

December 07, 2015

The Supreme Court of South CAROLINA
DANIEL E. SHEAROUSE, clerk of COURT
P.O. Box 11330
COLUMBIA, S.C. 29211

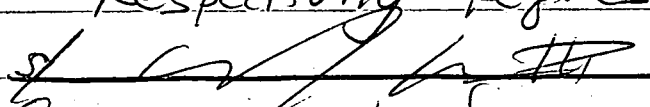
Re: Petitioner's motion for leave to proceed
pro se; George Cleveland, III v. STATE of
South CAROLINA; Appellate case no. 2015-002251

1. DEAR MR. SHEAROUSE,
Attached to this letter is my motion
for leave to proceed pro se in this case,
supporting Appendix, and proof of service.
2. CAN YOU FILE, FORWARD THE FILINGS TO
THE MOTIONS JUSTICE, AND KINDLY STAMP
THE EXTRA COPIES IN THE SELF-ADDRESSED
STAMPED-ENVELOPE, AND MAIL BACK TO
ME PLEASE.

RECEIVED

DEC 10 2015

S.C. Supreme Court

Respectfully requested,

George Cleveland, III #352220

TURBEVILLE CORRECTIONAL INST.
P.O. Box 252
TURBEVILLE, S.C. 29162

PETITIONER'S MOTION FOR LEAVE
TO PROCEED PROSE

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY
COURT OF COMMON PLEAS

DANIEL D. HALL, CIRCUIT COURT JUDGE

LOWER COURT CASE NO. 2014-CP-23-1895

APPELLATE COURT CASE 2015-002251

George Cleveland, III, #357770, PETITIONER,

v.
STATE OF SOUTH CAROLINA, RESPONDENT.

PETITIONER'S MOTION FOR LEAVE

George Cleveland, III, #357770,
Turbeville Correctional Inst.
P.O. Box 252
Turbeville, S.C. 29162
* pro se petitioner

OFFICE OF THE ATTORNEY GEN.
KAREN C. RATIGAN, ESQUIRE
P.O. Box 11549
Columbia, S.C. 29211-1549
TELEPHONE: 803-253-6283
ATTORNEY FOR RESPONDENT

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S.C. Supreme Court

1.
MOTION TO PROCEED PROSE

George Cleveland, III, the Petitioner in this P.C.R. Appeal respectfully moves this court to GRANT my motion to proceed prose in this case.

2.
BRIEF RELEVANT BACKGROUND:

On November 05, 2015, this court ordered me to complete and submit the Affidavit of Indigency and mail to the Appellate Defense.

On November 13, 2015, this court filed my Affidavit of Compliance with the order. After I submitted an additional missing document to the Appellate Defense. On December 03, 2015, the Appellate Defense determined by letter dated December 02, 2015 that I'm "eligible for representation by th[is] office." R.P.L. Copy of letter.

3.
ARGUMENT:

This court cautioned me against self-representation

1.

be. I'm "not trained in the law and having a lawyer who is trained in the law and familiar with the rules and procedures of this court."

I submit, I'm familiar with the relevant Appellate Rules of this court as I study the rules multiple times a week. R.P. 2 Affidavit at PAR. 2, and procedures of this court.

I have multiple cases in the South Carolina Court of Appeals:

George Cleveland, III, #357770 v. S.C.D.C. Appellate Case No. 2015-000183 (giving the S.C.D.C. has miscalculated my good behavior credits, and the A.L.C. had jurisdiction to hear and rule on my case). I timely filed my notice of appeal, filed the designation of matters to be included in the record on appeal, Rule 209 S.C.A.C.R., several motions are still pending, and final briefs have been filed. Rule 211 S.C.A.C.R.

Likewise, George Cleveland, III v. Greenville County Sheriff's office; Appellate case no. 2015-000697 (TORT CLAIMS) is being Appealed by me because of my knowledge about the proper way I'm Required to serve the Defendant. IBID. My case was dismissed despite my timely petition for Rehearing was filed. After petitioning for a writ of certiorari with this court; Appellate case no. 2015-002129, this court dismissed my petition on October 19, 2015, and on the same day, the court of Appeals issued an order recalling the Remittitur.

Furthermore, All legal filings in this court relevant to this Appeal were done by me, Appellate Defense has not filed an INITIAL BRIEF, MATTERS to be included in the Record on Appeal as in the case of STATE v. Roberts 364 S.C. 583, 614 S.E. 2d 626, S.C.

2005, id., at 627, My P.C.R. Appeal is in regards to poss. of stolen vehicle and a six (6) year prison sentence, R.p. 3, (sentence sheet), The Roberts case, id., was a "Death Penalty" appeal on an direct appeal, and Roberts did not "request to proceed prose . . . in a timely fashion." My request, i.e. this motion, is made ~~at~~ the initial stage before any filings were conducted by the Appellate Defense.

The Appellate Defense will simply me a disservice to my case with the exception of transcript ordering, and other documentation as I'm well aware of my case, the Appellate court rules, relevant case-law; consequently I'm respectfully requesting this court GRANT my motion to proceed prose in this case,

4.
CONCLUSION:

I PRAY for the following relief:
WHEREFORE; GRANT my motion to proceed
PROSE in this P.C.R. Appeal, with the Appellate
Defense Remaining Associated with my case
to obtain the transcripts from my P.C.R.
proceeding, and providing copies of documents.

