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SC SUPREME COURT

APPELLANT'S MOTION FOR LEAVE
TO FILE MOTION FOR AN
EXTENSION AS TIMELY

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MAR 04 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY

COURT OF COMMON PLEAS

LOWER COURT CASE NO. 2014-CP-23-05661

APPELLATE CASE NO. 2015-000697

George Cleveland, III,

APPELLANT,

v.

GREENVILLE COUNTY SHERIFF'S
OFFICE,

- RESPONDENT.

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

1.
APPELLANT'S MOTION TO FILE
AS TIMELY:

IF IT PLEASES THE COURT, George Cleveland, III
proceeding pro se respectfully moves this court to
file my MOTION FOR AN EXTENSION OF TIME TO
Petition FOR AN WRIT OF CERTIORARI AS TIMELY FOR
the following reasons:

PRISON-LOCKDOWN, AND NO ALTERNATIVE TO MAIL, LEGAL
MAIL OUT,

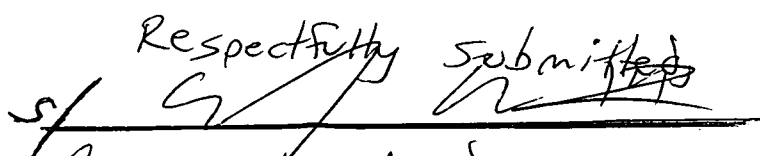
ON FEBRUARY 29, 2016, TURBEVILLE CORRECTIONAL INST
WAS AGAIN LOCKED-DOWN, DESPITE REPEATED REQUEST TO
GAIN ACCESS TO THE INSTITUTIONAL MAIL-ROOM, I
WAS DENIED ACCESS, SEE ATTACHED SUPPORTING AFFIDAVIT,
~~AT~~ PAR. 2.

my deadline to file my petition for an writ of
CERTIORARI WAS FEBRUARY 29, 2016 BECAUSE THE PETITION
FOR REHEARING WAS DENIED ON JANUARY 28, 2016, R.P. 1
(COPY OF ORDER), I SUFFERED PREJUDICE BY TURBEVILLE

CORRECTIONAL'S PRISON LOCKDOWN; consequently;
I have standing to request my ~~any~~ motion
to file Extension motion as timely filed under
Lewis v. Casey, 518 U.S. 343, 116 S.Ct. 2174 U.S.
ARIZ. (1996), id at 2178-2179 (U.S. Supreme Court held inmate
must show actual injury of denial to access the
courts by prison officials.)

2.
CONCLUSION:

Based on the foregoing facts; I respectfully request
this court ^{to} GRANT my motion to FILE my motion
FOR AN EXTENSION OF TIME TO PETITION FOR AN WRIT
OF CERTIORARI AS TIMELY FILED.

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

DATED: MARCH 05 2016

IN re of: TIMELY FILED MOTION
AFFIDAVIT BY GEORGE CLEVELAND, III

APPELLATE CASE NO. 2015-000697

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

2. ON February 29, 2016, Turbeville Correctional Inst. was locked down until around 3:00 p.m. The mail-room is only open from 11 A.M. - 12 p.m. on normal business days. I informed Lt. Redding and officer Welch of Rimini C-Wing DORM of this 2/29/16 deadline, but they stated I could not walk to the mail room because the entire ~~prison~~ ^{prison} was locked-down.

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SWORN to and subscribed before me this
1st day of March 20 16
Emily [Signature] (L.S.)
Notary Public for South Carolina

My Commission Expires: 4-27-2016

AFFIDAVANT'S SIGNATURE,
[Signature]

APPELLANT'S PROOF OF SERVICE RECEIVED

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COURT OF COMMON PLEAS

LOWER COURT CASE NO. 2014-CP-23-05661

APPELLATE CASE NO. 2015-000697

George Cleveland, III,

v.

APPELLANT,

Greenville County Sheriff's
office,

RESPONDENT.

George Cleveland, III, #35770
TURBEVILLE CORRECTIONAL INST.
P.O. Box 252
TURBEVILLE, S.C. 29162
pro se Appellant

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APPELLANT'S PROOF OF SERVICE

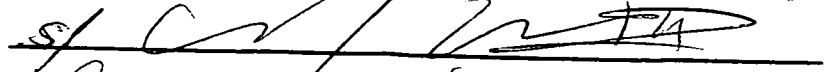
SC SUPREME COURT

APPELLATE CASE No 201500697

I, George Cleveland, III, proceeding pro se, certifies that on the date below, by and through the turbeville Correctional Institutional mail room, properly addressed, and with proper united states mail postage the following on the date below:

APPELLANT'S MOTION FOR AN EXTENSION;
APPELLANT'S SUPPORTING APPENDIX;
AND APPELLANT'S PROOF OF SERVICE to the following parties: (and Appellant's MOTION TO FILE EXTENSION motion as timely, and support affidavit) on March 1, 2016,
Wilson James CARTER + Bartley, P. A.
Charles F. Turner, Jr., Esquire.
Ann Ross Culbreath, Esquire
872 S. Pleasantburg Drive
Greenville, S.C. 29607
Attorneys For Respondent.

Respectfully submitted,



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

Dated: ~~February 29, 2016~~
MAR 01, 2016