

# APPENDIX - A

251619

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April 15, 2024

Eric D. Johnson

v.

Appellate Cause No.: 2024-TS-00249

State of Mississippi

*Appealed From: Greene County Circuit Court No.: 21CI1:23-cv-00091-CT*

## **DISMISSAL NOTICE**

Pursuant to M.R.A.P. 2(a)(2), this appeal is dismissed for failure to pay costs.

DSS Whitmire

**CLERK**

jgm  
cc: Trial Court Clerk  
Trial Court Judge  
Counsel of Record/Parties/Pro Se

APPENDIX - B

Serial: 251789

## IN THE SUPREME COURT OF MISSISSIPPI

No. 2024-TS-00249

**ERIC D. JOHNSON A/K/A ERIC JOHNSON***Appellant***v.****STATE OF MISSISSIPPI***Appellee***ORDER**

This matter is before the undersigned Justice on the Motion to Proceed *In Forma Pauperis* filed by Appellant Eric Johnson, *pro se*.

On February 2, 2024, Johnson's Petition for Judicial Review of an Administrative Remedy Program decision was dismissed as untimely by the Circuit Court of Greene County. On February 27, 2024, Johnson filed a *pro se* Notice of Appeal as to that ruling along with a Motion to Proceed *In Forma Pauperis*. That same day, the circuit court entered an Order Denying Leave to Appeal *In Forma Pauperis* based upon its determination that “[n]o right to proceed under *in forma pauperis* status on a civil matter exists except on the [t]rial [c]ourt level.” On April 15, 2024, the Clerk of this Court issued a Dismissal Notice as to this appeal “for failure to pay costs.”

After due consideration, the undersigned Justice finds that Johnson's present motion is not well-taken and should be denied. *See, e.g., Davis v. Office Max*, 131 So. 3d 588, 591 (Miss. Ct. App. 2013); *Higginbotham v. State*, 114 So. 3d 9, 17 n.8 (Miss. Ct. App. 2012) (citing *J.C.N.F. v. Stone County Dep't of Human Servs.*, 996 So. 2d 762, 770 (Miss. 2008)) (“The right to counsel exists in limited civil cases, such as certain cases involving termination of parental rights where criminal allegations of abuse arise”); *Blake v. Estate of Clein ex rel. Clein*, 37 So. 3d 622, 629 (Miss. 2010) (general principle “that a civil litigant may proceed IFP at the trial level, but not on appeal”); *Johnson v. State*, 623 So. 2d 265, 267 (Miss. 1993) (a prisoner appealing the denial of post-conviction collateral

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relief has the right to appeal *in forma pauperis*).

IT IS, THEREFORE, ORDERED that the Motion to Proceed *In Forma Pauperis* filed by Appellant Eric Johnson, *pro se*, is hereby denied.

SO ORDERED.

**DIGITAL SIGNATURE**

Order#: 251789

Sig Serial: 100008607

Org: SC

Date: 04/24/2024

  
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Robert P. Chamberlin, Justice