

STATE OF SOUTH CAROLINA
In the Supreme Court

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SC Court of Appeals

APPEAL FROM SUMTER COUNTY
R. Booth Master in Equity, Court of Common Pleas

Trial Court Case No. 2016-CP-43-00733
Appellate Case No. 2017-001490

JPMorgan Chase Bank, National Association, Respondent,

v.

Robert W. Wazney,

Appellant.

PETITION FOR WRIT OF CERTIORARI

February 1st, 2018.

ROBERT WILLIAM WAZNEY
990 Wisacky Hwy.
Bishopville, SC 29010
803-428-2800
Indigent Appellant/Petitioner

Other Counsel of Record:

Scott and Corley, PA.
2712 Middleburg Drive
Suite 200
Columbia, SC 29204
803-252-3340
Attorneys for Plaintiff

MEMORANDUM

PETITION FOR REHEARING was made (Apx. pp. 1 - 6) and finally ruled upon by the Court of Appeals January 11, 2018 (Apx. pp. 7 - 8).

QUESTIONS PRESENTED

Did the Court of Appeals Err in holding that it dismissed an indigent state prisoners appeal because of his inability to pay Court costs and or fees?

STATEMENT OF THE CASE

1. Appellant, a pauper, filed NOTICE OF APPEAL and applied for IN FORMA PAUPERIS (Apx. pp. 9 - 16).
2. Appellant was denied IN FORMA PAUPERIS (Apx. pp. 3 - -).
3. Appellant can not present grievance to the Court without money and the Court of Appeals ORDER dated December 1, 2017 (Apx. pp. 5 - -) affirms Appellants foreclosure from presenting grievance to the Court because he does not have money, in violation of his constitutional rights.

ARGUMENT

The Court of Appeals should have held that it would entertain Appellants grievances by waiving filing fees, approving In Forma Pauperis.

CONCLUSION


For the reasons stated, the Petitioner asks the Court to grant the Petition For Writ of Certiorari.

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Respectfully submitted,

February 1st, 2018

/s/


ROBERT WILLIAM WAZNEY
990 Wisacky Hwy.
Bishopville, SC 29010
803-428-2800
Indigent Appellant / Petitioner

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CERTIFICATE OF SERVICE


The undersigned hereby certifies that on February 1st, 2018, true and correct copies of the PETITION FOR A WRIT OF CERTIORARI and APPENDIX and LEAVE TO PROCEED IN FORMA PAUPERIS, were served by depositing the the same in the prison mail system, postage prepaid, to the following addresses:

Scott and Corley, PA.
2712 Middleburg Drive, Suite 200
Columbia, SC 29204

Clerk, Court of Appeals
PO Box 11629
Columbia, SC 29211

Clerk, S.C. Supreme Court
PO Box 11330
Columbia, SC 29211

/s/


ROBERT WILLIAM WAZNEY
990 Wisacky Hwy.
Bishopville, SC 29010
Indigent Appellant / Petitioner

ROBERT WILLIAM WAZNEY

F21139 363679

Lee Correctional Institution,
990 Wisacky Highway
Bishopville, SC 29010



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COLUMBIA SC 29211

