

KENNETH WHITMORE #227059

1009 DAVID L. COFFEE PL.

ANDERSON, S.C. 29625

SOUTH CAROLINA COURT OF APPEALS

JENNY ABBOTT KITCHINGS - CLERK

P.O. Box 11629

COLUMBIA, S.C. 29211

Re: WHITMORE v. STATE OF SOUTH CAROLINA

APPELLATE CASE No. 2016-001659

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S.C. SUPREME COURT

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SC Court of Appeals

DEAR Ms. KITCHINGS:

TO THE ABOVE REFERENCE MATTER, THIS COURT AND THE LOWER COURT, HAVE FAILURE TO COMPLY WITH A REQUEST AND NOTICE OF APPEAL. UNDER NO CIRCUMSTANCE CAN A PRISONER WITHOUT MEANS TO PAY THE INITIAL FILING FEE BE PREVENTED FROM FILING SUIT, SEE 28 U.S.C. SECTION 1915 (b). WHENEVER THE PRISONER'S FUNDS ARE INSUFFICIENT TO PAY THE FULL FILING FEE, COURTS ARE REQUIRED TO ASSESS AN INITIAL PARTIAL FILING FEE OF 20% OF THE GREATER OF EITHER THE AVERAGE MONTHLY DEPOSITS TO THE PRISONER'S ACCOUNT OR THE AVERAGE MONTHLY BALANCE IN THE PRISONER'S ACCOUNT FOR THE PRIOR SIX-MONTH PERIOD. SEE *id.* SECTION 1915(b)(1)(2).

UNDER SECTION 17-27-60, COURT COST AND EXPENSES FOR INDIGENTS.

IF THE APPLICANT IS UNABLE TO PAY COURT COST AND EXPENSES OF REPRESENTATION INCLUDING STENOGRAPHIC, PRINTING AND LEGAL SERVICES, THESE COST AND EXPENSES SHALL BE MADE AVAILABLE TO THE APPLICANT IN THE TRIAL COURT, AND ON REVIEW, IN AMOUNTS AND TO THE EXTENT FUNDS ARE MADE AVAILABLE TO INDIGENT DEFENDANTS BY THE GENERAL ASSEMBLY. SEE LAKES 510 S.E. 2d 228

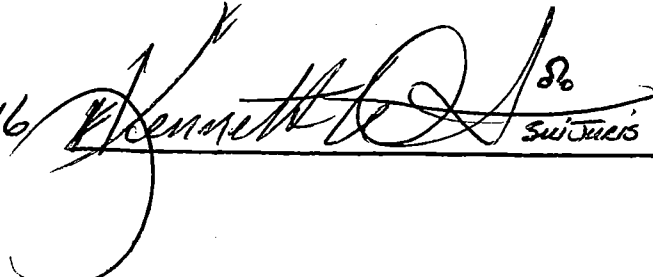
THESE ARE THE RULES OF THE COURT AND PETITIONER IS BEING DISCRIMINATED BY THIS COURT AND THE LOWER COURT, BY ASKING HIM TO PAY FILING FEES, WHEN HE IS INDIGENT. THE STATE OF SOUTH CAROLINA HAS NO SUBJECT MATTER JURISDICTION OVER PETITIONER UNDER SECTION 44-48-70. AND SECTION 14-17-510.

WHEREFORE, PETITIONER PRAYS THAT THE COURT'S STOP SENDING HIM ON TRIVIAL PURSUITS OF INFORMATION NOT IN THE SOUTH CAROLINA CODE OF LAWS, AND TYING HIM UP IN RED TAPE, PROLONGING AND DENYING HIM ACCESS TO THE COURT. PETITIONER ASK FOR THE RELIEF OF HIS CASE TO BE REMANDED BACK DOWN TO THE LOWER COURT IN THE MOTION TO PROCEED IN FORMA PAUPERIS

DATE SEPTEMBER 6 2016

cc: ATTORNEY GENERAL OF S.C.

cc: SUPREME COURT OF S.C.

  
Switzer

KENNETH WHITMORE #227057  
1009 DAVID L. COFFEE PL.  
ANDERSON, S.C. 29685

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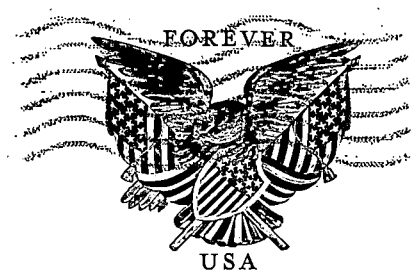
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S.C. SUPREME COURT

Supreme Court of South Carolina  
DANIEL E. SNEAROUSE - CLERK  
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