

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
George Cleveland, III,)
)
Appellant,)
)
vs.)
)
Michael J. Sarratt,)
)
Respondent.)
_____)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

**ORDER DENYING APPELLANT'S
MOTION TO RECONSIDER**

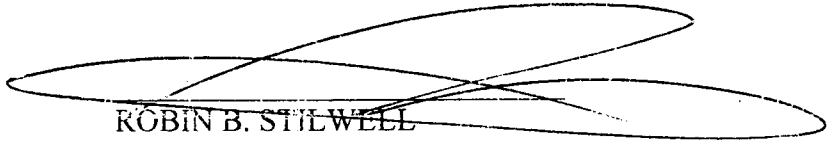
Case No.: 2017-CP-23-05356

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2017

This matter comes before the Court pursuant to the Appellant's October 16, 2017, Motion to Reconsider the Court's Ruling on Appellant's Motion to Proceed *in forma pauperis*. After having carefully considered the same, this Court elects to respectfully deny the Motion. Having denied the Appellant's request to proceed *in forma pauperis*, this Court grants the Appellant thirty (30) days from the date of this Order to pay the filing fee if he elects to proceed.

AND IT IS SO ORDERED.


ROBIN B. STILWELL

October 27, 2017
Greenville, South Carolina

RECEIVED
DEC 06 2017
SC Court of Appeals

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NO: 2017CP2305356

George Cleveland vs. Michael J. Sarratt

FILED-CLERK OF COURT
CIVIL & TRAFFIC DIVISION
2017 AUG 24 PM 9:59

CHECK ONE:

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**
 - Rule 12(b), SCRPC;
 - Rule 41(a), SCRPC (Vol. Nonsuit);
 - Rule 43(k), SCRPC (Settled);
 - Other: _____
- ACTION STRICKEN (CHECK REASON):**
 - Rule 40(j) SCRPC;
 - Bankruptcy;
 - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 - Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 - Affirmed;
 - Reversed;
 - Remanded;
 - Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

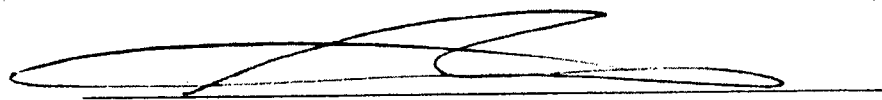
IT IS ORDERED AND ADJUDGED: See attached order; Statement of Judgment by the Court:

- Leave is granted to proceed in forma pauperis without payment of the filing fee.
- Leave is granted to proceed in forma pauperis without payment of the service cost.
- Leave is denied to proceed in forma pauperis.

RECEIVED
DEC 06 2017
SC Court of Appeals

Dated at Greenville, South Carolina, this .

Court Reporter:



PRESIDING JUDGE - Robin B. Stilwell

258

8/24/17
8/24/17
This judgment was entered on the . and a copy mailed first class this . to attorneys of record or to parties (when appearing pro se) as follows:

George Cleveland: 400 Hunter St,
Seneca SC 29678

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer

Paul B. Wickensimer Greenville County Clerk Of Court
- Clerk of Court



Office of the Clerk of Court

Paul B. Wickensimer
Clerk of Court for Greenville County
Greenville, South Carolina

www.greenvillecounty.org

August 24, 2017

George Cleveland
400 Hunter St
Seneca SC 29678

Mr. Cleveland,

The Motion To Proceed In Forma Pauperis 2017CP2305356 was Denied and Dismissed. We are returning your paperwork. The case number may be reopened upon receipt of \$150.00

Thank you for your attention in this matter.

*Greenville County Clerk of Court Office.
Civil Records*

IN THE STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE 2017 OCT 16 PM 12:04

APPEAL FROM THE FEES DISPUTE BOARD

FILED-CLERK OF COURT
PAUL B. WICK
GREENVILLE

George Cleveland, III

IN THE COURT OF COMMON PLEAS

Appellant RECEIVED c/a no. 2017-CP-2305356

-vs.

Micheal J Sarratt

Appellant's Rule 59 (e) Motion

To Reconsider August 24, 2017 Ruling

DEC 06 2017
SC Court of Appeals

Respondent.

MAY IT PLEASE THE COURT: George Cleveland, III, the Appellant,

proceeding pro se, respectfully submits this Rule 59 (e) S.C.R.C.P. Motion to

Reconsider the Court's decision to deny my Motion to Proceed in *forma pauperis* on the following grounds:

1. The decision is in direct conflict with the Supreme Court of the United States Federal Right to access the Courts without prepayment of the docket fees under *Bounds v. Smith* 430 U.S. 819, 97 S.Ct., 1491, N.C. (1977) (hereinafter *Bounds*).

JURISDICTION AND VENTUE:

2. Rule 59 (e) S.C.R.C.P. states the following relevant part:

"A motion to alter or amend the judgment shall be served not later than 10 days after receipt of written notice of the entry of the order."

3. I submit, I was not in receipt of the written order (attached hereto) until October 05, 2017, see Affidavit attached hereto; accordingly, this Court still maintains Jurisdiction over this matter.

ARGUMENT

**This Court's Decision to Deny my *in forma pauperis* Motion
is in Conflict with the Bounds Court:**

4. The Supreme Court of the United States under the *Bounds* Court, reasoned that indigent litigants including Appellant litigants have an fundamental right to meaningful access to the Courts without prepayment of the docket fee, *id at 822 at 1495*.

