

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

CASE No. 2019-001116

Mike Samadi,

Appellant,

v.

Peter Joseph Carrol and Roderick Clyde
Godwin

Respondents.

RECEIVED
JUL 24 2019
SC Court of Appeals

MOTION TO PROCEED IN FORMA PAUPERIS

COMES NOW, Mike Samadi, Pro Se Plaintiff and respectfully files his Motion to Proceed Informa Pauperis and presents to the Honorable Court the followings:

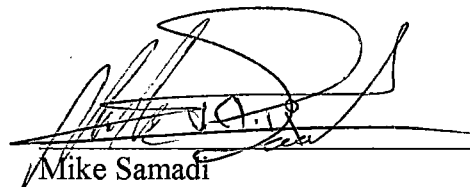
As the court notices in the attached Affidavit of Mike Samadi in Support of Motion to Process Informa Pauperis, Samadi's recent finances and income has been depleted.

As shown by Exhibit A of his Affidavit, Samadi's Home is well over secured.

Furthermore, the Exhibit B though D of his affidavit also shows that his bank account has repeatedly fell into negative despite the fact that he has repeated received loans from other individuals.

THEREFORE, and in light of the foregoing, Samadi respectfully requests that the Court grant his Motion to Proceed Informa Pauperis. Furthermore, Samadi is responsible to care for his two children (both below the age of 5), which makes his finances even a bit more difficult.

Respectfully submitted this 21st day of July 2019.


Mike Samadi

4555 Bettys Branch Way
Evans, GA 30809
(706) 364-0556

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AFFIDAVIT OF MIKE SAMADI IN SUPPORT OF
MOTION TO PROCEED IN FORMA PAUPERIS

Before me, the undersigned officer, duly authorized to administer oaths, comes Mike Samadi, who, having been first duly sworn, deposes and state under oath:

1. My name is Mike Samadi. I am over the age of eighteen (18), *sui juris*, legally competent to testify, and give this Affidavit based on my personal knowledge. If called as a witness, I could and would testify consistently with the matters set forth herein.

2. I am the Plaintiff in the above-captioned matter. The Motion to Proceed Appeal in Forma Pauperis is supported with the Exhibit herein to show the Court that I am legally unable to bear the cost of appeal, transmission of its records and transcript(s). and I beg the Court to please grant my Pauperis application.

3. The Clerk of this Court has informed me that the cost of the appeal is \$250.00. I am not certain – if this fee also includes the cost to transfer the records from lower court. I am hoping that there is not other cost involved in initiating this appeal and transfer of the records. However, my finances are depleted at this time, since I had several unexpected financial set back to include bad check, and large insurance payments, as described below.

As the attached Exhibits A shows that the only property I own is well over secured by several loans.

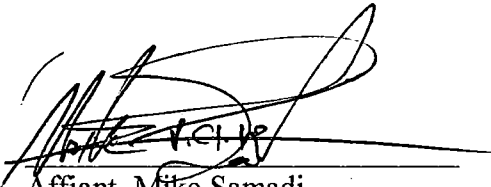
Exhibit B is copy of my checking account transaction summary showing that on June 14, 2019, when I deposited a \$550.00 Check, such deposit/check was return, placing his account on negative balance of \$59.73. Furthermore, this exhibit shows that on June 13 and 14, 2019, I had to borrow money from Zahra to be able to cover my necessary bills.

Exhibit C shows that on June 28, 2019 as well as June 19, 2019, I also had to borrow money from Hadi to pay his home owner's insurance and other necessary bills again.

Exhibit D shows an email from Wells Fargo, letting me know that my account balance is negative \$1,129.36.

I declare under penalty of perjury that the statements contained herein are true and correct.

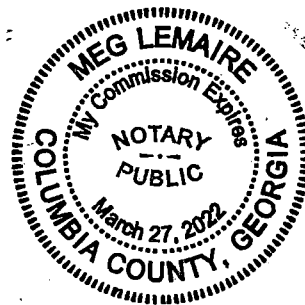
Prepared on this 21st day of July 2019.


Affiant, Mike Samadi

Sworn and subscribed before me

Meg Lemaire 7-22-2019
Notary Public Date

My commission expires 03-27-2022





WILSON M. WATKINS, PC

ATTORNEY AT LAW
4434 COLUMBIA ROAD, SUITE 102
MARTINEZ, GEORGIA 30907-4271
(706) 650-9293 OFFICE (706) 650-9958 FAX
email: wilson@gabn.net



**EXHIBIT
A**

January 18, 2012

To Whom It May Concern:

**PRELIMINARY CERTIFICATE
OF TITLE**

RE: Borrower: **Mike Hamid Samadi**
Property: 4555 Bettys Branch Way
Evans, Ga 30809

This is to certify that we have examined the public records in the proper office in which are kept all records affecting the title to the property described above from the date on which the same may be first identified of record date, and BASED UPON SUCH EXAMINATION, it is our opinion that subject to the liens, encumbrances and other exceptions hereinafter set out, the marketable, fee simple title to the aforesaid property is, as of this date vested in **Mike Samadi**.

