

December 29, 2015

The Supreme Court of South Carolina  
Daniel E. Shearouse, clerk of court  
Post office Box 11330  
Columbia, S.C. 29211

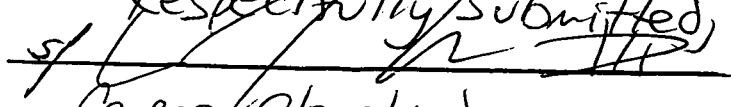
**RECEIVED**

JAN 04 2016

S.C. SUPREME COURT

Re: Petitioner's Motion for Clarification; 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  
clarification, supporting Appendix, and proof of  
service.
2. Can you please file, and forward to the chief  
justice for consideration?
3. Finally, can you kindly stamp the ~~extra~~  
copies in the self addressed stamped envelope  
and mail back to me?

Respectfully submitted,  
  
George Cleveland, III #35770  
Turbeville Correctional Inst.  
P.O. Box 252  
Turbeville, S.C. 29162

cc: FILE  
KREW C. RATIGAN, Esquire

**RECEIVED**

JAN 04 2016

**S.C. SUPREME COURT**

PETITIONER'S PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY  
DANIEL D. HALL, CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2015-002251  
LOWER COURT CASE NO. 2014-CP-23-1895

George Cleveland, III,

S.C.D.C. No. 35770,

v.

STATE OF SOUTH CAROLINA,

. . . . . PETITIONER,

. . . . . RESPONDENT.

PETITIONER'S PROOF OF SERVICE

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

OFFICE OF THE ATT. GEN.,  
KAREN C. RATIGAN, ESQUIRE  
P.O. Box 11549  
Columbia, S.C. 29211  
Attorney for Respondent

PROOF OF SERVICE:

I, George Cleveland, III, certifies that on the date below served by United States Mail with proper postage, by and through the Turbeville Correctional Institution's mail-room staff the following to the Respondent:

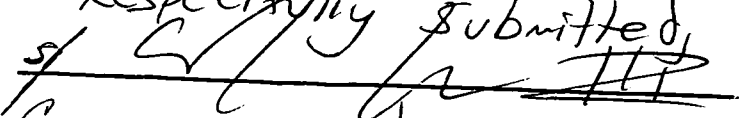
Petitioner's Motion for Clarification;  
Petitioner's Appendix,  
and this Proof of Service; to the following address:

OFFICE OF THE ATT. GEN.  
KAREN C. RATIGAN, Esquire  
P.O. Box 11549  
Columbia, S.C. 29211

**RECEIVED**

JAN 04 2016

**S.C. SUPREME COURT**

Respectfully submitted,  
  
George Cleveland, III #357770  
Turbeville Correctional Inst.  
P.O. Box 252  
Turbeville, S.C. - 29162

DATED: December 29, 2015

**RECEIVED**

JAN 04 2016

**S.C. SUPREME COURT**

PETITIONER'S MOTION FOR CLARIFICATION  
ON APPELLATE DEFENSE ASSOCIATION

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY

DANIEL D. HALL, CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2015-002251

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

George Cleveland, III,

S.C.D.C. NO. 35770, . . . . . PETITIONER,

v,

STATE OF SOUTH CAROLINA, . . . . . RESPONDENT.

PETITIONER'S MOTION FOR CLARIFICATION

George Cleveland, III  
TURBEVILLE CORR. INST.  
P.O. Box 252  
Turbeville, S.C. 29162  
pro se petitioner

OFFICE OF THE ATT. GEN.  
KAREN C. RATHGAN, ESQUIRE  
P.O. Box 11549  
Columbia, S.C. 29211  
ATTORNEY FOR RESPONDENT

1.  
PETITIONER'S MOTION FOR CLARIFICATION:

George Cleveland, III, proceeding pro se in the captioned case respectfully moves this court for clarification on what documents the Appellate Defense can provide for me as to the limit of their availability in my case.

2.  
BRIEF - RELEVANT BACKGROUND:

On order of November 05, 2015, this court ordered me to submit an Affidavit of Indigency to the Division of Appellate Defense . . . . "within fifteen (15) days" of the order, R.p. 1.

