

August 12, 2016

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

**RECEIVED**

AUG 16 2016

**SC SUPREME COURT**

Re: Petitioner's Motion to Recall Remittitur;  
George Cleveland, ~~III~~ v. State; Appellate Case No.  
2015-002251.


1. DEAR MR. SHEAROUSE,

My motion to recall the Remittitur is attached along with proof of service. Can you file, and forward to the court, and can you kindly stamp the extra copies in the self-addressed stamped envelope, and mail back to me?

2. Rule 221 S.C.A.C.R. prohibited your office from submitting my certiorari petition for P.C.R. because the state never even filed their return yet as required under Rule 243 (g) and if they have 10-days to reply under subsection (h) S.C.A.C.R.; furthermore the motion for an extension to file rehearing was for the second petition for certiorari review dealing with sanctions against Ms.

RATIGAN because the June 15, 2016 order denying the certiorari Petition is without jurisdiction because this court granted my motion for an extension to file my return to the state's motion to strike for June 15, 2016, the June 22, 2016 order is what I'm petitioning for rehearing as on the chief justice ruled on it; therefore, I can petition for rehearing under Rule 240 (j) SCA CR by the entire court. These rules were broken by your office and by the justices; consequently, the attached motion must be granted.

Respectfully requested,

  
George Cleveland #35770  
Tiger River Correctional Inst  
200 Prison Road  
Enopee, SC 29335

CC: FILE  
KAREN C. RATIGAN JESQUIRE  
S. C. Appellate Defense  
THE HONORABLE PAUL B. WICKENSIMER

Page 2 of 2

\* PLEASE STOP MAKING CARELESS MISTAKES, AND  
TREAT MY PLEADINGS EQUAL TO THAT OF ATTORNEYS \*

PETITIONER'S MOTION TO RECALL REMITTITUR  
UNDE WISE V. S.C.D.C. BY MEMORANDUM

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AUG 16 2016

**80 SUPREME COURT**

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY

COURT OF COMMON PLEAS

DANIEL D. HALL, CIRCUIT COURT JUDGE

LOWER COURT CASE NO. 2014-CP-23-81893

APPELLATE CASE NO. 2015-002251

GEORGE CLEVELAND, III, . . . . . PETITIONER  
S.C.D.C. NO. 357770,

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

MOTION TO RECALL REMITTITUR

OFFICE OF THE ATTORNEY GENERAL  
KAREN C. RATIGAN, ESQUIRE  
P.O. BOX 11549  
COLUMBIA, S.C. 29162  
Attorney for Respondent

GEORGE CLEVELAND, III #357770  
TYGER RIVER CORRECTIONAL INST.  
200 PRISON ROAD  
ENOREE, S.C. 29335  
PRO SE PETITIONER

**LEGAL MAIL**

1.  
PETITIONER'S MOTION TO  
RECALL REMITTUR

COMES NOW, George Cleveland ~~III~~, proceeding  
prose. Files this motion to RECALL the August 04,  
2016 REMITTUR that was sent down to the Greenville  
County Court of Common Pleas on the following grounds:

The Remittur was sent by error, because this  
court failed to wait on the state's Return, my  
Return, and has repeatedly failed to enforce my  
federal rights to access the courts.

2.  
BRIEF-RELEVANT-CASE-BACKGROUND:

This court jumbled 3-different legal issues into  
one judgment in violation of Wise v. S.C.D.C. 372 SC  
173, 642 S.E.2d, 551 S.C. (2007) where this court reasoned:

"The Remittur is [to be recalled if it is] sent down  
by mistake, error, or inadvertence of the court," id at  
551.

This court failed to allow and require the state to  
respond to my:

MATTER-1 "PETITION FOR A WRIT OF CERTIORARI  
IN post-conviction relief actions" that was filed

1,

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in this court, by way of order. Dated MARCH 29, 2016, and date stamped on MARCH 25, 2016.

The state filed a motion for an extension to file their return in late April, early May of 2016. The state filed for an second extension in their: "motion to strike" 2. which the state requested an "abeyance" of my P.C.R. certiorari petition on or around May 25, 2016.