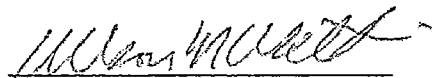
SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Such fee simple title, however, is subject to the following liens, restrictions, easements, encumbrances, and other exceptions, to wit:

1. Errors shown by a plat or survey. The exact location on boundary lines, unrecorded easements, and other facts or conditions which would be disclosed by an accurate survey and inspection of the property, not filed for record prior to date.
2. The rights, if any, of persons who may be in possession under claims not appearing of record, or other matters not of record, including any prescriptive rights or claims of removable fixtures, forgery, insanity, or minority of a maker.

3. Violation of any zoning ordinances or restrictive covenants.
4. All city, state, county, and school taxes for the year 2012 and subsequent years which are not yet due and payable. County taxes for the year 2011 were paid in the amount of \$2,092.08.
5. First priority Security Deed dated June 11, 2004 from Mike Samadi to Countrywide Home Loans, Inc. in the original amount \$174,500.00, maturing 30 years hence, recorded in Book 4363, page 252 in the Office of the Clerk of the Superior Court of Columbia County, Georgia.
6. Security Deed from Mike H. Samadi to Power Control Systems of Georgia dated February 17, 2005, in the original amount of \$20,000.00 maturing June 1, 2005, recorded at Book 4711 page 9, aforesaid records.
7. Security Deed from Mike Hamid Samadi dated November 14, 2005, to Mina Samadi and Fatima Sharif-Askary in the original amount of \$267,640.00, maturing April 16, 2006, recorded at Book 5179 page 235 aforesaid records.

Records through January 5, 2012 @ 9:00 A.M.



WILSON M. WATKINS

Attorney at Law

State Bar No. 740925

WMW/lom
Forms/prelcert.Samadi12-504BettysBranch

EXHIBIT "A"

All that lot or parcel of land, situate, lying and being in the State of Georgia, County of Columbia, being known and designated as Lot 8 Block C, Countryplace Subdivision, according to the plat thereof as recorded in the Office of the Clerk of Superior Court of Columbia County, Georgia, in PC-AA, Slide 339 #4, to which plat reference is hereby made to said plat for a more complete and accurate description as to metes, bounds, and location of said property.

Tax ID# 072G008

Legaldes.ColSamadiBettysbranch

State of Georgia)
) AFFIDAVIT
County of Columbia)

Comes now, Wilson M. Watkins, Attorney at Law, and affirms under oath that the statements in that certain Preliminary Certificate of Title dated January 18, 2012, regarding 4555 Bettys Branch Way, Evans, Ga 30809, are true and correct to the best of affiants knowledge and belief.

This the 18th day of January, 2012.

Orin Johnson
WITNESS

Wilson M. Watkins
WILSON M. WATKINS, AFFIANT

Richard Chambers
WITNESS

STATE OF GEORGIA)
) PROBATE
COUNTY OF COLUMBIA)

PERSONALLY APPEARED BEFORE ME, the undersigned and made oath that s/he saw the within-named AFFIANT, sign, seal, and as their act and deed, deliver the within AFFIDAVIT for the uses and purposes therein mentioned, and the s/he, with the other witness subscribed above witnessed the execution thereof.

SWORN TO AND SUBSCRIBED TO BEFORE ME

This 18th day of January, 2012.

Richard Chambers
Witness
Debbie Craddock

Notary Public

My Commission Expires: 6/28/13

forms\affidvt.wnwSamadi4555

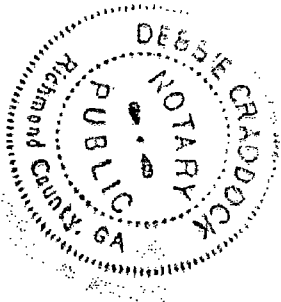


EXHIBIT B

Mike Checking
...6099

-\$59.73
Available balance

Activity Summary

Current posted balance	-\$59.73
Pending withdrawals/debits	\$0.00
Pending deposits/credits	\$0.00
Available balance	-\$59.73
Routing numbers	