This court also stated the following relevant part:

"Appellate Defense will remain associated for the limited purpose of obtaining the transcripts and providing copies of documents that must be served and filed in this matter." P. pp. 1-2.

on December 09, 2015, I mailed a letter requesting certain documents relevant to this case to the Appellate Defense.

on December 15, 2015, this court GRANTED my motion to proceed pro se in this P.C.R. case, and stated the following relevant part:

"The commission on Indigent Defense, Division of Appellate Defense, shall retain associated for the limited purpose of providing copies of the petition, Appendix, and any briefs that may be necessary." R. p. 3.

on December 17, 2015, the Appellate Defense responded to my request for certain documents by stating:

"Pursuant to the Supreme Court order dated December 15, 2015, this office is associated for the limited purpose of providing copies of the petition, Appendix, and any briefs that may be necessary." R. p. 4.

3.

### ARGUMENT

#### STATE-LAW-REQUIRES MORE:

South CAROLINA Code of Laws § 17-27-60 AS Amended states the following relevant part:

"IF the Applicant is unable to pay court costs and expenses of representation, including stenographic, printing and legal services, these costs and expenses shall be made available to the Applicant in the trial court and on review."

The first order allowed the Appellate Defense to pay for the transcript in my P.C.R. case, see R.P. 1, but the second order does not provide such language; therefore, at this point, I have no clue if the Appellate Defense has ordered my P.C.R. transcript of my hearing.

This statute, id., does not limit the Appellate Defense to only provide copies of relevant case-law, copies of official documents in the clerk of court office, copies of terms of court laws, General Assembly, and Congressional

3.

records.

All the Documents I'm requesting from Appellate are relevant to my arguments in the trial court;

NATIONAL motor vehicle Theft Act; 18 U.S.C. §§ 2312, 2313; R. p. 5.

Defective Indictments; R. p. 6.

Withheld Exculpatory Evidence; R. p. 7.

Insufficient Allegations for Indictments. R. p. 8.  
offenses - closely connected/mercy on the court; R. p. 9.

The arguments I introduced in the P.C.R. court are part of my Rule 52(B) motion I filed in the Greenville County clerk of court. R. p. 10 (stamped copy of page-1) for authentication purposes.

The Rules of Evidence allows this court to review motive, and a common scheme. Rule 404(b) S.C.R.E. and will be relevant to my issues presented in the lower court. Rule 402 S.C.R.E., Habit, routine practice, Rule 406 S.C.R.E.

Rule 212 S.C.A.C.R. Allows me to supplement the record on Appeal; by me and the state upon written consent (B), id., or by order of this court (A), id., but the supplemental record must be filed with the motion for leave of court (C). IBID.

This means, I cannot merely wait until this court decides, but must be attached to the motion for leave of court to supplement record. In other words, the Appellate Defense must provide relevant documents now, not later.

My P.C.R. case is one of many that was decided by *ex parte* communications between the circuit court judge and the Attorney General's office:

cc DEAR JUDGE HALL:

Pursuant to your request, encloses please find a proposed order of dismissal. ... R.P. 10 (Asst. Att. Gen. KAREN C. RATIGAN writing to JUDGE HALL).

Judge HALL never contacted me regarding an proposed order, this court has equity jurisdiction

under the south CAROLINA constitution, ART. V,  
And under the rules of Evidence if  
PATTERNS that are inconsistent with state  
LAW, And the Constitution(S) of our state,  
And the United states of America.

Based on the foregoing, I respectfully request  
the following relief:

4,  
PRAYER FOR RELIEF:

WHEREFORE; order the Division of Appellate Defense  
to provide the following documents under  
§ 17-27-60, id.;

Clerk of Court Record of Greenville County  
Common Pleas; CA no. 2014-CP-23-1895;  
P.C.R. hearing transcript from Court Reporter.

Provide legal copies;  
Blue cover for Briefs;  
Gray cover for Reply Briefs;  
And any other legal documents that are  
relevant to my arguments presented to the

Greenville County P.C.R. court,  
Any other relief this court deems just  
and/or proper.

Respectfully Submitted,  
~~George Cleveland III~~  
George Cleveland III #357770  
TURBEVILLE CORRECTIONAL INST.  
P.O. Box 252  
TURBEVILLE S.C. 29162

Dated: December 29, 2015