

MARCH 03, 2016

The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court
P.O. Box 11330
Columbia, S.C. 29211

RECEIVED

MAR 07 2016

S.C. SUPREME COURT

Re: Petitioner's notice of appeal of sanctions motion;
George Cleveland, III v. State; C/A No. 2014-CP-23-01895

1. Dear Mr. Shearouse,

Attached to this letter are the following
legal documents for filing:

Petitioner's notice of appeal, and motion for leave
to file appeal as timely;

Form-4 Judgment sheet FILED; December 09, 2016

Form-4 Judgment sheet FILED; January 27, 2016;

Supporting affidavit;
And proof of service.

2. Can you please FILE, rule on my motion, or
forward to the court for consideration, and kindly
stamp the extra copies in the self-addressed-
stamped-envelope provided, and mail back to me.

3. This notice of appeal is part of my P.C.R.
case that is pending in this court: Appellate
Case no. 2015-002251,

Respectfully submitted,
~~S/ W D~~
George Cleveland ~~###~~ 357770
TURBEVILLE CORRECTIONAL INST
P.O. Box 252
TURBEVILLE S.C. 29162

CC: FILE
KAREN C. RATIGAN, Esquire

PETITIONER'S NOTICE OF APPEAL, AND
MOTION FOR LEAVE TO FILE APPEAL

AS TIMELY

RECEIVED

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

MAR 07 2016

S.C. SUPREME COURT

APPEAL FROM GREENVILLE COUNTY
COURT OF COMMON PLEAS

ROBIN STILLWELL, CIRCUIT COURT JUDGE

LOWER COURT CASE NO. 2014-CP-23-01895

George Cleveland, III,

S.C.D.C. NO. 357770,

v.

STATE OF SOUTH CAROLINA,

PETITIONER,

RESPONDENT.

OFFICE OF THE ATTORNEY GENERAL
KAREN C. RATIGAN, Esquire
P.O. Box 11549
Columbia, S.C. 29211
ATTORNEY FOR RESPONDENT

George Cleveland, III #357770
TURBEVILLE CORRECTIONAL INST.
P.O. Box 252
TURBEVILLE, S.C. 29162
PRO SE PETITIONER

1.
PETITIONER'S NOTICE OF APPEAL:

George Cleveland, III, proceeding pro se hereby Appeals the DENIAL of my Rule 59(e) SCRCP motion for sanctions against Assistant Attorney General Karen C. Ratigan entered on January 27, 2016, and I signed and received on February 04, 2016.

2.
PETITIONER'S MOTION FOR LEAVE TO FILE NOTICE OF APPEAL AS TIMELY:

IF IT PLEASES THE COURT; George Cleveland, III proceeding pro se respectfully moves this Honorable COURT to GRANT this instant motion to FILE my NOTICE OF APPEAL regarding my motion for sanctions against Assistant Attorney General Karen C. Ratigan AS TIMELY FILED for the following reason:

the FILED JUDGMENT DOCUMENTS FORMS WERE FILED in my Legal-Box that is stored in the property room.

1.

ON FEBRUARY 11, 2016, AFTER RETURNING FROM AN P.C.R. HEARING (2/10/16 AT THE ANDERSON COUNTY COURTHOUSE), I WAS TOLD BY THE TURBEVILLE CORRECTIONAL STAFF, I COULD ONLY TAKE ONE (1) OF MY THREE (3) LEGAL BOXES BACK TO MY CELL-ROOM, DESPITE ALL 3, ID'S WERE STORED IN MY CELL-ROOM PRIOR TO STORING THE BOXES IN THE PROPERTY ROOM BECAUSE OF MY AUTHORIZED COURT-TRIP OFF THE INSTITUTIONAL PROPERTY, SEE ATTACHED SUPPORTING AFFIDAVIT AT PAR. 2.

MY FIRST AMENDMENT RIGHT TO ACCESS THE COURTS UNDER THE UNITED STATES CONSTITUTION WAS VIOLATED BY S.C.D.C. POLICY OP-22.03 (AUTHORIZED INMATE PROPERTY) § 8.1 WHICH REQUIRES LEGAL MATERIALS TO BE PLACED IN "A BOX NO LARGER THAN 15x12x10" BECAUSE MAJOR CHUVA OF TURBEVILLE CORRECTIONAL

ORDERED my other 2 boxes to be stored
in the property room caused me ACTUAL
INJURY by this notice of Appeal FILED
After the thirty (30) day deadline of this court
under Lewis v. Casey, 518 U.S. 343, 116
S.Ct. 2174 U.S. ARIZ (1996), id., at 2178-2179;
Accordingly, I have standing to request this
notice of Appeal to FILED AS TIMELY.

3
CONCLUSION:

WHEREFORE, I GRANT my motion for leave to FILE
my notice of Appeal AS TIMELY FILED,

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
3.

