

South Carolina Court of Appeals

Case No 2018-002021

Derrick Mundine
Appellant

Proof of Service

v.s.

And

South Carolina Department
Respondent
of Social Services

Financial Statement
Motion

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South Carolina Court of Appeals

FEB 27 2019

SC Court of Appeals

Chief Judge of Court of Appeals

James Lockemey

Derrick Mundine, Appellant received a copy of decision on 22 Feb 2019. The decision of the Honorable James Lockemey date Feb-14-2019.

Motion: Financial Statement

Feb 27 2019

Derrick Mundine
Derrick Mundine

1426 Platt Springs Rd. E-4 W. Columbia 29169

Financial Statement
SC Administrative Law Court
1205 Pendleton St., Suite 224, Columbia, SC 29201

Full Name: Derrick Mundine I am 52 years of age
 Employer's Name: N/A Full time: [] Part time: [] Hours per week: 0
 Employer's Address: N/A
 Gross (before deductions) Monthly wages: N/A Hourly wages: N/A
 If unemployed, date and salary of last employment: July 2006 \$1,000 weekly

Other income per month:	Monthly expenses:
Public Assistance: \$ <u>N/A</u>	Rent/Mortgage: \$ <u>N/A</u>
Unemployment: \$ <u>N/A</u>	Car lease/payment: \$ <u>N/A</u>
Child Support: \$ <u>N/A</u>	Food: \$ <u>192.00</u>
Social Security: \$ <u>N/A</u>	Utilities: \$ <u>90.00</u>
Gifts/Other: \$ <u>N/A</u>	Credit cards: \$ <u>N/A</u>

Assets:

Checking Account: \$ <u>N/A</u>
Savings Account: \$ <u>2.00</u>
Est. Home Value: \$ <u>N/A</u>
Other Assets: \$ <u>N/A</u>
Automobile: Year: <u>N/A</u>
Make/Model: <u>N/A</u>

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My Spouse/Partner/Live-in's Name is: N/A Age: N/A Check if no other adult in household: []
 Employer's Name: N/A Full time: [] Part time: [] Hours per week: 0
 Employer's address: N/A
 Gross (before deductions) Monthly wages: N/A Hourly wages: N/A
 If unemployed, date and salary of last employment: N/A

Other household income and assets of Spouse/Partner/Live-in Companion:

Public Assistance: \$ <u>545.00</u>	Checking Account: \$ <u>N/A</u>
Unemployment: \$ <u>N/A</u>	Savings Account: \$ <u>2.00</u>
Child Support: \$ <u>N/A</u>	Other: \$ <u>N/A</u>
Social Security: \$ <u>N/A</u>	Automobile: Year: <u>N/A</u>
Gifts/Other: \$ <u>N/A</u>	Make/Model: <u>N/A</u>

TOTAL MONTHLY HOUSEHOLD INCOME: \$ None
 TOTAL MONTHLY HOUSEHOLD EXPENSES: \$ None

List the names and ages of all other members of your household whom you financially support: (use reverse side if more space needed)

Name: None Age: None Relation: None
 Name: None Age: None Relation: None

To the best of my knowledge, the information above is true and accurate. I have made no attempt to misrepresent my financial condition.

Derrick Mundine
 Signature

Feb 27 2019
 Date
Derrick Mundine

Request for Waiver and Affidavit
SC Administrative Law Court
1205 Pendleton St., Suite 224, Columbia, SC 29201

Derrick Mundine
Name of Requestor

P.O. Box 2511
Address

803-297-1231 / 803-297-1231
Home Phone Office or Cell Phone

West Columbia SC 29171
City State Zip

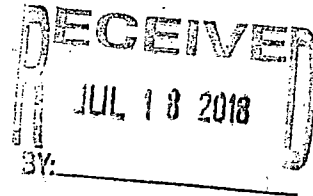
I, Derrick Mundine (your name), being duly sworn, state that I am requesting a hearing before the Administrative Law Court and that as shown on the attached **Financial Statement**, I do not have the funds available to pay the costs of filing this action. Therefore, I request that the filing fee associated with this action be waived.