~~MATTER-2~~. The clerk's office granted my motion for an extension to file my return, to the state's "motion to strike" by order. Dated: June 22, 2016; however, this court on the same day I filed my return, denied my writ of certiorari, but failed to describe which certiorari it was denying. It's impossible for this court to had read my return to the state's motion to strike, rule 24B(k) SCACR allows rehearing petitions as to the June 22, 2016 order signed by the chief justice

<sup>1</sup> I'm unable to provide copies of any documents for my APPENDIX AS Tyger. River Correctional will not make legal copies for me a filing regarding that issue is before this court.

2. the motion to strike dealt solely with my second petition

2.

**LEGAL MAIL**

~~ISSUE~~ - 3. My "Priority motion for Injunctive Relief" which dealt solely with my request to this court to enjoin the MAJOR OF TURBEVILLE CORRECTIONAL INSTITUTION to return my 2-Legal Boxes that contain files from this court, AND nothing to do with either CERTIORARI petition, the Rehearing Petition was filed in the INJUNCTION relief, but the August 04, 2016 order denied my Rehearing Petition, AND also denied my motion for REHEARING despite the motion having NOTHING to do with this INJUNCTIVE Relief, AND everything to do with my request for ADDITIONAL time to file Rehearing for the denied CERTIORARI Petition REGARDING SANCTIONS AGAINST Asst. Atty. Gen. KAREN C. RATTIGAN for filing an Frivolous defense.

this court is making CARELESS mistakes, AND there is no-way, this court, AND its' LAW

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for a CERTIORARI dealing with the state's Attorney Assigned to this case filing a Frivolous defense... Furthermore, Rule 243(g) S.C.A.R., BARRED this court from sending the Remittitur because the STATE NEVER FILED ITS' ~~REPLY~~ RETURN.

3.

**LEGAL MAIL**

clerks are taking the time to read even a slither of my court filings, but instead, as the evidence proves (Filed Pleadings and Appendix) is only reading the title on the caption.

This court is assuming, I'm not serious, it's handwritten (Pleadings, BRIEFS), and I'm prose. the evidence is overbearing, and in conflict with the Equal Administration of Justice under the Equal Protection, and due process clauses of the 14th Amendment under the United States Constitution.

Base on 3 three separate issues in this one case number, id, and the fact, the state has yet to file their return to my petition for a certiorari in my p.c.r. conviction and this court failed to even wait to I filed my return to the state's motion to strike before this court prematurely denied all pending proceedings. Accordingly, wise v. S.C.D.C. requires this court to recall the remittitur sent to the lower court as it was error and careless.

3  
RELIEF REQUESTED:

WHEREFORE GRANT my motion, and recall the remittitur

4.

**LEGAL MAIL**

sent to the Greenville County Court of Common Pleas.

ORDER the state to file its' return to my petition for a writ of certiorari to my P.C.R. pursuant to Rule 243(g) S.C.A.C.R. within 15-days of this court's order as the state has had ample time to prepare and return.

GRANT my request for 15-days to file rehearing petition to this court denying my certiorari petition regarding sanctions against Ms. Fatigaw.

Any other relief this court deems just, proper and/or impartial.

Respectfully submitted,

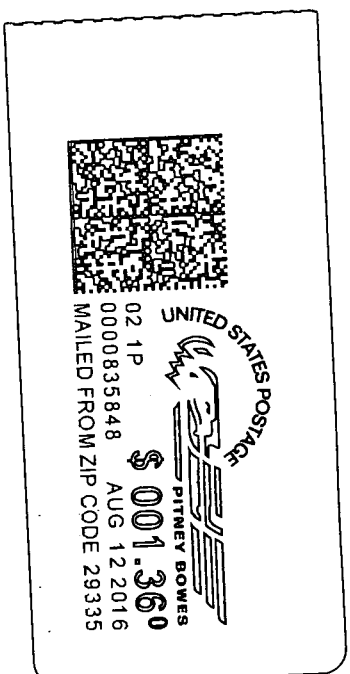


George Cleveland #35770  
Tyger River Correctional Inst.  
200 Prison Road  
Endree S.C. 29335

Dated: August 11, 2016



George Cleveland #35772908 US-B  
Tyger River corrections INST.  
200 Prison Road  
Snokees SC 29335



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TYRGI MAILROOM

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