

**APPELLANT'S MOTION FOR LEAVE TO PROCEED IN FORMA
PAUPERIS UNDER BOUNDS v. SMITH**

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS

JEAN H. TOAL, CIRCUIT COURT JUDGE

CASE NO. 2014-CP-40-08059

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AUG 28 2017

SC Court of Appeals

GEORGE CLEVELAND, III.....APPELLANT,

v.

REBECCA SCHIMSA, AND GOV. HENRY MCMASTER.....RESPONDENTS.

MOTION TO PROCEED IN FORMA PAUPERIS

Office of the Attorney General

Kevin Desmond Maroney, Asst. Atty. Gen.

Post Office Box 11549

Columbia, S.C. 29211-1549

Counsel of Record

George Cleveland, III, prose

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

APPELLANT'S BOUNDS v. SMITH:

MAY IT PLEASE THE COURT: George Cleveland, III, proceeding prose, respectfully request this Court to Grant my Motion to Motion to Proceed *nforma pauperis* under *Bounds v. Smith 430 U.S. 819, 97 S.ct. 1491 N.C. (1977)*, on the following grounds:

DECLARATION

I lack the funds to pay the \$100 filing fee, see attached supporting ~~Affidavit~~.

ARGUMENT

**BOUNDS v. SMITH REQUIRES
APPELLATE REVIEW WITHOUT PAYMENT
OF DOCKET FEES:**

The Supreme Court of the United States held under *Bounds v. Smith 430 U.S. 817, 97 S.ct. 1491 (1977)*

“...recent decisions have struck down restrictions and required remedial measures to insure that {Appellant} access to the Court is Adequate effective, and meaningful, thus in order to prevent ‘effective foreclosed access’ indigent {Appellant} must be allowed to file Appeals....without payment of docket fees”..., id., at 822 at 1495.

Bounds understands Appellant (s) without the means to pay the filing fee must have adequate, effective, and meaningful access to the Courts to file an Appeal so that the final Judgement of Circuit Court Judge Toal is checked for errors of law, and novel legal principals; therefore, *Bounds v. Smith* requires this Court to waive the \$100 filing fee so that my case can be reviewed by this Court respectively.

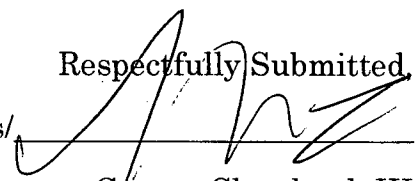
CONCLUSION

3-1. **WHEREFORE; GRANT** my Motion to Proceed *Informa Pauperis*, and order the Clerk to Place this Appeal on the Court's docket for Adjudication.

3-2. **Order** any additional relief this Court deems proper, just, and/ impartial.

Respectfully Submitted,

s/


George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: gcleland7475@gmail.com

DATED : August 15, 2017

**DECLARATION IN SUPPORT OF GANTING MOTION TO PROCEED IN *FORMA*
PAUPERIS**

1. I, George Cleveland, III, declares under the penalty of perjury, the following statement is true to the best of my knowledge:

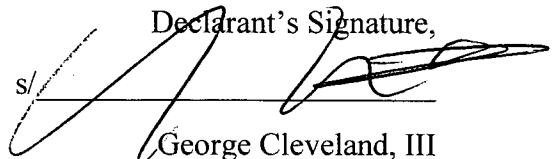
I do not have any available funds to pay the \$100 filing fee to Appeal the attached of Final Judgement of May 05, 2017.

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SC Court of Appeals

Declarant's Signature,

s/ 

George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Dated: August 15, 2017

APPELLANT'S PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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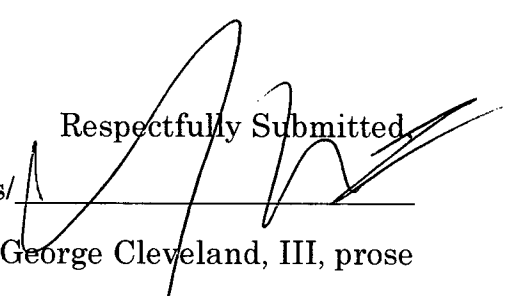
APPELLANT'S PROOF OF SERVICE

I, George Cleveland, III, proceeding prose, certifies that on the date below, properly addressed envelope, with prepaid United States Postage, served on the Counsel of Record for the Respondents my Notice of Appeal of the May 05, 2017 judgment, and my Motion for Leave to proceed in *forma pauperis* to the following:

Office of the Attorney General
Kevin Desmond Maroney, Asst. Atty. Gen.
Post Office Box 11549
Columbia, S.C. 29211-1549
Counsel of Record

Respectfully Submitted,

s/


George Cleveland, III, prose

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

16
DATED: AUGUST 16, 2017

August 15, 2017

The South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk of Court
Post Office Box 11629
Columbia, S.C. 29211

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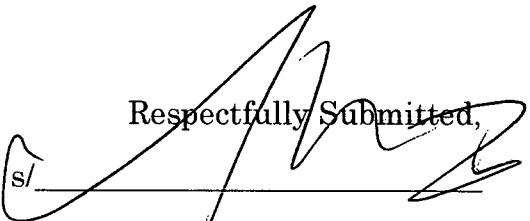
SC Court of Appeals

Re: Notice of Appeal in the case of: George Cleveland, III v. Governor
Henry Mc Master, et., al.

Dear Ms. Kitchings,

Can you please file my attached Notice of Appeal, and my Motion for Leave to Proceed *informa pauperis*, and the other papers attached hereto?

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "George Cleveland, III", written over a horizontal line. The signature is stylized and cursive. To the left of the line, there is a small "s/" mark.

George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: gcleveland7475@gmail.com

cc: file

Kevin Desmond Maroney, S.C. Asst. Atty. Gen.

The Honorable Jeanette W. McBride, Clerk of Court for the Richland County Court
of Common Pleas

George Cleveland, III
400 Hunter Street
Seneca, SC 29678



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AUG 28 2017

SC Court of Appeals

SOUTH CAROLINA Court of Appeals
JENNY ABBOTT Kitchings clerk of
P.O. Box 11629
Columbia, SC 29211

8/24
17/18