[Signature]
Signature of Requestor

Sworn to before me this
18th day of July, 2018

[Signature]
Notary Public of South Carolina

My Commissions expires: 3-28-2027



The section below to be completed by the Court

ORDER by the Court:

Fee Waived (The action will be processed and assigned to a Judge.)

Waiver Denied (The filing fee must be paid within 10 days of the receipt of this order.)

[Signature]
Ralph K. Anderson, III
Chief Judge

Date 7/19/18

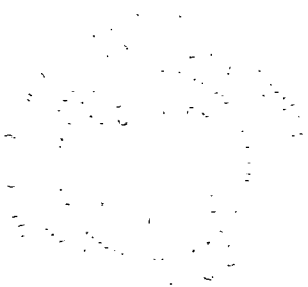
Instructions - If you believe you are financially unable to pay the required filing fee in order to file a case with the Administrative Law Court, you will need to complete the Request for Waiver and Affidavit form and the Financial Statement form. (See ALC Rule 71). These forms must be completed in their entirety and must be signed by you and notarized by a Notary Public of South Carolina. The completed forms should be mailed to the Administrative Law Court at the address on the top of the forms, along with all of your documentation for filing your case. The Chief Judge will review your forms, and at his discretion, will either grant or deny your request to waive the filing fee. You will be notified in writing of his decision. If you have any questions regarding these forms, you may contact the Clerk's Office at (803) 734-0550.

10/05/2018	<u>Image</u>	5.00	600 - Deposit	8.01
10/05/2018	1		0.00 580 - Collectable Float	3.01
09/26/2018			3.01 Daily balance	
09/26/2018		5.00	362 - Service Charge	3.01

1 DERRICK MUNDINE 2-26-2019
1 Derrick Mundine
1 Derrick Mundine 2-26-2019

Walter Mundine 2-26-19

As of the 26th day of February 2019



Mundine Derrick
1009219989 040 Signature Personal Savings

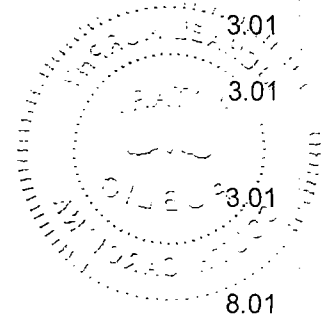
Account Identification ▼

Derrick L Mundine	Home:	803-556-9279	Tax ID:	239-37-1301 S
PO Box 2511	Work:	803-733-5401	Last deposit:	5.00, 01/18/2019
Cayce, South Carolina 29033	Branch:	209 - Columbia Downtown	Current bal:	8.01
	Prim officer:	85320 - Dean Cutshall		

Ledger balance:	8.01	Today's activity:	0.00
Current balance:	8.01	Total Holds:	0.00
Account available balance:	8.01	Float:	0.00
Total accessible balance:	8.01	Unused PRA:	
Closing balance:	8.01	Related available balance:	0.00
Last statement:	12/26/2018		

15 All transactions, 09/26/2018 to 01/26/2019

Date	Check	Debit	Credit	Other	Description	Status	Balance
01/26/2019				8.01	Daily balance		
01/26/2019		5.00			362 - Service Charge		8.01
01/18/2019				13.01	Daily balance		
01/18/2019	Image		5.00		600 - Deposit		13.01
01/18/2019	1			0.00	580 - Collectable Float		8.01
01/09/2019				8.01	Daily balance		
01/09/2019		20.00			273 - Transfer Debit		8.01
01/08/2019				28.01	Daily balance		
01/08/2019	Image		25.00		600 - Deposit		28.01
01/08/2019	1			91.00	586 - Available Float		3.01
01/08/2019	1			91.00	580 - Collectable Float		3.01
12/26/2018				3.01	Daily balance		
12/26/2018		5.00			362 - Service Charge		3.01
11/26/2018				8.01	Daily balance		
11/26/2018		5.00			362 - Service Charge		8.01
11/06/2018				13.01	Daily balance		
11/06/2018	Image		10.00		600 - Deposit		13.01
11/06/2018	1			0.00	580 - Collectable Float		3.01
10/26/2018				3.01	Daily balance		
10/26/2018		5.00			362 - Service Charge		3.01
10/05/2018				8.01	Daily balance		





