

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas  
R. Markley Dennis, Jr., Circuit Court Judge

Case no. 2012-CP-03-00016

Richard Kitt, Appellant,

vs.

Solicitor of Ninth Judicial Circuit  
Berkeley County, S.C. and the the  
State of South Carolina, Respondents.

NOTICE AND MOTION TO PROCEED IN  
FORMA PAUPERIS AND FOR PRO SE  
PRISONER STATUS

PLEASE TAKE NOTICE the undersigned moves on August 29, 2013 before this Court for an Order granting him in forma pauperis in this appeal on the grounds: Martin v. State, 471 S.E.2d 134, 135 (1995) (The Court stressed, "Further, where certain fundamental rights are involved, the Constitution requires that an indigent be allowed access to the courts.") Appellant was granted leave to proceed in the Court of Common Pleas for Berkeley County to proceed in forma pauperis in the declaratory judgment action. Foster v. foster, 83 S.E.2d 752 (1954) and Graham v. State farm ..., 459 S.E.2d 944 (1995).

PRO SE PRISONER STATUS

Appellant respectfully requests that this Court grants him pro se prisoner status which would relax South Carolina Appellate Court Rules (SCACR) 210 and 211 as they pertain to cover stock paper, brief(s) and record(s) on appeal; also number(s) of copies of them. South Carolina Department of


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SC Court of Appeals

Corrections [SCDC] has policy(ies) which seems cover stack paper contraband and prohibits material(s) for binding brief(s) and etc. He points to Johnson v. State, 364 S.E.2d 201 (1988)[citing Anders] at Ibid. for South Carolina Supreme Court authority for instance that he should be allowed to proceed in this Court.

This 29 day of August 2013.

  
Richard Kitt, 228049  
RCI, CB-29, POB 2029  
Ridgeland, S.C. 29936

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he has caused true and correct copies of

the 'Notice and Motion to Proceed in Forma Pauperis etc.' and attachment(s) to be mailed, postage prepaid, to respondent's attorney, Alan L. Whitsett, POB 11549, Columbia, S.C. 29211 this 8 day of September 2013

  
/s/

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