 2016ALJ150052AP

ORDER

Appellant has failed to pay the filing fee as required by Rule 203 of the South Carolina Appellate Court Rules, and the letters of this Court dated May 3, 2017, and May 16, 2017. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

FILED

June 6, 2017

cc:

Derrick Woods #197161

Tommy Evans, Jr., Esquire

Jana E. Shealy

JUN 15 2017

Evans

SCDC-FINANCIAL ADOPT

33119

2017 JUN 12 AM 8:22 FINANCIAL CERTIFICATE

FOR THE DISTRICT OF SOUTH CAROLINA

(for use in § 1983, *Bivens*, and non-habeas civil actions filed by prisoners)

JUN 14 8 2017

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I am granted *in forma pauperis* status, I authorize and consent to collection of the \$ 350 filing fee in accordance with 28 U.S.C. § 1915(b) until the filing fee is paid in full as well as any amount of costs, sanctions, and/or fees that might be imposed by the court during this litigation. I understand that if I do not qualify for *in forma pauperis* status, I will have to pay \$400 to proceed with my case, which includes the full \$350 filing fee as well as an additional \$50 administrative fee established by the Judicial Conference of the United States. The \$50 administrative fee is not applicable to *in forma pauperis* cases.

DERICK B. WOODS
INMATE NAME (PRINTED)

197161
INMATE (PRISONER) NUMBER

DBWoods
INMATE SIGNATURE

EVANS CORRECTIONAL INST.
PLACE OF CONFINEMENT

- ◆ (1) Average monthly deposits to the inmate's account.....\$ 0
- ◆ (2) Average monthly balance in the inmate's account calculated for the prior six months period.\$ 0
- ◆ (3) Current Balance\$ 0
- ◆ (4) Initial Installment Payment - due upon granting of *in forma pauperis* status (Take 20 percent of the greater of lines 1 or 2).....\$ 0

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

Angela Henge
Authorized Officer's Signature

6-12-17
Date

Angela Henge Financial Act.
Authorized Officer's Name and Title