5. This Court's "X" mark on an pre typed form proves the Court never even read the Bounds court controlling authority of requiring my Appeal to proceed in this Court without prepayment of the docket fees; therefore, this Court overlooked the *Bounds' principal, id*, and this must alter or amend the August 24, 2017 order.

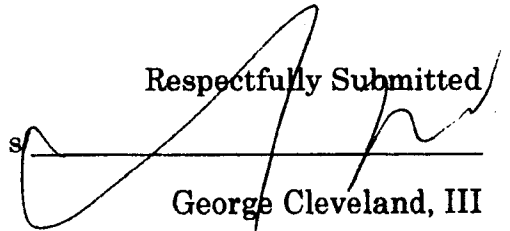
RELIEF REQUESTED

6. WHEREFORE; Grant my Motion to alter or amend this Court's August 24, 2017 order.

7. Order the Greenville County Common Pleas Clerk of Court to place my Appeal on the Court's Docket for proper adjudication without the prepayment of docket fees.

8. **Order any other relief this Court deems just, proper, and/or impartial.**

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.

George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Dated: October 10, 2017

IN THE STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

2017 OCT 16 PM 12:04

APPEAL FROM THE FEES DISPUTE BOARD

FILED-CLERK OF COURT
PAUL B. WICKENHAMER
GREENVILLE, SC

George Cleveland, III

Appellant,

-vs.

Micheal J Sarratt

Respondent.

IN THE COURT OF COMMON PLEAS

c/a no. 2017-CP-2305356

Appellant's Supporting Affidavit

Of Receipt of Order

I, George Cleveland, III, swears under the penalty of perjury, the following is true, and correct to the best of my knowledge:

1. I received on **October 05, 2017** at my mailing address at 400 Hunter Street, Seneca, S.C. 2678, the Court's Order denying my Motion to proceed *in forma pauperis* in this case.

ROBERT C PEIRCE
NOTARY
My Comm. Exp
04-14-2027
PUBLIC
SOUTH CAROLINA

10/13/17
Affiant's Signature,
George Cleveland, III

[Handwritten signature]

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STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO: 2017CP2305356

FILED
CLERK
2017 AUG 21 PM 2:59

George Cleveland vs. Michael J. Sarratt

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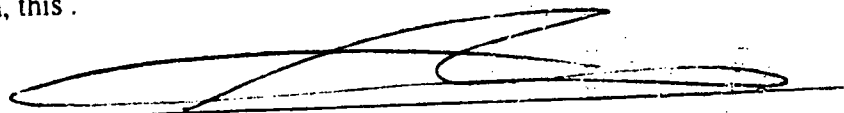
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- Leave is denied to proceed in forma pauperis.

RECEIVED
DEC 06 2017
SC Court of Appeals

Dated at Greenville, South Carolina, this .

Court Reporter:



PRESIDING JUDGE - Robin B. Stilwell

2158

2017 OCT 16 PM 12:04

IN THE STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
APPEAL FROM THE FEES DISPUTE BOARD

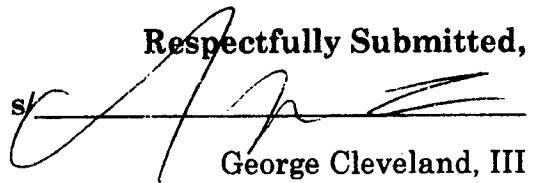
FILED-CLERK OF COURT
PAUL B. WICKENHEISEN
GREENVILLE, SC

)	
George Cleveland, III)	IN THE COURT OF COMMON PLEAS
Appellant,)	c/a no. 2017-CP-2305356
-vs.)	APPELLANT'S CERTIFICATE OF SERVICE
Micheal J Sarratt)	
Respondent.)	
_____)	

I, George Cleveland, III, certifies that on the date below, I served the pro se respondent with my Rule 59 (e) Motion, supporting Affidavit, and Exhibits by United States Mail properly addressed to the Respondent with proper prepaid postage to the following:

Michael J. Sarratt, Esquire
1500 East Rutherford Street
Landrum, S.C. 29356

Respectfully Submitted,


George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: gcleland7475@gmail.com

Dated: October ¹³~~10~~, 2017

ENTERED COMPUTER

October 10, 2017

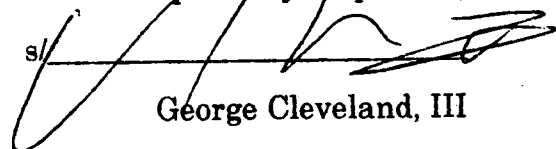
Greenville County Courthouse
Paul B. Wickensimer, Clerk of Court
Common Pleas Division
305 East North Street
Greenville, S.C. 29601

**Re: George Cleveland, III v. Micheal J. Sarratt, c/a no. 2017-CP-2305356;
Rule 59 (e) Motion.**

Dear Mr. Wickensimer,

Can you please file the Attached Rule 59 (e) Motion, supporting Affidavit,
and Exhibits, and forward to the Court for proper adjudication?

Respectfully Requested,

s/ 

George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: gcleland7475@gmail.com

cc: file

Micheal J. Sarratt, *Esquire*