

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

City of Charleston Special
Events Committee, Respondent,

-versus-

King Grant-Davis, Appellant.

MOTION TO PROCEED IN
FORMA PAUPERIS

Rule 240(a), SCACR

King Grant-Davis
95 Nassau Street
Charleston, S.C. 29403
(843) 722-9965

Appellant, Pro Se

Frances I. Cantwell, Esquire
Assistant Corporation Counsel,
City of Charleston
50 Broad Street
Charleston, S.C. 29401
(843) 724-3730

Attorney for Respondent

RECEIVED

MAY 18 2015

SC Court of Appeals

Appellant, King Grant-Davis, hereby moves this Court for an order granting him permission to proceed on appeal in forma pauperis, including for the following relief to appellant:

(1) waiving any payment by appellant to the court reporter, Court of Common Pleas, for preparation and furnishing of a **transcript of the proceeding** in that court;

(2) not requiring appellant to file an **initial brief**, but for appellant to file one inclusive brief after the Clerk of Court, Court of Common Pleas produces and provides copies of the **record on appeal**;

(3) not taxing **costs on appeal** against the appellant;

(4) allowing the appellant to file a significantly

reduced number of **final briefs** (i.e. less than Rule 211 15 copies); and

(5) waving the any appellate court **filing fee** under Rule 203(1)(B)(iii).

A F F I D A V I T

ss:

I, King Grant-Davis, being duly sworn upon my oath, depose and say that:

1. I am the named **appellant** herein.
2. I am unemployed.
3. I am a partially disabled person.
4. Because of my poverty I am unable to pay **court fees, costs on appeal, costs for necessary transcript of the proceeding** or the **record on appeal** from the Court of Common Pleas. Nor am I financially able to produce and file the high number (15) of the **final brief** to this Court.
5. My only source of monetary income \$733.00 monthly **Supplemental Security Income** deposited to South Carolina Federal Credit Union from the United States Social Security Administration.
6. I am a single homemaker.
7. I pay rent, electricity, water, telephone, and other necessities costs at market rates with the monthly **S.S.I.**
8. I do not own any valuable property.
9. I am not aware of any other person who is willing

to contribute financial security, representation,
or work toward the taking of this appeal.

10. In the proceedings in the lower court, I was granted
permission to proceed in forma pauperis by court
order. Please see a copy of the lower court in forma
pauperis order labeled EXHIBIT #1 herewith.

11. I believe that my appeal is meritorious.

12. Without the relief requested or substantially similar
relief, I will not be able to exercise my right or
opportunity to pursue this appeal.

WHEREFORE, appellant asks that this Court grant the re-
lief requested herein and any other or further relief to
appellant as to the Court seems just and proper.

VERY TRULY,

King Grant-Davis

King Grant-Davis
Appellant, Pro se
95 Nassau Street
Charleston, S.C. 29403
(843) 722-9965

Dated: May 13, 2015

To: Frances I. Cantwell, Esquire
Assistant Corporation Council
City of Charleston Legal Department
50 Broad Street
Charleston, S.C. 29401
(843) 724-3730

Sworn to before me this 13th
day of May, 2015

[Signature]
NOTARY PUBLIC

*My commission expires
1 October 2019*

LINDA W. STEWART
NOTARY PUBLIC
SOUTH CAROLINA

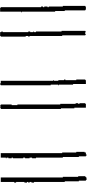
JULIE J. ARMSTRONG

CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 106
CHARLESTON, SC 29401-2258

RETURN SERVICE REQUESTED



clerkofcourt.charlestoncounty.org



6



KING GRANT DAVIS
95 NASSAU ST
CHARLESTON SC 29403-4822

EXHIBIT # 1

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC

Order/Order Dismissing Appeal

CASE NO: 2014CP1007740

King Grant Davis VS Charleston Special Events Committee City of

This judgment was entered on the 27th day of April, 2015, and notice mailed first class on Friday, May 01, 2015, to all counsel of record and/or all parties entitled to receive notice.

You may view and download this document at <http://clerkofcourt.charlestoncounty.org> or obtain a copy in person at the Clerk of Court's Office during regular Charleston County business hours.

May 15, 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P. O. Box 11629
Columbia, S. C. 29211

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MAY 18 2015

SC Court of Appeals

RE: King Grant-Davis v. City of Charleston
Special Events Committee Case No. 2014-CP-10-7740
Special Events Committee, Respondent, v. King
Grant-Davis, Appellant. (from Court of Common Pleas)

DEAR MS. KITCHINGS:

As you probably have recorded by now, on May 13, 2015 I mailed to you a copy of my **Notice of Appeal, Motion to Proceed In Forma Pauperis** (on appeal), Lower Court's **Judgment** on the appeal there, and lower court's **order/judgment granting permission for me to proceed in forma pauperis** in that court, as well as an affidavit of service of the Notice of Appeal upon counsel for the respondent by Charleston County Sheriff's Office Civil Process Service.