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

February 14, 2019

Derrick Mundine
P.O. Box 2511
West Columbia SC 29171

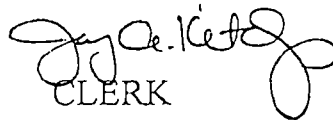
Re: Derrick Mundine v. SCDSS
Appellate Case No. 2018-002021

Dear Mr. Mundine:

Please see the enclosed order regarding your motion to proceed in forma pauperis.

You must pay the \$250.00 notice of appeal filing fee no more than 15 days from the date of his letter or your appeal will be dismissed.

Very truly yours,


CLERK

cc: Christopher Craig Jackson, Esquire
Shawn L. Reeves, Esquire
Jana E. Shealy

The South Carolina Court of Appeals

Derrick Mundine, Appellant,

v.

South Carolina Department of Social Services,
Respondent.

Appellate Case No. 2018-002021

ORDER

After careful consideration, Appellant's motion to proceed in forma pauperis is denied. *See Martin v. State*, 321 S.C. 533, 535, 471 S.E.2d 134, 134-35 (1995) ("In the absence of a statutory provision allowing the general waiver of filing fees, we conclude motions to proceed in forma pauperis may only be granted where specifically authorized by statute or required by constitutional provisions."); *Sullivan v. S.C. Dep't of Corr.*, 355 S.C. 437, 445, 586 S.E.2d 124, 128 (2003) ("There is no statutory provision that permits the waiver of filing fees for an appeal brought under the APA . . ."); *Ortwein v. Schwab*, 410 U.S. 656, 656 (1973) (ruling there was no constitutional requirement that filing fees be waived in an appeal concerning the reduction in welfare benefits).


FOR THE COURT

Columbia, South Carolina

cc: Derrick Mundine
Christopher Craig Jackson, Esquire
Shawn L. Reeves, Esquire
Jana E. Shealy

FILED

February 14, 2019

RECEIVED
NOV 13 2018
BY: _____

Today date
Feb 27 2019
DLM

South Carolina Court of Appeals

Docket No 2018-007021

Derrick Mundine
Appellant

VS.

South Carolina Department of
Social Services
Respondent

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FEB 27 2019
SC Court of Appeals

I hereby certify that I have served the South Carolina Department of Social Services (Description of document) in the above-captioned matter by depositing it in the United State Mail, postage prepaid, on Feb 27 2019 Month, Day, Year) to the below named parties at their address of record: South Carolina Court of Appeal

Office of General Counsel
Name

SCDSS P.O. Box 1520
Address

Columbia S.C. 29202
City State Zip

Derrick Mundine
Print Your Name
Derrick Mundine
Your Signature

Platt Springs Rd. 1426 Apt E-4

Jana E. Shealy, Clerk
Name

1205 Pendleton St Suite 224

Address

Columbia S.C. 29201

City State Zip

West Columbia SC 29169
City State Zip

Honorable H.W. Kunderburk Jr
Name

1205 Pendleton St Suite 224

Address

Columbia S.C. 29201

City State Zip

Chief Judge of Appeals
Name

1015 Sumter St P.O. Box 11629

Address

Columbia S.C. 29211

City State Zip

DERRICK MUNDINE

Print Your Name

Derrick Mundine

Your Signature

Platt Spring Rd 1426 Apt E2

Address

West Columbia SC 29169

Derrick Mundine Feb 27 2019