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JUN 21 2021

IN THE APPEALS COURT OF

THE STATE OF SOUTH CAROLINA

S.C. SUPREME COURT

DEMETRIUS ALEXANDER BROWN,

CASE NO.:

LOWER COURT CASE NO.: 2021-CP-43-965

v.

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JUN 22 2021

MICHAEL ALSTON

APPEALING DECISION ON MOTION

SC Court of Appeals

TO PROCEED IN FORMA PAUPERIS

NOW COMES Demetrius Alexander Brown, the above named plaintiff in the above styled case [AMICUS CURIAE] and [Pro SE] filing and submitting this Appeal, Appealing Decision on Motion to Proceed in Forma Pauperis in Lower court case no. 2021-CP-43-965 in the Court of Common Pleas in the County of Sumter in the State of South Carolina due to the following facts:

① This is the second time within three years in this County I have been denied by Judge McFaddin for indigent status when I qualify for indigent status in the same county in General Sessions Court as well as in the United States District Court in C/A NO. 4:21-1234-TMC-TER in federal Court;

② I have been incarcerated since Aug. 15, 2018 and have not been employed during this time period; my spouse has also not been employed during this time period awaiting approval for medical and mental health social security

disability;

(3) Kira L. L. Blanding - Brown (35) my wife and Demetria N. D. Brown my daughter (21) were both dependent of me before my incarceration of Aug. 15, 2018; in which I have not been able to support them since my incarceration;

(4) The only source of money I've received within the last past twelve (12) months ~~was~~ was \$25.<sup>00</sup> a month from my family to purchase hygiene products and make phone calls to them;

(5) I do not own cash or have any money in a checking or savings account;

(6) I do not have or own any real estate, stocks, bonds, notes, or other valuable property;

(7) I do not have or own any kind of motor vehicle;

(8) I do not owe or have any liens, mortgages, or other encumbrances;

(9) I owe \$15K on outstanding credit card payments and I owe the State of Georgia \$12K for restitution on an expired probation case from 2004;

(10) I have been approved to proceed in forma pauperis in the United States District Court of South Carolina in C/A NO. 4:21-1234-TME-TER in federal court;

(11) My Affidavit of Indigency and Application for Counsel on my current pending criminal charges in the Court of General Sessions in the County of Sumter in the ~~the~~ THIRD JUDICIAL CIRCUIT was granted which is the same county in which I am requesting/ seeking to proceed in forma pauperis in the Court of Common Pleas but yet denied by Judge McFadden for a second time when I meet all criteria for my indigent status to be status.

### RELIEF

I am praying that the Court of Appeals overturn Judge McFadden's decision and grant my indigent status so that I can proceed in forma pauperis in the assigned court of common pleas case NO. 1, 2021-CP-43-965 pertaining to a TORT CLAIM OF PERSONAL INJURY.

I CERTIFY THAT THE FACTS CONTAINED HEREIN ARE TRUE AND CORRECT ON THIS 16<sup>th</sup> DAY OF 2021.

JUNE 16, 2021  
SUMMER, SOUTH CAROLINA

RESPECTFULLY SUBMITTED,

Demetrius A. Brown

DEMETRIUS A. BROWN

S. L. R. D. C.

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SOUTH CAROLINA COURT OF APPEALS

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