

THE STATE OF SOUTH CAROLINA)
In The Court of Appeals :
COUNTY OF CHARLESTON)

IN THE COURT OF Appeals
Cause No. 2016-001201

ALLEN LIVINGSTON)
Respondent :
)

-versus-

HAROLD SIMMONS JR.)
Appellant :
)

**MOTION AND AFFIDAVIT TO
PROCEED IN FORMA PAUPERIS**

I, HAROLD SIMMONS JR., being duly sworn, state that I am the Defendant and I do not have the funds available to pay the costs of filing and service in the present matter. I hereby request that the complaint be filed and service made without costs.

Notary Public for South Carolina)
My Commission Expires)

)
)
)
) Harold Simmons Jr.
) Signature of Defendant
)

ORDER

- Leave is granted to proceed in forma pauperis without payment of filing fee.
- Leave is granted to proceed in forma pauperis without payment of the service cost.
- Leave is denied to proceed in forma pauperis.

Dated: _____, 2016
CHARLESTON, SOUTH CAROLINA

JUDGE/CLERK OF COURT

NOTICE TO DFENDANT: The Court may assess costs against either party at hearing.

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JUL 11 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Mikell R. Scarborough, Circuit Court Judge

Case No. 2014-CO-1001635
Appellate Case No. 2016-001201

HAROLD SIMMONS JR.,

Appellant,

v.

ALLEN LIVINGSTON,

Respondent.

PROOF OF SERVICE

I certify that I have served the *FOIAMA PAUPERIS* on Allen Livingston by depositing a copy of it in the United States Mail, postage prepaid, on May 30, 2016, addressed to his attorney of record, Bruce A Berlinisky, P.A. One Carriage Lane, Bldg F Charleston, South Carolina 29407 [by personally delivering a copy of it to his attorney of record, Bruce A Berlinisky P.A. at his office at one carriage lane, Bldg F Charleston, South Carolina 29407 on May 30, 2016].

May 30, 2016
And
July 7, 2016



Harold Simmons Jr.
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Charleston, South Carolina 29403
(843) 480-8694
Pro Se, Appellant
(843) 480-8694