

PETITIONER'S MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS TO
MY FILED PETITION FOR A WRIT OF
CERTIORARI, AND MOTION TO CORRECT
CLERICAL ERRORS ON THE FILED PETITION

RECEIVED

THE STATE OF SOUTH CAROLINA

DEC 14 2016

IN THE SUPREME COURT

S.C. SUPREME COURT

APPEAL FROM ADMINISTRATIVE LAW COURT

S. PHILIP LENKI, ADMINISTRATIVE LAW JUDGE

LOWER COURT CASE NO. 16-ALJ-04-0030-AP

APPELLATE CASE NO. 2016-002324

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

v.
SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS (S.C.D.C.),

RESPONDENT

S.C.D.C.
OFFICE OF GENERAL COUNSEL
c/o MATTHEW C. BUCHANAN, ESQUIRE
P.O. BOX 21787
COLUMBIA, S.C. 29221-1787
ATTORNEY FOR THE RESPONDENT

GEORGE CLEVELAND III
TYGER RIVER CORRECTIONAL INST
200 PRISON ROAD
ENTREE, S.C. 29335
PROSE PETITIONER

1.
MOTION TO PROCEED IN
FORMA PAUPERIS AND MOTION
TO CORRECT CLERICAL ERRORS:

~~MAY IT~~ PLEASE THE COURT; George Cleveland
~~III~~, proceeding pro se, respectfully submit to this
COURT ACTION (E) without the prepayment of the
\$100.00 PETITION FOR A WRIT OF HABEAS CORPUS. . . Filing
fee, and without the prepayment of the \$25.00
motion fee, ~~for~~ the correction of CLERICAL ERRORS
in my Dec: 05, 2016 filing of the filed petition, ~~id~~ on
the following grounds:

I lack the funds to pay the \$100.00 Filing fee.
And the \$25.00 filing fee, R.P. 1.

2.
ARGUMENT
I HAVE AN FEDERAL-RIGHT
FOR JUDICIAL REVIEW BY THIS
COURT DESPITE BEING A PAUPER!

The Supreme Court of the United States Reasoned
under Bounds v. Smith 430 U.S. 819, 97 S. Ct. 1496, U.S.
N.C. (1977): "our decisions has consistently required
states to shoulder affirmative obligations to assure
ALL PRISONERS meaningful access to the courts, ~~id~~"
~~id~~ at 824-26.

This includes the waiver of court filing fees for meaningful access to the courts to be meaningful. Without this element of this court actually reviewing my documents after researching writing and timely mailing to this court non-trivial legal documents would make my hard-work meaningless, and vexatious. Under a series of cases, the S.C. Appellate courts have broadly applied *Bounds v. Smith*, id., and *Lewis v. Casey* 518 U.S. 343 116 S.Ct. 2174 U.S. (ARIZ) (1996), id., 2178-81; *Inmates' Federal Rights to meaningful access to the court*;

Transporting an inmate by the S.C.D.C.'s transportation officers to court whether criminal or civil. *Kocaya v. Kocaya*, 347 S.C. 26, 552 S.E.2d 765 (Ct. of Appeals 2001) At 767; see also *Department of Social Services v. Laura B.*, 386 S.C. 382, 688 S.E.2d 130 (Ct. of Appeals 2009) (per certiam), id., At 132-33.

"The word wrongs embrace every injury to or impairment of right of person or property..." *State v. Lagerquist* 254 S.C. 501, 176 S.E.2d 141 (1970), id.

LEGAL MAIL

143] Accordingly, I have to meaningful Access to the courts without the prerequisite of the \$100.00 filing fee, and the \$25.00 filing fee to this court prior to the reviewing of my petition, and motion, id. ~~under~~ BOUNDS v. SMITH 430 U.S. 819, 97 S.Ct. 1491. U.S. N.C. (1977); id., at 824-26.

3.

ATTACHED CERTIORARI
PETITION CORRECTS CLERICAL
ERRORS:

The attached petition for a writ of certiorari to the S.C. COURT OF APPEALS (filed on 12/05/16) (in this court) is missing the specific page numbers to the record that has been filed respectively, the page numbers were added to the attached petition, id., and were the only corrections. since "CLERICAL ERRORS IN A [PETITION FOR A WRIT OF CERTIORARI TO THE S.C. COURT OF APPEALS] DO[ES] NOT DESTROY [PETITION, ID.]" see MASON v.

¹. This included AN FIRST Amendment (Access to the courts, and AN FOURTEENTH Amendment (Due process liberty/property interest under the U.S. CONST.

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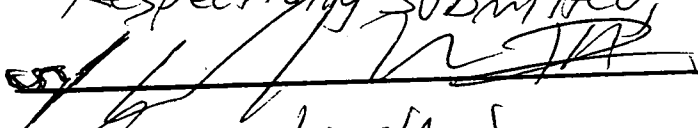
MASON 412 S.C. 28, 770 S.E.2d, 465 Ct. of Appeals
2015), id. at 59-60, id. at 421; consequently, the attached
petition for a writ of certiorari attached hereto should
replace the 12/05/16 petition, and filed in its place
on the court's docket in this case.

4.

RELIEF REQUESTED:

4-1. WHEREFORE; GRANT my motion to proceed in forma
pauperis by not requiring me to prepay the \$100.00
and \$25.00 filing fees in order to proceed in this
case with my petition for a writ of certiorari...
and motion correct clerical errors.

4-2. ANY other relief this court deems just, proper
and/or impartial.

Respectfully submitted,

George Cleveland #35770
Tiger River Correctional Inst.
200 PRISON ROAD
4. Employee, S.C. 29339

LEGAL MAIL

DATE: DECEMBER 14, 2016

APPELLATE CASE No.
2016-002324

R.P. I

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 Acdt
Authorized Officer's Name and Title

2016 AUG 23 PM 2: 16
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