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MAY 20 2019

SC Court of Appeals

C/A# 2018-CP-400-3256

Richard Ridley
Plaintiff

v.

Timothy Budz, Et AL.
Defendants

Notice of Appeal (Motion + Notice)

Now Comes Plaintiff Richard Ridley, Pro Se with this Appeal of
The Courts Dismissal of this Civil Action For The following:

- History -

1- On June 8, 2018 Plaintiff filed this legal Matter Against the
Defendants for the following:

A- Breach of Confidentiality

B- Violation of Protected Health Information

C- Violation of Plaintiff's first Amendment Rights (Free Speech)

D- Slander / Defamation of character

E- Harassment

F- Sexual Harassment

2- On June 22, 2018 This case was filed, but In forma Pauperis
Was denied by the Honorable Judge Hood, No Reason was given.

3- On March 7, 2019 The Honorable Jocelyn Newman dismissed
this Civil Matter Under Rule 41(A) SCRPC.

4- On April 22, 2019 The Honorable Jocelyn Newman denied Plaintiff's
Motion for Reconsideration (Rule 59-E).

5 - Plaintiff's Case was Removed to federal Court On or About 10-5-18 And Remanded back to State Court On November 7, 2018 by The District Judge Margaret B. Seymour.

- Facts -

- 1 - Plaintiff was In the Custody of SCDC since October 2001 And upon completing His prison Sentence was civilly Committed And placed In the Custody of S.C. Dept. of Mental Health. Plaintiff has been In State Custody since 2001, And currently Is still In State Custody.
- 2 - Plaintiff does Not Have The Ability to Pay Any Filing fees, As plaintiff Is Indigent.
- 3 - Plaintiff's Issues/Claims Involve fundamental Rights.

- Argument -

Plaintiff's civil Action was dismissed based on the fact that In forma Pauperis was denied by Judge Hood on 6-22-18 And plaintiff Never Paid the filing fees, thereby Judge Newman Dismissed plaintiff's Case On 3-7-19.

Plaintiff Next sent A Rule 59-E (Motion for Reconsideration) that was Also denied by Judge Newman On 4-22-19.

Plaintiff Issues Involve fundamental Rights And As such clearly falls under the exception As expounded On In Harrison V. Harrison 373 S.C. 524 (2007); Which states: Where Certain fundamental Rights Are Involved the Constitution Requires that An Indigent be Allowed Access

to the courts.

Plaintiff's Issues Involve even the Violation of the State Constitutions "Free Speech" Article-1 section-2. The Issues In the complaint Are clearly Non-Frivolous And genuine As they Are Also supported by legal papers submitted to the Courts As Exhibits, To Include Affidavits from Several Witnesses.

Plaintiff would further state that As A Inmate or a person In State Custody I do have the Right to use the Court System And petition the government for A Redress of grievances, As Stated In: *Bonds V. Smith* 430 U.S. 817 (1977) And *Lewis V. Casey* 518 U.S. 343 (1996).

- Conclusion -

Plaintiff does Not Have the Ability to pay the filing fees, Yet He should still be Allowed to proceed In forma Pauperis As he Is Indigent. Plaintiff Has Also Sent A Statement Along with this Appeal to that fact, Attached.

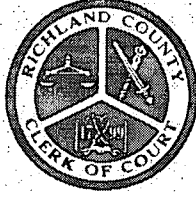
- Relief -

Plaintiff Should be Allowed to proceed In forma Pauperis.

Respectfully
Richard Ridley
Richard Ridley
Plaintiff, Pro Se.

4-30-19

**JEANETTE W.
McBRIDE**
Clerk of Court



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RICHLAND COUNTY CLERK OF COURT
Richland County Judicial Center
1701 Main Street, Room 205
Columbia, S. C. 29201

May 10, 2019

We have received your inquiry and respond as follows:

- We were unable to find a case with the name(s) and/or case number that you provided. If the case is a Richland County Case, please provide us with as much information as possible. (For example: a list of the **full** names of **ALL** parties in the case number and approximate filing date).
- The document you requested was not in the referenced case file. If the document was a Proposed Order, you may want to contact the Chief Administrative Judge or the Judge to whom you proposed this Order.
- The record you requested is sealed by Court Order. A court order will be required to open the file. Please contact an attorney.
- In order to obtain a transcript, send a written request to South Carolina Court Administration at 1015 Sumter Street, Suite 200, Columbia, SC 29201. You need to provide the case number, the Judge's name and the date of the trial. If you have any questions, call (803) 734-1800.
- A \$5.00 money order or law firm check and a self-addressed stamped envelope are required for copies of all documents that are less than 20 pages. For documents over 20 pages, please contact this office for an exact amount.
- This office is not permitted to provide legal advice or legal forms. Please contact an attorney to assist you.
- This office cannot assist you with your request. For assistance, please contact:
S.C. Attorney General Office
P.O. Box 11549
Columbia, SC 29211
- Other: Mr. Ridley, you would need to file your appeal with the Court of Appeals

Sincerely,

Richland County Clerk of Court

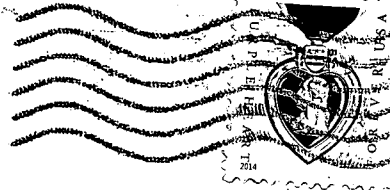
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