

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-08-000016

Appellate Case No. 2013-001877

Richard Kitt, ... Appellant,

vs.

Solicitor of Ninth judicial Circuit;

Berkeley County, S.C.; and 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 September 18, 2013 before this Court for and Order granting him in forma pauperis in this appeal on the ground(s): 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 844 (1995).

PRISONER PRO SE 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 Corrections [SCDC] has policy(ies) which deems cover stock paper contraband and prohibits material(s) for binding

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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 18 day of September 2013.

Richard Kitt, 228049
RCI, CB-2b, POB 2039
Ridgeland, S.C. 29936

Richard Kitt

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has caused true and correct copies of 'Notice and Motion to Proceed in Forma Pauperis' to be

mailed, postage prepaid, to respondent's attorney, Alan L. Whitsett, POB 11549, Columbia, S.C. 29211, this 18 day of September 2013.

/s/ *Richard Kitt*

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This 18 day of September 2013.

Richard Kitt, 228049
RCI, CB-26, POB 2039
Ridgeland, S.C. 29935,

Richard Kitt

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has caused true and correct copies of 'Notice and Motion to Proceed in Forma

to be

mailed, postage prepaid, to respondent's attorney, Aden L. Whitsett, POB 11549, Columbia, S.C. 29211, his 18 day of September 2013.

/s/ Richard Kitt

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
REQUEST TO STAFF MEMBER**

RIDGELAND CORRECTIONAL
INSTITUTION

JUL 12 2013

TO: NAME: Mrs. Robinson	TITLE: R.C.I. Mailroom sup	DATE: 7-10-13	MAILROOM
INMATE'S NAME: Richard KITT		SCDC #: 228049	
INSTITUTION: R.C.I.		LIVING QUARTERS: CB26	

Dear: Mrs. Robinson
 Greetings IN JESUS NAME! Could
 you please look in your Records and verify
 that I never received any LEGAL Mail
 From Mary P. Brown Clerk of Court for Berkeley
 County From July 23, 2012 through August 23, 2012.
 Thank you
 very much And
 GOD BLESS YOU
 Richard Kitt

DISPOSITION BY STAFF MEMBER:

You have not received legal mail from Mary P. Brown,
 Clerk of Court ^{from} July 23, 2012 — August 23, 2012.

DATE: 7/12/13	SIGNATURE: V. Robinson
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