Activity

First
Previous
Next

Date	Description	Deposits/Credits	Withdrawals/Debits
Pending Transactions			
No pending transactions to view.			
Posted Transactions			
06/14/19	DITECH FINANCIAL MTG PYT 061419 0035888619 MIKE SAMADI		\$1,302.87
06/14/19	CHECK # 546		\$124.00
06/14/19	DEPOSITED ITEM RETN UNPAID - PAPER 190614		\$550.00
06/14/19	CASHED/DEPOSITED ITEM RETN UNPAID FEE		\$12.00
06/14/19	ONLINE TRANSFER FROM SAMADI H REF #IB06DCP2RP PORTFOLIO CHECKING 2ND LOAN FROM HADI TO MIKE	\$1,000.00	
06/13/19	AMEX EPAYMENT ACH PMT 190613 A4472 retert		\$500.00
06/13/19	IOF - FORESTERS FORESTERS 47243614001563 MIKE SAMADI		\$75.30
06/13/19	ONLINE TRANSFER FROM FARAJ Z REF #IB06D9N3B6 WAY2SAVE SAVINGS 2ND LOAN IN JUNE FROM ZAHRA S	\$1,000.00	
06/12/19	WF Consumer AUTO PAY 190612 9076601958553 SAMADI,MIKE H		\$500.00

WELLS FARGO

Mike Checking
...6099

\$148.53
Available balance

EXH. C

Activity Summary

Current posted balance	\$148.53
Pending withdrawals/debits	\$0.00
Pending deposits/credits	\$0.00
Available balance	\$148.53

Routing numbers

Activity

First
Previous
Next

Date	Description	Deposits/Credits	Withdrawals/Debits
Pending Transactions			
No pending transactions to view.			
Posted Transactions			
07/05/19	SYNCHRONY BANK PAYMENT 190703 601919124318352 FARAJ,ZAHRA M		\$75.00
07/03/19	CHECK # 568		\$700.00
07/02/19	RPS SCOTTSDALE PAYMENT CK A0046670 MIKE SAMADI		\$1,860.56
07/02/19	RPS SCOTTSDALE PAYMENT CK A0046670 MIKE SAMADI		\$1,093.04
07/02/19	MIDLAND NATIONAL INSURANCE 190630 0005010303C1799 MIKE SAMADI		\$230.00
07/01/19	RECURRING PAYMENT AUTHORIZED ON 06/30 VZWRLLSS*APOCC VISE 800-922-0204 FL S469181270635918 CARD 8391		\$170.68
06/28/19	INTEREST PAYMENT	\$0.03	
06/28/19	ONLINE TRANSFER FROM SAMADI H REF #IB06GG6FTW PORTFOLIO CHECKING LOAN PAY HOM OWNER INS 3715ELM 4555 BETTY	\$2,900.00	
06/27/19	CHECK # 567		\$97.00
06/27/19	STATE FARM RO 27 SFPP 27 S 0375646927 MIKE SAMADI		\$393.48
06/26/19	GPC GPC EFT 5118615021EVN MIKE SAMADI		\$81.01
06/21/19	WITHDRAWAL MADE IN A BRANCH/STORE		\$20.00
06/19/19	ONLINE TRANSFER FROM SAMADI H REF #IB06F4SJHT PORTFOLIO CHECKING ANOTHER LOAN FROM HADI	\$1,000.00	
06/19/19	DEPOSIT MADE IN A BRANCH/STORE #110100550	\$686.00	

EXHIBIT
O

Delete forever

Your Wells Fargo account has reached zero dollars Trash x



Wells Fargo Online <alerts@notify.wellsfargo.com>
to me



wellsfargo.com

Your available balance has reached or dropped below zero

The available balance for your account Mike Checking has reached or dropped below zero dollars.

Ending Balance	\$248.81
Available balance	-\$1,129.36

This information is accurate as of 07/15/2019 08:11 am Eastern Time. For your most current balance and more account details, [sign on](#) and select your account.

To quickly and easily move money between your Wells Fargo accounts or between your Wells Fargo accounts and accounts at other institutions, [sign on](#) and go to **Transfer & Pay**.

If you have questions, Wells Fargo Customer Service is available 24 hours a day, 7 days a week at 1-800-869-3557, or contact us by [secure email](#).

wellsfargo.com | [Security Center](#)

Note about balances: Ending balance reflects transactions that have posted to your account and does not reflect pending deposits or withdrawals. The available balance is an indication of funds that are available to you today; however, it may not reflect all transactions that you may have initiated or authorized.

Available Balance - This is the amount of money you have in your account that is available for withdrawal. It reflects the latest balance based on transactions posted to your account, including deposited funds, paid checks (if your account allows check writing), withdrawals, and purchases made with your ATM, debit, or prepaid card. Note that some transaction activity (such as outstanding checks and some debit/prepaid card purchases) may take several days to post to your account and, therefore, may not be reflected in the available balance. Some deposits made in a branch or ATM may not be immediately available for withdrawal or to cover other transactions.

Please do not reply to this automated email. Sign on to send a [secure email](#).