I am waiting for the Sheriff's Office to complete the service process. Enclosed please find another copy of the **affidavit of service** showing that the City of Charleston Legal Department on May 14, 2015 signed acknowledging personal service of the **notice of appeal** upon them by me (the appellant). Also enclosed please find another copy of the **order/judgment** of the Court of Common Pleas granting me permission to proceed **in forma pauperis** in that court.

Enclosures (2)

VERY TRULY, Appellant Pro se
King Grant-Davis
King Grant-Davis
95 Nassau Street
Charleston, S. C. 29403
(843) 722-9965

JULIE J. ARMSTRONG
CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 106
CHARLESTON, SC 29401-2258
RETURN SERVICE REQUESTED



www3.charlestoncounty.org

Exhibit #1
C/O P 2)



KING GRANT DAVIS
95 NASSAU ST
CHARLESTON SC 29403-4822

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MAY 18 2015
SC Court of Appeals

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC

Order Granting Motion For Order to Proceed In Forma Pauperis

CASE NO: 2014CP1007740

King Grant Davis VS Charleston Special Events Committee City of

This judgment was entered on the 16th day of January, 2015, and a copy mailed first class on Thursday, January 29, 2015, to all counsel of record and/or all parties entitled to receive notice.

You may view and download this document at www3.charlestoncounty.org.

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

King Grant-Davis)
Plaintiff,)

vs.)

City of Charleston)
Defendant.)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

CASE NO.: 2014-CP-10-7740

FILED
2015 JAN 16 PM 3:11
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____
Exhibit 1
(2 of 2)

**ORDER REGARDING PLAINTIFF'S
MOTION FOR AN ORDER TO
PROCEED *IN FORMA PAUPERIS***

THIS MATTER CAME before the Court on the *Pro Se* Plaintiff's Motion for an Order to Proceed *In Forma Pauperis* in order to have the required filing fee waived because of indigence.

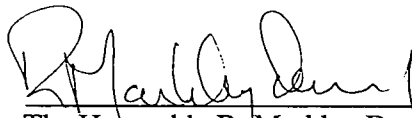
The request is GRANTED. Plaintiff may proceed *in forma pauperis* without payment of the filing fee and/or the service cost (check one or both).

The request is DENIED because the Plaintiff has not shown proof of indigence.


The request is DENIED because the Plaintiff's complaint is against a political subdivision or agency of the State of South Carolina and alleges a cause of action that occurred in a county other than Berkeley County/Charleston County (circle one). The South Carolina Tort Claims Act, S.C. Code § 15-78-100(b) provides that jurisdiction is in the county in which the act or omission occurred. Therefore, the Clerk of Court is directed to return the pleadings to the Plaintiff, and the Plaintiff may re-file in the proper county.

The request is DENIED pursuant to the reasons outlined in the attached order.

AND IT IS SO ORDERED.


The Honorable R. Markley Dennis, Jr.
Chief Administrative Judge, Ninth Judicial Circuit

January 15, 2015
Charleston, South Carolina

ATTEST A TRUE COPY
JULIE J. ARMSTRONG (SEAL)
CLERK OF C.S. & F.C.
BY 
DEPUTY CLERK

City of Charleston Legal Department
Rachel Legal Assistant

01.29.2015 3:32 p.m.

STATE OF SOUTH CAROLINA,)

COUNTY OF CHARLESTON)

King Grant Davis)

Plaintiff(s))

vs.)

City of Charleston Special Events Committee)

Defendant(s).)

IN THE COURT OF COMMON PLEAS, and SOUTH CAROLINA COURT OF APPEALS

NINTH JUDICIAL CIRCUIT

AFFIDAVIT OF SERVICE

FILE NO: 2014-CP-10-7740 (Court of Common Pleas)

PERSONALLY APPEARED BEFORE ME, the undersigned deponent, who being duly sworn says that (s)he served the Notice of Appeal, and Motion to Proceed In Forma Pauperis in this action

Frances I. Cantwell, Esquire, Assistant Corporation Counsel, by delivery to on Attorney for the Respondent (Describe document(s) served)

at City of Charleston Legal Department 50 Broad Street, Charleston, S.C. 29401 personally; (Name of party served)

[X] Theda McIntosh the Secretary of the party served, 5/14/15 (Name of person served) (Note relationship to party)

[] _____ the _____ of _____ (Name of person served) (Title) (Name of corporate party served)

and leaving with [](him) [](her) a copy at _____ (Street address)

in _____ County, South Carolina, _____ County (City or Town)

on May 13, 2015 at _____ o'clock, and by Charleston County Sheriff's Office Civil Process Service.

Unable to locate and serve the above process on the defendant after diligent efforts to do so.

The process is returned unexecuted.

Sworn to and Subscribed before me this 13 day of May, 2015

[Signature] Notary Public for South Carolina

My Commission expires 1 October 2019

RECEIVED

MAY 18 2015

SC Court of Appeals

[Signature] King Grant - Davis Signature of Deponent

LINDA W. STEWART NOTARY PUBLIC SOUTH CAROLINA

FILED 2015 MAY 14 PM 4:50 JULIE J. ARMSTRONG CLERK OF COURT BY _____

Entered in the Sheriff's Book on _____

Book _____ Page _____ Number _____