DATED: MARCH 03, 2016

AFFIDAVIT BY GEORGE CLEVELAND, III

LOWER COURT CASE No. 2014-CP-23-01895

1. I, George Cleveland, III, swears under the penalty of perjury the following is true to the best of my knowledge!

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MAR 07 2016

S.C. SUPREME COURT

2. On February 11, 2016, after returning to Turbeville Correctional Institution from an P.C.R. hearing on February 10, 2016, at the Anderson County Courthouse I was told per detective through Major Chunta of Turbeville from staff that I could only take one (1) of my three (3) legal-books back to my cell-room, despite all 3 stored in my room prior; since I was transferred to this prison on August 21, 2016, I was just on 3/02/16 able to retrieve the judgment forms filed in the case. Further I signed for and received the Rule 59(e) denial judgment from the Turbeville mail-room on 2/07/16

Affiant's Signature

[Handwritten Signature]

SWORN to and subscribed before me this
3rd day of March 2016
[Signature] (L.S.)
Notary Public for South Carolina

My Commission Expires: 4-27-2016

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PETITIONER'S PROOF OF SERVICE

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY

COURT OF COMMON PLEAS

ROBIN STILLWELL, CIRCUIT COURT JUDGE

LOWER COURT CASE NO. 2014-CP-23-01895

George Cleveland, III,

SCDC No. 357770,

v.

STATE OF SOUTH CAROLINA,

PETITIONER,

RESPONDENT.

George Cleveland, III #357770
TURBEVILLE CORRECTIONAL INST.
P.O. Box 252
TURBEVILLE S.C. 29162
PRO SE PETITIONER

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MAR 07 2016

PETITIONER'S PROOF OF SERVICE:

S.C. SUPREME COURT

I, George Cleveland III, certifies that on the date below, by and through the Turbeville Correctional Institution's mail-room, properly address and proper United States Postage, served on the Attorney for the Respondent the following:

Petitioner's notice of Appeal, and motion to timely file my notice of Appeal;

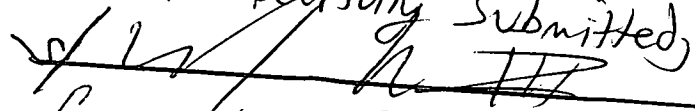
Petitioner's supporting AFFIDAVIT;

FILED Form 4 Judgment sheets;

And this Proof of Service; to the following Attorney and Address;

Office of the Attorney General
KAREN C. RATIGNON, ESQUIRE
P.O. Box 11549
Columbia, S.C. 29211

Respectfully Submitted


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

Dated: March 03, 2016

FORM 4

STATE OF SOUTH CAROLINA FILED-CLERK OF COURT
COUNTY OF GREENVILLE GREENVILLE CO. S.C.
IN THE COURT OF COMMON PLEAS; WICKENSIMER

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2014CP2301895

George Cleveland

State Of South Carolina

2016 JAN 27 AM 10 06

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	<input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

Petitioners' Rule 59(e) Motion Is Respectfully Denied.

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

2158

Judge Code

1/15/2016

Date

For Clerk of Court Office Use Only

1-24-16

1-27-16

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on , to attorneys of record or to parties (when appearing pro se) as follows:

George Cleveland 357770 Turbeville Correctional Institute P
O Box 252 Turbeville, SC 29162

Karen Christine Ratigan PO Box 11549 Columbia, SC
29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer

Court Reporter

**Paul B. Wickensimer Greenville County Clerk Of
Court - Clerk of Court**

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2014CP2301895

George Cleveland

State Of South Carolina

FILED
GREENVILLE COUNTY
PAUL W. KENNER
CLERK OF COURT
2015 DEC 31 AM 11:42

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
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 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON): Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
 Affirmed; Reversed; Remanded; Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:
ORDER INFORMATION

Applicants Motion For Sanctions Against Assistant Attorney General Karen C. Ratican Is Denied.

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

12/3/2015

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

PLAINTIFF'S EXHIBIT 88
3 Dec 15

This judgment was entered on 12-9-15, and a copy mailed first class or placed in the appropriate attorney's box on Robin D. Stillwell, to attorneys of record or to parties (when appearing pro se) as follows: 12-9-15

George Cleveland 357770 Turbeville Correctional Institute P
O Box 252 Turbeville, SC 29162

Karen Christine Ratigan PO Box 11549 Columbia, SC
29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer

Paul B. Wickensimer Greenville County Clerk Of
Court - Clerk of Court

Court Reporter

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

George Cleveland ~~III~~ #357725TA-118

Turbeville Correctional Inst.

P.O. Box 252

Turbeville S.C. 29162

TURBEVILLE C.I.

MAIL ROOM

BOX 252

TURBEVILLE, S. C. 29162

RECEIVED

MAR 03 2016

MAIL ROOM
TURBEVILLE C.I.

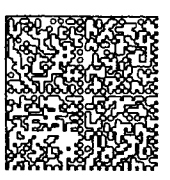
Legal-MNL

The Supreme Court of South CAROLINA

Daniel S. Shearouse, Clerk of Court

P.O. Box 11330

Columbia SC 29211



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