

THE SOUTH CAROLINA COURT OF APPEALS

UNITED STATES DISTRICT COURT

District of SOUTH CAROLINA

Troy Burks #160726
Plaintiff

v.

S-C-D-C
Defendant

APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT

CASE NUMBER: 2020-001293

I, Troy Burks declare that I am the (check appropriate box)
[X] petitioner/plaintiff/movant [] other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

- 1. Are you currently incarcerated? [X] Yes [] No (If "No," go to Part 2)
If "Yes," state the place of your incarceration PERRY CORR. INST. - 430 OAKHURST RD - SC 29669 PE/ZER
Are you employed at the institution? YES Do you receive any payment from the institution? NO
Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.
2. Are you currently employed? [X] Yes [] No
a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer. SALARY
b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.
3. In the past 12 twelve months have you received any money from any of the following sources?
a. Business, profession or other self-employment [] Yes [X] No
b. Rent payments, interest or dividends [] Yes [X] No
c. Pensions, annuities or life insurance payments [] Yes [X] No
d. Disability or workers compensation payments [] Yes [X] No
e. Gifts or inheritances [] Yes [X] No
f. Any other sources [] Yes [X] No

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have any cash or checking or savings accounts? Yes No

If "Yes," state the total amount. _____

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? Yes No

If "Yes," describe the property and state its value.

N/A

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

N/A

I declare under penalty of perjury that the above information is true and correct. YES

10-1-20

Date

Ty Brooks 160726 Troy Brooks

Signature of Applicant

NOTICE TO PRISONER: A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

RECEIVED

Q3A104

AUG 19 2020

P.C.I. MAILROOM

**FINANCIAL CERTIFICATE
FOR THE DISTRICT OF SOUTH CAROLINA**

(for use in § 1983, Bivens, and non-habeas civil actions filed by prisoners)

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I have insufficient funds in my account that prohibit me from paying the full filing fee required by 28 U.S.C. § 1914 (currently \$350.00), I will send with my complaint an initial installment payment, required by 28 U.S.C. § 1915, equal to the amount calculated and entered on line four by the authorized officer signing this form.

I recognize that by filing this case, I am required to pay the full filing fee (or the remaining unpaid portion of the filing fee by installments if necessary) under 28 U.S.C. § 1915(b) even though I am requesting to proceed *in forma pauperis*. I authorize and consent to collection of the filing fee in accordance with 28 U.S.C. § 1915 until the filing fee is paid in full.

Troy Burks
INMATE NAME (PRINTED)

160726
INMATE (PRISONER) NUMBER

[Signature]
INMATE SIGNATURE

Perry Corp Inst
PLACE OF CONFINEMENT

- ◆ (1) Average monthly deposits to the inmate's account.....\$ 0
- ◆ (2) Average monthly balance in the inmate's account calculated for the prior six months period.....\$ 0
- ◆ (3) Current Balance.....\$ 0
- ◆ (4) Initial Installment Payment (Take 20 percent of the greater of lines 1 or 2).....\$ 0

SCDC-FINANCIAL ACCTG
2020 AUG 20 PM 2:53

I hereby certify that as of this date, the above-financial information is accurate for the above named inmate.

[Signature]
Authorized Officer's Signature

8/21/2020
Date

Peggy Coathon, Fiscal Analyst I
Authorized Officer's Name and Title

CERTIFICATE OF SERVICE

I, Tracy Burk, 160726, hereby certify that this 7th day of October, 2020 I have served the following documents:
APPELLATE CASE NO 2020-001293

1. NOTICE OF APPEAL
2. APPLICATION to Proceed without PREPAYMENT OF FEES AND AFFIDAVIT
3. LEAFER SHEET
4. COPY OF the U.S. DISTRICT COURT ORDER; NOTICE dated SEPT. 3, 2020 PERMITTING indigent LITIGANT to COMMENCE AN ACTION in Federal Court without PREPAYMENT of the ADMINISTRATIVE COSTS of PROCEEDING with the legal action.

5. ALC's ORDER OF DISMISSAL

6. ALC's MOTION FOR RECONSIDERATION ARE Prohibited By 1st class mail, postage prepaid as follows:

The S.C. Court of Appeals
Jenny Abbott Kitchinas, Clerk
P. O. Box 11629
Columbia SC 29201

Administrative Law Court
Judge, D.B. Durden
1205 Pendleton Street, suite 224
Columbia, SC 29201

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OCT 13 2020

SC Court of Appeals

x Tracy Burk
MR Tracy Burk # 160726

Sworn to and subscribed before me this 7th day of October 2020

Notary Public Jamarcus Conwell

PERRY CORR. INST.
430 DAKLAWN Rd.
PELZER, SC 29669

Expires Sept. 25-2023

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SC Court of Appeals

THE S.C. COURT OF APPEALS

HONORABLE CLERK, J. A. KITCHINGS

P.O. BOX 11629

COLUMBIA SC 29201

MR TROY BURKS #160726

PERRY CORR. INST.

430 OAKLAWN RD.

PELZER SC 29669

RE: APPELLATE CASE NO. 2020-001293.

DEAR HONORABLE KITCHINGS,

THIS IS TO ACKNOWLEDGE AND THANK YOU FOR YOUR INFORMATIVE NOTICE AND CORRESPONDENCE DATED SEPTEMBER 29, 2020 WHICH REQUIRED THIS TIMELY (10) DAY DEADLINE FROM THE DATE OF YOUR LETTER.

OCTOBER 7, 2020

Respectfully
Submitted,
Troy Burks #160726
Troy Burks

Brody BURKE 160726
PERRY CORRECTIONAL INSTITUTION
430 OAKLEAF RD.
PELZER, SC 29669

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OCT 08 2020

P.C.I. MAILROOM

RECEIVED

OCT 18 2020

SC Court of Appeals

SOUTH CAROLINA COURT OF APPEALS
JENNY ABBOTT KITCHINGS, CLERK
P.O. BOX 11629
COLUMBIA, SC 29211

LEGAL MAIL