

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE COURT OF COMMON PLEAS
Honorable DeAndrea G. Benjamin, Circuit Court Judge

Case No. 2013-CP-40-07760

Marshall Ray Miller, #249557 Appellant


v.

Kim Varner, Esquire, South Carolina Office of Appellate
Defense, State of South Carolina, and State Grand Jury
of South Carolina Respondents

NOTICE OF APPEAL

Marshall Ray Miller appeals the Order in his case, attached. This appeal is taken from the order of the Honorable DeAndrea G. Benjamin, dated May 22, 2014, filed May 23, 2014, with a clock-stamp date for entry of judgment on May 27, 2014. Appellant received written notice of entry of this order on June 6, 2014.

June 23, 2014


MARSHALL RAY MILLER
#249557
Lieber Correctional Institution
Post Office Box 205
Ridgeville, South Carolina 29472

APPELLANT, *pro se*

Other counsel of record:

Kristin M. Simons, Esquire
Assistant S.C. Attorney General
Post Office Box 11549
Columbia, S.C. 29201-1549

Robert Dudek
S.C. Office of Appellate Defense
P.O. Box 11589
Columbia, SC 29201-1589

Kim Varner, Esquire
304 Pettigru Street
Greenville, S.C. 29601

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JUN 30 2014

SC Court of Appeals

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Honorable DeAndrea G. Benjamin, Circuit Court Judge

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PROOF OF SERVICE

The undersigned hereby certifies that pursuant to Rule 203, SCACR, he has served a true and correct copy of the Notice of Appeal on counsel for Respondent(s), by placing a copy in the U.S. Mail, first-class postage affixed thereto, this 24 day of June, 2014, addressed as follows:

Kristin M. Simons, Esquire
Assistant S.C. Attorney General
Post Office Box 11549
Columbia, S.C. 29201-1549

Kim Varner, Esquire
304 Pettigru Street
Greenville, S.C. 29601

Robert Dudek
S.C. Office of Appellate Defense
P.O. Box 11589
Columbia, SC 29201-1589

The Honorable Jeanette McBride
Clerk of Court, Richland County
P.O. Box 2766
Columbia, SC 29201-2766

Marshall Ray Miller
MARSHALL RAY MILLER
#249557

Lieber Correctional Institution
Post Office Box 205
Ridgeville, South Carolina 29472

APPELLANT, *pro se*

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SC Court of Appeals

Marshall Ray Miller
#249557
Lieber Correctional Institution SB-56
P.O. Box 205
Ridgeville, SC 29472

June 23, 2014

The Honorable Jenny Abbott Kitchens
Clerk
Court of Appeals of South Carolina
Post Office Box 11629
Columbia, South Carolina 29211

Re: *Marshall Ray Miller v. Kim Varner, Esquire, South Carolina Office of Appellate Defense, State of South Carolina, State Grand Jury of South Carolina*
C/A No. 2013-CP-40-7760

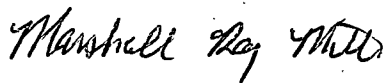
Dear Ms. Kitchens:

Please find enclosed for filing the Notice of Appeal from a denial of a declaratory judgment action and proof of service on all parties of record. As I am indigent and unable to pay the filing fee required by Rule 203(d)(2)(B)(iii), SCACR, please find enclosed, pursuant to Rule 240, SCACR, the original and six (6) copies of Appellant's Motion to Proceed *In Forma Pauperis* in lieu of paying to filing fee for Notice of Appeals.

If these pleadings do not conform to the Rules, please advise me so I may correct any deficiency. Your assistance in this matter is sincerely appreciated.

With kindest regards, I am,

Sincerely,



Marshall Ray Miller
APPELLANT, *pro se*

Cc: The Honorable Jeanette McBride (without IFP motion)
Kristin M. Simons, Esquire
Kim Varner, Esquire
Robert M. Dudek, Esquire

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JUN 30 2014

SC Court of Appeals

Small Ray Miller
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Lieber Corr. Inst. SB-56
P.O. Box 205
Ridgeville, SC 29472

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SC Court of Appeals

The Honorable Jenny Abbott-Kitchens
Clerk
Court of Appeals of South Carolina
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Columbia, SC 29221

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