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IN THE DISTRICT COURT OF APPEAL OF FLORIDA
SECOND DISTRICT

Lynne Shelby)
Appellant,)
)
vs.)
)
Department of Corrections)
Appellee.)

Case No. 2DO2-5127

102-3484RX

JBC-Closed

**MOTION TO PROCEED AS AN INDIGENT OR IN THE
ALTERNATIVE TO ALLOW FOR MONTHLY PAYMENTS**

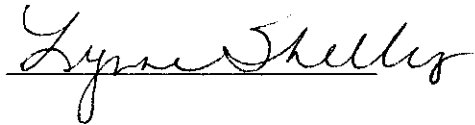
Appellant, Lynne Shelby, files this motion to proceed as an indigent in the above named action, pursuant to Rule 9.300, Florida Rules of Appellate Procedure and Rule 9.430, Florida Rules of Appellate Procedure. In support of her motion, Petitioner states the following.

1. Section 57.081, Florida Statutes, allows for a person to proceed without the filing fees, if qualified, as an indigent. Appellant is qualified.
2. The Division of Administrative Hearings issued a "certificate of indigency" for Appellant on December 3, 2002. (See attached).
3. Pursuant to Rule 9.430, Florida Rules of Appellate Procedure, an affidavit is attached herein with this motion. (See attached).
4. Appellant will comply with any requested or additional information that may be needed.

5. In the alternative, Appellant is willing to make small monthly payments not to exceed \$10.00 per month. Once the financial situation changes, Appellant is also willing to make larger payments.

Appellant has conferred with Respondent's Counsel, regarding her motion to proceed as an indigent, and it appears they will file an objection.

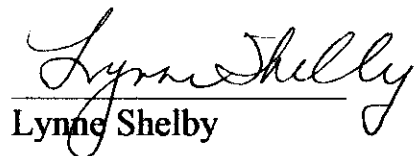
For all the reasons as stated above, Petitioner respectfully requests that this motion to proceed as an indigent be granted, or in the alternative, allow for monthly payments. Respectfully submitted this 5th day of December 2002.



Lynne Shelby/Pro Se
4420 Dartmouth Avenue North
St. Petersburg, Florida 33713
727-322-1520

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was provided by U.S. Mail to Respondent's Counsel, Susan Bodell, Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050 and to the Division of Administrative Hearings, The De Soto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060 on this 5th day of December , 2002.


Lynne Shelby

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

02 DEC -9 PM 3:26
ADMINISTRATIVE
HEARINGS

LYNNE SHELBY,)
)
Petitioner,)
)
vs.) Case No. 02-3484RX
)
DEPARTMENT OF CORRECTIONS,)
)
Respondent.)
_____)

CERTIFICATE OF INDIGENCY

On November 4, 2002, Petitioner filed Request for Indigency. Inasmuch as the Petitioner appears to be indigent, Petitioner is hereby certified as being entitled to receive the services of the courts, sheriffs, and clerks of the State with respect to these proceedings and may proceed without payment of costs, as authorized by Section 57.081, Florida Statutes.

This 3rd day of December, 2002, in Tallahassee, Leon County, Florida.

ANN COLE, Clerk of the Division
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675 SUNCOM 278-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 3rd day of December, 2002.

COPIES FURNISHED:

Lynne Shelby
4420 Dartmouth Avenue, North
St. Petersburg, Florida 33713

Edward A. Tellechea, Esquire
Department of Legal Affairs
The Capitol, Plaza Level 01
Tallahassee, Florida 32399-1050

Louis A. Vargas, General Counsel
Department of Corrections
2601 Blair Stone Road
Tallahassee, Florida 32399-6563

Affidavit of Indigency

I, Lynne Shelby, swear upon penalties of perjury, that I am unable to pay courts cost or filing fees at this time. My main income is from Social Security Disability in the amount of \$668.00 per month. I have received assistance with the Pell Grant and other student assistance grants, totaling \$3,416.00, as I am taking some college courses "online". This pays for tuition, books, and other educational expenses. The mailing costs and copy costs are even difficult for me to make, but I believe strongly that this case should be heard, as it deals with "public trust" issues and because I have suffered great detrimental harm.

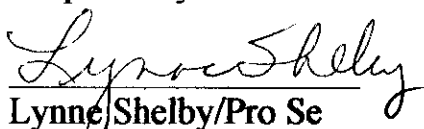
I have recently returned to work part time. Attached is a statement of my yearly earnings. Most of this work was done in January and February of 2002.

I have no assets, except a 1996 Nissan Maxima, which is paid in full, and I have a 1999 Honda Civic in my name, which is my daughter's car, and monthly payments are still being paid at \$295.00 per month. It is with my belief and understanding that I am entitled to a redress, even though I do not have the money.

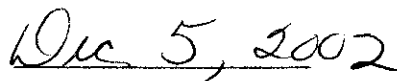
I am currently living with my daughter, and I share living expenses with her. I also certify that no person has been paid or promised any payment of any remuneration for services, in connection with the action or proceeding.

Under penalty of perjury, I swear or affirm that all statements in this affidavit are true and complete.

Respectfully submitted this 5th day of December , 2002.



Lynne Shelby/Pro Se
4420 Dartmouth Avenue North
St. Petersburg, Florida 33713
727-322-1520



RETAIL SERVICES GROUP CORP

ATTN: Department 321
Box 419856
Kansas City, MO 64141

STATEMENT OF EARNINGS AND DEDUCTIONS
RETAIN FOR YOUR RECORDS

EMPLOYEE NAME	
BARBARA L. SHELBY	
EMPLOYEE NUMBER	CHECK DATE
411-92-1898-3	11-08-02
ANNUALIZED	DEPARTMENT
14,872.00	51365
HOURLY	PAYROLL CODE
7.15	35



BARBARA L. SHELBY
4420 DARTMOUTH AVE N
SAINT PETERSBURG FL 33713-7332

2509

DESCRIPTION	HOURS	CURRENT	YEAR TO DATE	DESCRIPTION	CURRENT	YEAR TO DATE
TRAVEL HOURS	0			TOTAL TAXABLE PAY	44.34	515.58
PT MDSERS-REG	3.0	10/24/2002	1880560	FICA/OASDI	2.75	31.97
PT MDSERS-REG	1.7	10/28/2002	1632990	MEDICARE	.65	7.48
PT MDSERS-REG	1.5	10/31/2002	1632990	TOTAL TAXES	3.40	39.45
TOTAL GROSS PAY	6.2	44.34	515.58			
INFORMATION ITEMS						
					NET PAY	
					\$40.94	

PLEASE DETACH AND RETAIN FOR YOUR RECORDS BEFORE CASHING OR DEPOSITING CHECK.

C00151

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