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**May 14 2026**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

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**APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas  
Hon. Grace Gilcrest-Knie, Circuit Court Judge**

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**Lower Court Case No.: 2025-CP-42-03614  
Appellate Court Case No.: 2026-001039**

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John Garvin. . . . . Appellant,

v.

The State of South Carolina and Asst. Solicitor, James E. Hunter. . . . . Respondents.

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***MOTION TO PROCEED IN FORMA PAUPERIS  
AND REQUEST FOR WAIVER OF FILING FEE***

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**NOW COMES**, Appellant, John Garvin, proceeding as pro-se, and respectfully moves this Court for an order permitting him to proceed in forma pauperis and waiving the \$250.00 filing fee.

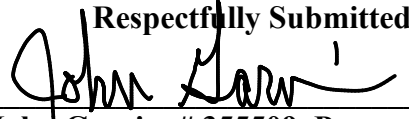
In support of this motion, Appellant states:

1. Appellant is incarcerated at Ridgeland Correctional Institution, a facility of the South Carolina Department of Corrections.
2. Appellant has no income, no savings, no assets, and no source of funds to pay the \$250.00 filing fee.
3. Appellant prosecutes this appeal in good faith and the appeal presents non-frivolous legal issues, including whether a void judgment can be attacked at any time under *Coon v. Coon*, 364 S.C. 563, 614 S.E.2d 616 (2005).

**WHEREFORE**, Appellant respectfully requests that this Court grant his motion to proceed *in forma pauperis* and waive the \$250.00 filing fee.

**Dated: May 14, 2026**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John Garvin", written over a horizontal line.

**John Garvin, # 355509, Pro-se  
Ridgeland Correctional Institution  
P.O. Box # 2039  
Ridgeland, S.C. 29936**

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APPEAL FROM SPARTANBURG COUNTY  
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John Garvin. . . . . Appellant,

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The State of South Carolina and Asst. Solicitor, James E. Hunter. . . . . Respondents.

*Certificate of Service*

I, John Garvin, certify that I have serve a **MOTION TO PROCEED IN FORMA PAUPERIS and an AMENDED NOTICE OF APPEAL** on the Court to be delivered, by via e-mail on May 14, 2026, addressed to the Hon. Jenny A. Kitching, Clerk of S.C. Court of Appeals, at e-mail: ctappfilings@sccourts.org and also delivering to Respondents a filed date-stamped copy by depositing in the United States Mailbox to be delivered via United States First Class Postage Priority Mail on or about May 15, 2026, addressed to Mr. J. Nathan Ozmint, Esq., at 325 Rocky Slope Road, Suite # 201, Greenville, S.C. 29607.

Dated: May 14, 2026

Respectfully Submitted,

  
\_\_\_\_\_  
John Garvin, # 355509, Pro-se  
Ridgeland Correctional Institution  
P.O. Box # 2039  
Ridgeland, S.C., 29936

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SC Court of Appeals

John Garvin  
Ridgeland Correctional Institution  
P.O. Box # 2039  
Ridgeland, S.C. 29936

Attn: Hon. Jenny A. Kitching, Clerk  
South Carolina Court of Appeals  
P.O. Box # 11629  
Columbia, S.C., 29211

**RE: *John Garvin v. State of South Carolina and Asst. Solicitor James E. Hunter,***  
**Appellate Case No.: 2026-001039**

Dear Hon. Clerk Kitching:

Enclosed for filing please find the following on behalf of Appellant, John Garvin, proceeding as pro-se:

1. **Motion to Proceed *In Forma Pauperis***
2. **An Amended Notice of Appeal**
3. **A Copy of the Order Granting Defendant's Motion to Dismiss** (entered November 7, 2025)
4. **A Copy of the Order Denying Plaintiff's Rule – 59(e) Motion** (entered April 7, 2026)


**Regarding the Filing Fee:** Appellant files a Motion to Proceed *In Forma Pauperis* and respectfully requests that the Court waive the \$250.00 filing fee based on his indigence as an incarcerated person with no income. If the Court requires further documentation, please advise.

**Correction of Deficiencies:** This Amended Notice of Appeal:

- Is accompanied by the orders challenged on appeal (attached);
- Does not contain argument regarding the matters on appeal;
- Follows the format shown by Form 1 in Appendix C to Part II of the SCACR; and
- Identifies all parties in the caption without using "et al."

Thank you for your assistance.

**Dated: May 14, 2026**

Respectfully,  
  
John Garvin, # 355509, Pro-se

**Enclosures**  
cc: J. Nathan Ozmint