

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 -2 2016

S.C. SUPREME COURT

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'm respectfully requesting AN EXTENSION to file my Petition FOR A WRIT OF CERTIORARI to the South CAROLINA COURT OF APPEALS on the following grounds:

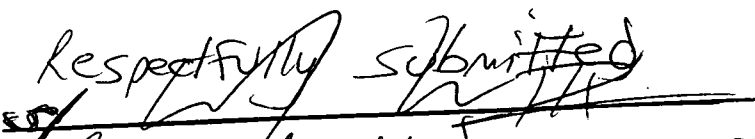
MULTIPLE other court DEADLINES in the Supreme Court of the United States, AND AN court hearing in the Richland County Courthouse on 12/01/16; therefore, I'm requesting AN extension OF time to file my Petition FOR A WRIT OF CERTIORARI to the South CAROLINA COURT OF APPEALS UNTIL: DECEMBER 29, 2016..

2. the South CAROLINA COURT OF APPEALS ordered the Remittitur recalled on November, ^{09, 2016} R.P. 1, the Administrative LAW COURT OF SOUTH CAROLINA MAILED the Remittitur BACK to the COURT OF APPEALS ON November 10, 2016. R.P. 2. Due to the incorrect mailing Address the Administrative LAW COURT used, my legal mailed ~~ARRIVED~~ ARRIVED At my

Folmer Institution (Turbeville) on November 14, 2016, and on November 17, 2016, it was received at my current institution, and I received on November 22, 2016. 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 S.C. Court of Appeals.

4. IN FORMA PAUPERIS: I lack the \$25.00 motion filing fee because I have no money in my prison trust-fund account (C.R.P. 4). Under 28 U.S.C.A. § 1915(A)(2), 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.

Respectfully submitted

George Cleveland, #37770
Tyger River Correctional Inst
200 Prison Road
Enoree, S.C. 29335

CC: FILE
CHRISTINA CATOE BIGELOW; ESQUIRE
THE HONORABLE JENNY ABBOTT KITCHINGS; CLERK OF COURT.

p.1.

The South Carolina Court of Appeals

George Cleveland #357770, Appellant,

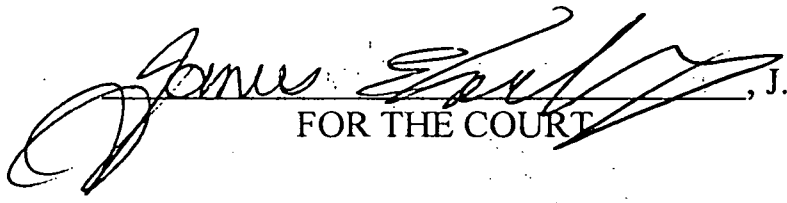
v.

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.


_____, J.
FOR THE COURT

Columbia, South Carolina

cc:
George Cleveland #357770
Christina Catoe Bigelow, Esquire

FILED

November 4, 2016

Administrative Law Court

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,

A handwritten signature in cursive script that reads "Jana E. Shealy".

Jana E. Shealy
Clerk

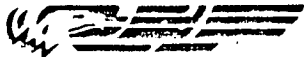
Enclosure

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

9-3

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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NOV 14 2016

MAIL ROOM
TURBEVILLE CI

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

George Cleveland
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NOV 17 2016

TYRGI MAILROOM

LEGAL MAIL



P. 4

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

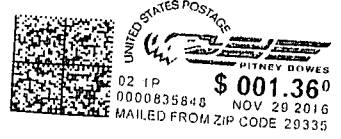
I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

M. Boykin 8/25/14
Authorized Officer's Signature Date

M. Boykin Financial Acct
Authorized Officer's Name and Title

SCDC FINANCIAL ACCTS
2016 AUG 23 PM 2:16

George Cleveland III #35770, U8 115-B
Tyger River Correctional Inst
200 PRISON ROAD
ENDREES, S.C. 29335



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NOV 29 2016
TYRCI MAILROOM

The Supreme Court of South Carolina
DANIEL E. SHEAROUSE, CLERK OF COURT
P.O. BOX 11330
COLUMBIA, S.C. 29211

LEGAL MAIL



THE DEPARTMENT OF CORRECTIONS HAS
INSPECTED OR CENSORED THIS ITEM. THEREFOR
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY
FOR ITS CONTENT.
TYGER RIVER CORRECTIONAL INSTITUTION
S.C. DEPARTMENT OF CORRECTIONS