Any other relief this court deems just, proper
and/or equitable.

Respectfully submitted

~~S/ [Signature]~~
George Cleveland, #357770
TURBEVILLE CORRECTIONAL INST.
P.O. Box 252
TURBEVILLE, S.C. 29162

Dated: December 07, 2015

PETITIONER'S APPENDIX

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY
COURT OF COMMON PLEAS

DANIEL D. HALL, CIRCUIT COURT JUDGE

LOWER COURT CASE NO. 2014-CP-23-1895

APPELLATE COURT CASE NO. 2015-002251

George Cleveland, III #357779 PETITIONER
v.

STATE OF SOUTH CAROLINA RESPONDENT.

PETITIONER'S APPENDIX

George Cleveland, III #357770
TURBEVILLE CORRECTIONAL INST.

P.O. BOX 252

TURBEVILLE, S.C. 29162

* pro se petitioner

OFFICE OF THE ATTORNEY GEN.
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TELEPHONE: 803-253-6283

ATTORNEY FOR RESPONDENT

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S.C. Supreme Court

PETITIONER'S INDEX

page (5)

South CAROLINA Commission on INDIGENT
DEFENSE DATED DECEMBER 02, 2015 1

PETITIONER'S AFFIDAVIT 2

COURT OF GENERAL SESSIONS TEN (10) YEAR
suspended to six (6) IMPRISONMENT SENTENCE
Sheet 3



Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

Petitioner's Record

Page 1

December 2, 2015

Mr. George Cleveland, III, #357770
Turbeville Correctional Institution
PO Box 252
Turbeville, SC 29162

Dear Mr. Cleveland, III:

We have determined that you are eligible for representation by this office. We are waiting for the court reporter to provide us with a copy of your transcript, which will take at least two months and **probably longer** as they are allowed **several** thirty-day extensions. This office does not control the court reporters.

Your case will not be assigned to an attorney until we receive the transcript. Upon receipt of the transcript the attorney will then write you a letter explaining the appellate process and how you may assist in handling your appeal. You will receive a copy of your transcript and all documents filed in connection with your case.

Until your case has been assigned to an attorney, you may direct all correspondence to me. We look forward to representing you and hope for a favorable result.

Sincerely,


Lorlene French
Legal Services Coordinator

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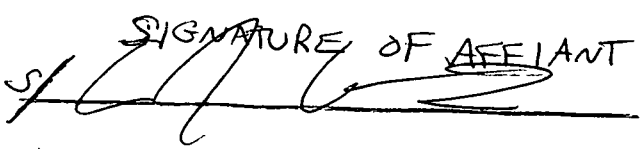
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MAILROOM
TURBEVILLE CI

[Faint, illegible handwritten text]

AFFIDAVIT OF GEORGE CLEVELAND, III

1. I, George Cleveland, III, swears under the penalty of perjury the following is true and correct to the best of my knowledge:
2. At least twice weekly, I study the Appellate Rules of the South Carolina Appellate Courts, and are aware of all procedures of this court as of the date of this affidavit in terms of paper size, caption page(s), citation abbreviation.

SIGNATURE OF AFFILANT


SWORN to and subscribed before me this
 7th day of Dec 20 15
 Evelyn [Signature] (L.S.)
 Notary Public for South Carolina

My Commission Expires: 4-27-2016

Exhibit 7

STATE OF SOUTH CAROLINA)
COUNTY OF Greenville)
STATE VS.)
George Cleveland III)
AKA:)
Race: BLACK Sex: M Age: 33)
DOB: 11-03-1978 SS#: 251-39-7475)
Address: 219 Savannah Dr)
City, State, Zip: South Carolina, SC 29678)
DL#: 007627664 SID#:)

0-10
IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GS2307504
A/W#: 2012A2330200168
Date of Offense: 5/7/2012
S.C. Code § : 16-21-0080
CDR Code #: 3468

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Poss., conceal, sell., or dispose of stolen vehicle, value \$10,000 or more

CONVICTED OF or PLEADS

in violation of § 16-21-0080 of the S.C. Code of Laws, bearing CDR Code # 3468
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, Negotiated Sentence, Recommendation by the State.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:
Watts, Austin SC Bar# 78976
Defendant
Attorney for Defendant 66326 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of 6 months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 5

years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections. 13 Days
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS PER ORDER
days/hours Public Service Employment

Table with columns for Recipient, *Fine, and various assessment codes (e.g., § 14-1-206, § 14-1-211(A)(1), § 14-1-211(A)(2), § 56-5-2995, § 56-1-286, Proviso 47.9, § 14-1-212, § 14-1-213, § 50-21-114, § 56-5-2942(J), Proviso 90.5, 3% to County, TOTAL).

Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk
during probation.

Clerk of Court/ Deputy Clerk Paul B. Workman
Court Reporter Ms. Manley

Presiding Judge [Signature]
Judge Code: 2130
Sentence Date: 11-5-13

Probation begins after completion of any early release program.

Vertical stamp: Certified Copy, Paul B. Workman, Clerk of Court C.P. & G.S., Greenville County, SC, Date 4-3-14

TURBEVILLE C.I.
MAIL ROOM
BOX 252
TURBEVILLE, S. C. 29162

George Cleveland ~~III~~ # 357777

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TURBEVILLE CI

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The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court

P.O. Box 1133D
Columbia, SC 29211

