

Kevin E. Herrick
#313862
McCormick Correctional Institution
386 Redemption Way
McCormick, SC 29849

August 19, 2024

RECEIVED

AUG 26 2024

SC Court of Appeals

Catherine S. Harrison, Chief Deputy Clerk
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: The State of South Carolina v. Kevin E. Herrick
Appellate Case No. 2019-000969

Dear Clerk Harrison:

I am writing this office for the sole purpose of requesting to receive: (1) A copy of the record on appeal and brief(s) filed by the Appellant Kevin E. Herrick; and (2) Appellant's petition for rehearing filed in the Court of Appeals.

The pro se indigent Petitioner seeks a writ of certiorari with the South Carolina Supreme Court and request for the above aforementioned documents to be returned. The Petitioner seeks his papers with attachments and exhibits to present the material to the SC Supreme Court to establish the record presenting his appendix in support of Writ of Certiorari. Thank-you for your cooperation and service.

Yours Truly,
K E Russell
Kevin E. Herrfodt
Pro Se Litigant

P.S.

This Court handed down its decision on August 12, 2024, and I have (30) days from this date to submit my Writ of Certiorari. Would you please expedite this request in a timely fashion. Thank you again for your service.

STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Lee County
Honorable Ralph Ferrell Cochran, Jr., Circuit Judge
In The Court of General Sessions

RECEIVED

Appellate Case No. 2019-000969

AUG 26 2024

SC Court of Appeals

The State,

Respondent

v.

Kevin E. Herrhoff,

Appellant

PROOF OF SERVICE

I, Kevin E. Herrhoff did this August 20, 2024, serve "Request for Papers", by placing a copy of it in the internal mailing system at McCormick Correctional Institution addressed to Chief Deputy Clerk Catherine S. Harrison at S.C. Court of Appeals, Clerk's Office, 1220 Senate Street, Columbia, SC 29201.

Kevin E. Herrhoff
Kevin E. Herrhoff
SIC # 313962
McCormick Corr Inst
336 Redemption Way
McCormick, SC 29389
Prose Appellant

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

RECEIVED

Kevin E. Herrick

(Your Name)

— PETITIONER

AUG 26 2024

SC Court of Appeals

VS.

The State of South Carolina

— RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

S.C. Court of appeals and S.C. Supreme Court

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____

_____, or

a copy of the order of appointment is appended.

Kevin E. Herrick

(Signature)

RECEIVED
JUL 31 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Kevin E. Herrsolt, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
\$0 N/A	\$0 N/A	\$0 N/A	\$0
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
N/A	N/A	N/A	\$0
			\$
			\$

4. How much cash do you and your spouse have? \$ N/A
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
not applicable	\$0	\$0
	\$	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home
 Value N/A

Other real estate
 Value 1/6 Acre

Motor Vehicle #1
 Year, make & model Dodge Ram 1500
 Value _____

Motor Vehicle #2
 Year, make & model N/A
 Value _____

Other assets
 Description N/A
 Value _____

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
<u>Not Applicable</u>	<u>N/A</u>	<u>N/A</u>
_____	_____	_____
_____	_____	_____

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home) Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ <u>0</u>	\$ <u>N/A</u>
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>N/A</u>
Food	\$ <u>0</u>	\$ <u>N/A</u>
Clothing	\$ <u>0</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Other: <u>Not Applicable</u>	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Not Applicable</u>	\$ <u>0</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>0</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: <u>Not Applicable</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): <u>Not Applicable</u>	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>0</u>	\$ <u>N/A</u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you paid - or will you be paying - an attorney any money for services in connection with this case, including the completion of this form? Yes No

If yes, how much? Not Applicable

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much? Not Applicable

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I have no institutional job that pay inmates in South Carolina State Prisons.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 27, 2021



(Signature)

Kevin E. Herrfott, #313862
FSA121
McCormick Correctional Institutions
386 Redemption Way
McCormick, SC 29899

ATLANTA GA RPDC
22 AUG 2024 PM 9



US POSTAGE PAID PITNEY BOWES

ZIP 29899 \$ 000.97⁰
02 4W
0000378390 AUG 22, 2024

Catherine S. Harrison, Chief Deputy Clerk
South Carolina Court of Appeals
Office of The Clerk
1220 Senate Street
Columbia, SC 29201

RECEIVED RECEIVED

AUG 26 2024

AUG 29 2024

SC Court of Appeals

MOBI

MAIL ROOM

29201-378950

