

STATE OF SOUTH CAROLINA

In The Court Of Appeals

APPEAL FROM SUMTER COUNTY

Ferrell Cotheran Jr., Court of Common Pleas

Case No. 2017-001112

RECEIVED

SEP 06 2017

SC Court of Appeals

Robert Wazney,

Appellant,

v.

Sharon Wazney a/k/a Sharon Chabassole, Respondent.

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

Date: September 1, 2017

Robert Wazney
990 Wisacky Highway
Bishopville, SC 29010
Indigent, Pro-se, Appellant

MEMORANDUM

This Motion is made because the Appellant is unable to pay the court expenses associated with this proceeding. Therefore, the Appellant requests that the Court grants leave to proceed in this action without prepayment of fees or costs.

AFFIDAVIT

Comes now, Robert Wazney, who going duly sworn, deposes and says:

"I, Robert Wazney, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my claim, I declare under the penalty of perjury, that because of my poverty, I am unable to pay the costs of the said proceeding or give security thereof. Pursuant to Rule 3(b)(1) SCRC̄P, '... A Plaintiff who desires to file an action In Forma Pauperis shall file in the Court a Motion for leave to proceed In Forma Pauperis, together with the complaint proposed to be filed and an affidavit showing the Plaintiffs inability to pay the fee required to file the action. If the Motion is granted, the Plaintiff may proceed without further application and file the complaint in the Court without payment of filing fees.'

CONCLUSION

For the reason(s) set out above, it is requested the the Court grant relief to me the Appellant."

s/



Robert Wazney
990990 Wisacky Highway
Bishopville, SC 29010
Indigent, Pro-se, Appellant

Date: September 1 , 2017
Bishopville, SC. 29010



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

August 28, 2017

Robert William Wazney, 00363679
Lee Correctional Inst.
990 Wisacky Highway
Bishopville SC 29010

Re: Robert W. Wazney v. Sharon R. Wazney
Appellate Case No. 2017-001112

Dear Mr. Wazney:

The Court is in receipt of your petition for rehearing of the order denying your motion to proceed in forma pauperis. Please be advised that the Court will not entertain petitions for rehearing on a motion or petition unless the action of the Court on the motion or petition has the effect of dismissing or finally deciding a party's appeal. See Rule 240(i) of the South Carolina Appellate Court Rules. Therefore, no action will be taken on your petition for rehearing.

Within ten (10) days of the date of this letter you must pay the notice of appeal filing fee of \$100.00 as required by Rule 203, SCACR, and order of this Court dated July 27, 2017, or your appeal will be dismissed.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: William Ceth Land, Esquire

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CERTIFICATE OF SERVICE

I, Robert Wazney, do hereby certify that I have served the MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS by depositing the same in the prison mail system, addressed to the following addresses, postage prepaid on

September 1 , 2017.

Land Parker Welch, P.A.
PO Box 138
Manning, SC 29102

s/



Robert Wazney
990 Wisacky Highway
Bishopville, SC 29010

s/

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SC Court of Appeals



Robert Wazney
990 Wisacky Highway
Bishopville, S.C. 29010

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SEP 06 2017
SC Court of Appeals

September 1, 2017

Jenny Abbott Kitchings, Clerk
SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: 2017-001112

Dear Ms. Kitchings:

Please find enclosed for filing with the Court of Appeals:

- (1) MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS;
- (2) CERTIFICATE OF SERVICE;
- (3) A copy of the Courts letter requesting filing fee.

Very truly yours,

Robert Wazney

Encls
cc: file
doj

Robert Wazney 363679 F2A1139
Lee Correctional Institution
990 Wisacky Highway
Bishopville, SC 29010

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PM 1 L



Clerk, Court of Appeal
PO Box 11629
Columbia, Sc 29211

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