

November 28, 2016

The Supreme Court of South Carolina

Daniel E. Shearouse, Clerk of Court

Post Office Box 11330
Columbia, S.C. 29211

RECEIVED

DEC 01 2016

SC Court of Appeals

Re: PETITIONER'S MOTION FOR AN EXTENSION OF TIME;
George Cleveland III v. S.C.D.C.; Appellate case No. 2016-
001033.

1. DEAR MR. Shearouse,

I am respectfully requesting AN EXTENSION to file my petition for a writ of certiorari to the South Carolina Court of Appeals on the following grounds:

Multiple other court deadlines in the Supreme Court of the United States, and a court hearing in the Richland County Courthouse on 12/01/16; therefore I am requesting an extension of time to file my petition for a writ of certiorari to the South Carolina Court of Appeals until: **DECEMBER 29, 2016.**

2. The South Carolina Court of Appeals ordered the Remittitur recalled on November 04, 2016. Repl. the Administrative Law Court of South Carolina mailed the Remittitur back to the Court of Appeals **LEGAL MAIL** November 10, 2016. Repl. 24.

Page 1 of 2.

Due to the incorrect mailing address the Administrative Law court used, my legal mail arrived at my former institution (Turberville) on November 14, 2016, and on November 13, 2016 it was received at my current institution, and I received on November 22, 2016. R.p. 3.

3. A copy of this motion was also served on the counsel of record for the respondent, and to the clerk of the court of the sic. court of Appeals.

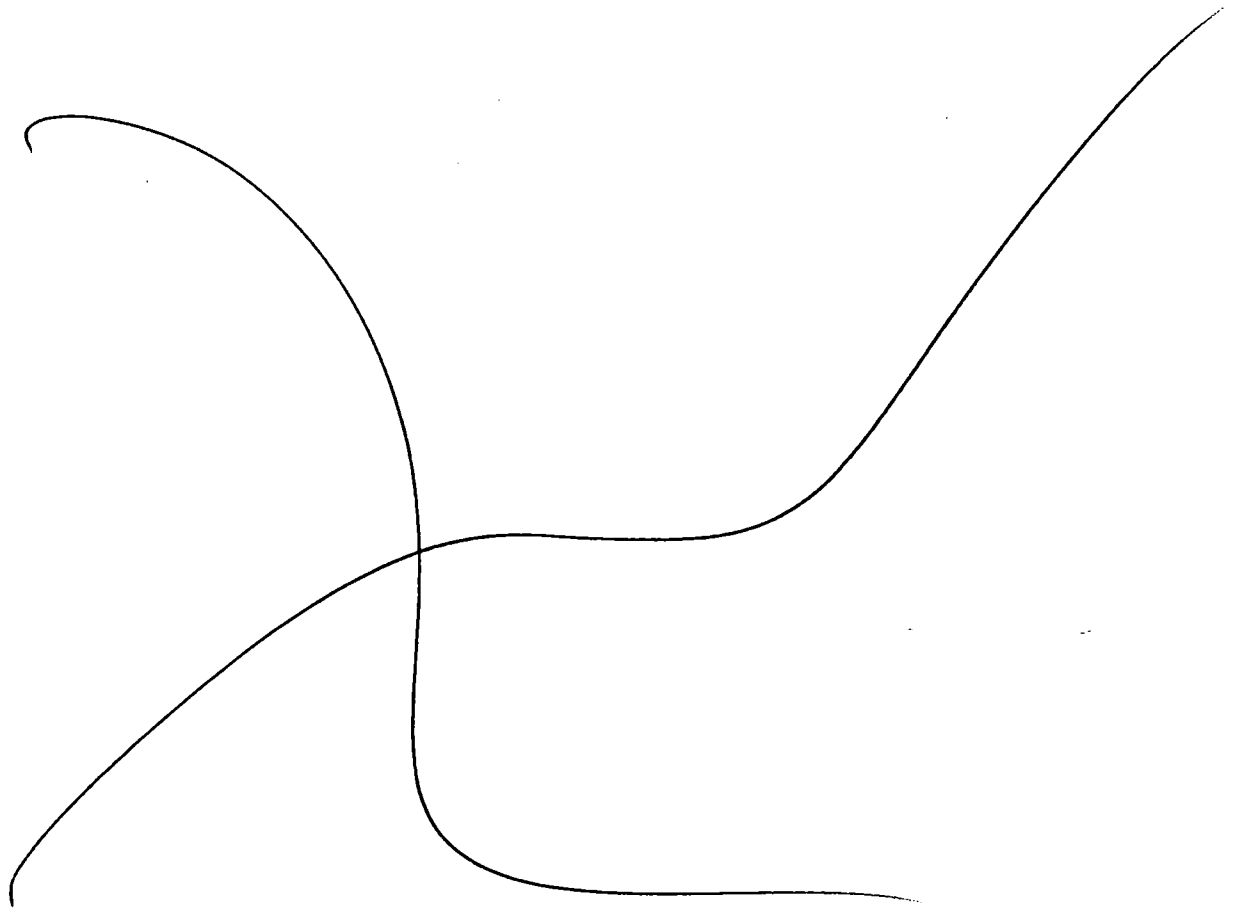
4. IN FORMA PAUPERIS: I lack the \$25.00 motion filing fee because I have no money in my prison trust-account (R.p. 4.) Under 28 U.S.C. A. § 1915(A)(1), this court may authorize this motion reviewed without prepayment of the \$25.00, and under Lewis v. Casey 518 U.S. 343, 116 S.Ct. 2174 ARIZ (1996) id. at 2178-81; whereas, the Supreme Court of the United States reasoned state courts must forgo filing fees for inmates without money to pay court filing fees; accordingly, my motion should be reviewed and decided without the motion fee.

