

The State of South Carolina
In the Court of Appeals

Appeal from Richland County
Court of Common Pleas

D. Craig Brown Circuit Court Judge

Case No: 2018-000966

Tyrone Perry - - - - - Appellant

v

South Carolina Dept of Corrections - - - - - Respondent

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JUL 03 2018

SC Court of Appeals

Objection to denial of motion to proceed in forma Pauperis

I the Appellant object to the denial of his motion to proceed in forma pauperis. I am indigent and owe over 700.00 in restitution. It will take longer than 15 days for a financial statement to return to the institution. When this case was 2016-001606 back in August of 2016 this motion was granted. But it was dismissed without prejudice until the circuit court ruled on my properly filed 59(e) motion. Law requires the judge has 10 days to alter or amend judgment. It took the circuit court judge one year and ten months to make this ruling. Due process and equal protection of law was violated and I as a matter of law done all I could to have all issues ruled upon so they could be raised on appellate review. I exercised due diligence and wrote the clerk numerous times along with the trial judge in his home town. In the absence of a statutory provision allowing the general waiver of filing fees the courts conclude motions to proceed in forma pauperis may only be granted where specifically authorized by statute or required by constitutional provisions. Under Article I section 3 privileges and immunities; due process; equal protection of laws under the State and of the U.S. Constitution shall not be abridged nor shall any person be deprived life, liberty, or property without due process of law nor shall any person be denied equal protection of the laws. In martin v state 471 SE2d 134

it states XX-X-XXXX (Supp 1994) no court fee may be charged in delinquency and neglect actions. Delinquent defined 2. Willfully and intentionally failing to carry out an obligation. And Neglect defined 1. Failure to do a thing that should be done. This describes the actions of the circuit court judge in failing to Rule on a timely 59(e) motion that was properly filed he had 10 days to alter or amend judgment. I done all things per law to exert my rights and reserve properly raised issues of constitutional dimension and statutory provisions but the circuit court judge violated Rule 502.1 of a judge's oath. So he abused his discretion and erroneously applied facts and conclusions of law in a grossly negligent manner which warrant review. Fundamental rights are involved and the Constitution requires an indigent be allowed access to courts. My complaint fits within one of the statutory or constitutional exceptions to the requirement of filing fee and the clerk of court must submit the motion to a judge for a ruling as to whether the complaint does fit within one of the statutory exceptions or whether the cause of action concerns a fundamental right that requires waiver of the filing fee. As far as the transcript ive had it since 6-1-18'. But i'll write the court reporter and get a receipt or letter to verify its paid for but ive had it for nearly a month. Im involuntarily committed to a mental hospital pursuant to 44-22-30 im entitled to a lawyer. I don't waive this right and in GPH we cant receive law books its a policy rule.

sx Tyrone Perry # 307793
Tyrone Perry # 307793
Billiam Psychiatric Hospital Rm 149
4344 Broad River Rd
Columbin S.C 29210

This 29th day of June 2018

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Motion to Proceed in forma Pauper, extension

I the appellant ask for a extension so that I can get a printout of my financial certificate report to prove im indigent. Pursuant to 44-22-30 im involuntarily committed to a mental hospital and im entitled to counsel and I DON'T waive that right I have statutory and constitutional right to property and in the mental hospital their policy is we cant get law books and the West law computer is in the Doctor's office and with 80 patients you can never use it. So this is a Bounds-U-Smith violation and a denial to the access of courts. I'm enclosing a motion and affidavit to proceed but I know it will be longer than 15 days before I receive a financial report. But I do not waive my rights to a lawyer per 44-22-30.

This 29th day of June 2018

s/ Tyrone Perry 307793

Tyrone Perry # 307793

Gilliam Psychiatric Hospital Rm 149

4344 Broad River Rd

Columbia S.C. 29210

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Tyrone Perry ----- Appellant

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South Carolina Dept of Corrections --- Respondent

Motion requesting for a receipt of proof of transcript purchase extension.

Ms Coconut Pantisari of 309 Willow Winds Dr. Columbia S.C. 29210 I am motioning for an extension to the courts because they gave me 15 to prove I provided payment for my transcript. So could you please send me a receipt or letter as to when and who purchased my transcript pursuant to Rule 207. I hate to bother you with this but I must comply with the courts demands. Being that you were the court reporter this is the only way fit I can prove payment was made and ive been had the transcript.

This 29th day of June 2018

s/ Tyrone Perry 307793
Tyrone Perry 307793
Gilliam Psychiatric Hospital Pm 149
4344 Broad River Rd
Columbia S.C. 29210

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Proof of Service

I certify that I have served a copy of this objection to denial of motion to proceed in forma pauperis, Motion to Proceed in forma Pauperis extension, motion requesting for a receipt of proof that that transcript purchased extension by depositing a copy of it in the U.S. mail postage prepaid to the following.

S.C. Court of Appeals
Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia S.C. 29211

Office of General Counsel
Stephen H. Lunsford
4444 Broad River Rd
Columbia S.C. 29221

L. Colonel Pantisari
309 Willow Wind Dr
Columbia S.C. 29210

This 29th day of June 2018

sv Tyrone Perry 307793

Tyrone Perry 307793

Gilliam Psychiatric Hospital Rm 149

4344 Broad River Rd

Columbia S.C. 29210

Tyrone Perry # 307793
Kirkland Corr. Institute
Gilliam Psychiatric Hospital Rm 149
4344 Broad River Rd
Columbia S.C. 29210

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MAILROOM

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia S.C. 29211

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