

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston
County Common Pleas Court
Robert E. Hood, Circuit Court
Judge

RECEIVED

MAR 30 2016

Appellate Case No. 2016-000539

C.A. No.: 2015-CP-10-3416

SC Court of Appeals

LARRY G. HARVIN,
Prisoner I.D. No.: 253468,

Appellant,

- Vs. -

STATE OF SOUTH CAROLINA,

Respondent.

MOTION TO PROCEED
WITHOUT PAYMENT

I, Larry G. Harvin, Declare before below-signed Notary Public on below-noted date, that in Response to this Court's March 18, 2016 'NOTICE' letter from Clerk of Court Kitchings, I am financially unable to bear the \$100.00 cost associated with this Appeal, and have attached an Official Account Report from the SCDC Financial Accounting Branch as Proof of my inability to pay.

Also, though the nature of my appeal is from the Common Pleas Court, the underlying action is challenging a Criminal Judgment obtained by Extrinsic Fraud committed by Court Officers; I thus move to proceed under SCACR 203(d)(1)(B)(iii), and the holdings of Martin v. State, 321 S.C. 533, 535 (S.C. 1995), without payment.

Sworn and Subscribed to
before me this 24th

day of March, 2016

Michael Canare

Notary Public, South Carolina

*My Commission Expires: July-09-2026

1/s/ L. Harvin
Mr. Larry G. Harvin
Prisoner I.D. No.: 253468
M.C.I. F.1-125-B
386 Redemption Way
McCormick, SC 29899

LEGAL MAIL
MAIL ROOM

RECEIVED

INMATE TRUST FUND ACCOUNT REPORT
for SOUTH CAROLINA COURT FILING FEES

FEB 22 2016

MCCI
MAIL ROOM

INSTRUCTIONS TO INMATE: Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court.

RECEIVED

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

FEB 25 2016

MC
MAIL ROOM

INMATE NAME (print): Larry G. Harvin

SCDC # 253468

INMATE SIGNATURE: L. Harvin Jr.

I plan to file this action in the SC County of Charleston

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SC Court of Appeals

The section below is for SCDC - Financial Accounting Branch's use ONLY.

- (1) Total deposits to inmate's account for preceding six months' period* \$ 0
- (2) Twenty percent (20%) of line 1 \$ 0
- (3) Account balance - current date \$ 0
- (4) PAYMENT AMOUNT **
(lesser of line 2 or line 3)
Enclosed check # \$ 0

SCDC-FINANCIAL ACCTG.
2016 FEB 23 PM 2:01

**NOTE to COURT: If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections
Financial Accounting - Room 234
PO Box 21787
Columbia, SC-29221-1787

*Admission date is noted here if inmate incarcerated less than six months 1 / 1

M. Boykin

2/23/16

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AFFIDAVIT OF SERVICE

I Certify and Declare before below-signed
Notary Public that, while forwarding an Original Draft
of my 'Motion To Proceed Without Payment', and 'Motion
For Extension of Time To Obtain Order', to Clerk of
S.C. Court of Appeals, I've also served a true & exact
copy of both named documents on opposing counsel (
Alan M. Wilson, Esq., S.C. Atty. Gen., P.O. Box 11549,
Columbia, SC 29211) by depositing both sets of
documents into the custody of the M^cC.I. Mail Room
Clerk (below-signed Notary Public) for immediate deposit
into the U.S. Mail System with sufficient Postage attached.

Sworn and Subscribed to
before me this 24th
day of March, 2016

Michael Canave
Mr. Larry G. Harvin
Prisoner I.D. No.: 253468
M^cC.I. F-1-125-B
386 Redemption Way
McCormick, SC 29899

Michael Canave
Notary Public, South Carolina

* My Commission Expires July - 09 - 2026

Mr. Harry G. Harvudn

Prisoner I. D. No. 253468

M^cC. I. F. 1 - 125, B

McCormick Correctional Institute
386 Redemption Way
McCormick, SC 29899

Attys Clerk, S.C. Court of Appeals

P.O. Box 116 RECEIVED

Columbia, SC MAR 30 2016

SC Court of Appeals

- LEGAL MAIL -

RECEIVED

MAR 24 2016

MISCELLANEOUS MAIL PROGRAM

THE DEPARTMENT OF CORRECTIONS HAS NOT
INSPECTED OR CENSORED THIS ITEM; THEREFORE,
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY
FOR ITS CONTENTS.
MCCORMICK CORRECTIONAL INST.
S.C. DEPARTMENT OF CORRECTIONS

**LEGAL MAIL
MAIL ROOM**