cc: FILE

CHRISTINA CATOE BIGELOW, ESQUIRE

LEGAL MAIL

THE HONORABLE JENNY ABBOTT KITCHINGS, CLERK OF COURT



Respectfully submitted,
George Cleveland
George Cleveland #357770
Tyger River Correctional Inst
200 PRISON ROAD
ENOKEE, SC 29335

p. 1

The South Carolina Court of Appeals

George Cleveland #357770, Appellant,

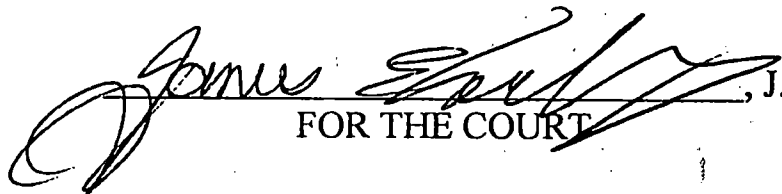
v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2016-001033

ORDER RECALLING REMITTITUR

This Court's remittitur was sent to the Clerk of the Administrative Law Court on October 18, 2016. It is now necessary for this Court to recall the remittitur. The Clerk of the Administrative Law Court is, directed to return the remittitur to the Clerk of the South Carolina Court of Appeals within ten (10) days from the date of this order.


FOR THE COURT, J.

Columbia, South Carolina

FILED

cc:

George Cleveland #357770

Christina Catoe Bigelow, Esquire

November 4, 2016

Administrative Law Court

pid

Ralph K. Anderson, III
Chief Judge

Jana E. Cox Shealy
Clerk



PHONE: (803) 734-0550
FAX: (803) 734-6400
WEB: WWW.SCALC.NET

November 10, 2016

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: George Cleveland #357770 v. SCDOC
ALC Docket No. 16-ALJ-04-0030-AP
Appellate Case No. 2016-001033

Dear Clerk Kitchings:

Pursuant to the Court's Order filed November 4, 2016, I am hereby returning the Remittitur in the above-captioned matter.

Please let me know if you have any questions.

With warm personal regards, I am,

Sincerely,

Jana E. Shealy
Clerk

Enclosure

cc: Christina Catoe Bigelow, Esquire
George Cleveland, #357770

p.3

STATE OF SOUTH CAROLINA
Administrative Law Court
EDGAR A. BROWN BUILDING
1205 PENDLETON STREET, SUITE 224
COLUMBIA, SOUTH CAROLINA 29201



U.S. POSTAGE >> PITNEY BOWES



ZIP 29201 \$ 000.46⁵
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MAIL ROOM
TURBEVILLE CI

George Cleveland #357770
Turbeville CI, TA-118
P.O. Box 252
Turbeville, SC 29162

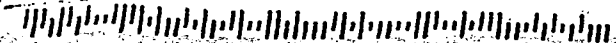
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FINANCIAL CERTIFICATE FOR THE DISTRICT OF SOUTH CAROLINA

(for use in § 1983, *Bivens*, and non-habeas civil actions filed by prisoners)

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I am granted *in forma pauperis* status, I authorize and consent to collection of the \$ 350 filing fee in accordance with 28 U.S.C. § 1915(b) until the filing fee is paid in full as well as any amount of costs, sanctions, and/or fees that might be imposed by the court during this litigation. I understand that if I do not qualify for *in forma pauperis* status, I will have to pay \$400 to proceed with my case, which includes the full \$350 filing fee as well as an additional \$50 administrative fee established by the Judicial Conference of the United States. The \$50 administrative fee is not applicable to *in forma pauperis* cases.

GEORGE CLEVELAND III 357770
INMATE NAME (PRINTED) INMATE (PRISONER) NUMBER

[Signature] TYGER RIVER CORRECTIONAL
INMATE SIGNATURE PLACE OF CONFINEMENT

- ◆ (1) Average monthly deposits to the inmate's account.....\$ 0
- ◆ (2) Average monthly balance in the inmate's account calculated for the prior six months period.\$ 0
- ◆ (3) Current Balance\$ 0
- ◆ (4) Initial Installment Payment - due upon granting of *in forma pauperis* status (Take 20 percent of the greater of lines 1 or 2).....\$ 0

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

M. Boykin 8/25/14
Authorized Officer's Signature Date
M. Boykin Financial Acct
Authorized Officer's Name and Title

SBOG FINANCIAL ACCTG
2016 AUG 23 PM 2:16

George Cleveland #35 7709 U8115
Tyger River Correctional Inst
200 PRISON ROAD
EVALE, S.C. 29335

GREENVILLE
SC 296
29 NOV '16
PM 11L



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NOV 29 2016

TYRCI MAILROOM

LEGAL MAIL

The South Carolina Court of Appeals
JENNY ABBOTT KITCHINGS, CLERK OF COURT
P.O. Box 11629
COLUMBIA, S.C. 29211

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SC Court of Appeals

29211-152929

