

APPELLANT'S MOTION TO STAY
APPEAL PENDING CIRCUIT COURT
DECISION ON RULE 59(e) MOTION

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ANDERSON COUNTY
COURT OF GENERAL SESSIONS

R. LAWTON MCINTOSH, CIRCUIT COURT JUDGE

PROBATION CITATION No. C-37-17-0059

A/W No. (S) 2012A2330200168; N201731

ORIGINAL SENTENCE IN GREENVILLE COUNTY
COURT OF GENERAL SESSIONS

GEORGE CLEVELAND III, Appellant,

vs.

SOUTH CAROLINA DEPARTMENT OF
PROBATION, PAROLE, AND PARDON
SERVICES, (S.C.D.P.P.S.); AND
SOUTH CAROLINA,

RESPONDENTS

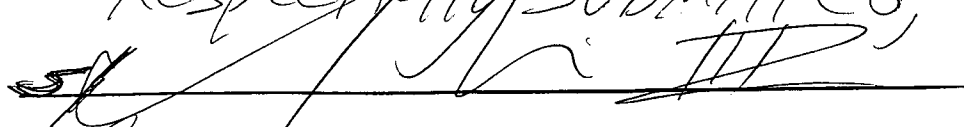
APPELLANT'S MOTION TO STAY
APPEAL PENDING CIRCUIT COURT
DECISION ON RULE 59(e) MOTION

MAY IT PLEASE THE COURT: George
Cleveland ~~III~~, proceeding pro se in the
Above captioned case, respectfully request
that this court GRANT MY STAY IN
this Appeal until circuit court Judge R.
LAWTON McINTOSH Rules on my Rule
59(e) SCRP motion mailed on MARCH 14
2018 to the Anderson County clerk's office
As the initiation of this Appeal is the Attached
motion to release me on bail, and stay
the Probation pending the outcome of

This Appeal, R. Pap. 4-5.

WHEREFORE; GRANT THIS INSTANT MOTION
AND STAY THIS APPEAL PENDING THE OUTCOME
OF MY APPEAL PENDING IN THE ANDERSON
COUNTY CLERK'S OFFICE (GENERAL SESSIONS
DIVISION).

ORDER ANY ADDITIONAL RELIEF THIS COURT
DEEMS JUST, PROPER, AND/OR IMPARTIAL.

Respectfully Submitted,

George Cleveland
ANDERSON COUNTY DEN CENTER
1009 DAVID LEE COFFEE PLACE
ANDERSON, S.C. 29625

~~DATED~~: MARCH 27, 2018 2.

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SC Court of Appeals

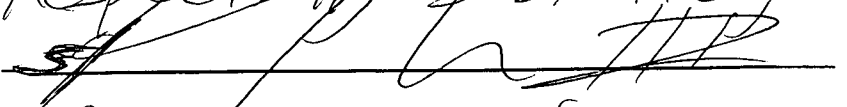
MARCH 27, 2018

The SOUTH CAROLINA COURT OF APPEALS
40 JENNY ABBOTT KITCHINGS, CLERK OF COURT
Post Office Box 11629
Columbia, S.C. 29211

Re: George Cleveland ~~Jr~~, vs. S.C.D.P.P.S.
Motion to stay Appeal.

DEAR Ms. Kitchings,

CAN you please file the Attached Motion
to stay Appeal, And supporting documents
for disposition of my Motion by the
Court?

Respectfully submitted,

George Cleveland Jr.

cc: file
S.C.D.P.P.S.

Financial PROBATION CITATION

Exhibit - 4

Indictment Number: 12-GS-23-07504, 12-GS-23-07507

Citation #: C-37-17-0059

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 SC Court of Appeals

SOUTH CAROLINA V. GEORGE CLEVELAND III	COUNTY: OCONEE SID # 01068002 SCDC #
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TO: GEORGE CLEVELAND III

YOU ARE HEREBY NOTIFIED to appear in the above case at the time, date and place specified below.

Place	Room
Date and Time:	

YOU ARE HEREBY NOTIFIED that you are charged with violating the conditions of your supervision as stated below.

Violations Charged The above named defendant has failed to comply with the Court's probation order and the defendant's agreement to pay a fine, restitution and supervision fees.

YOU ARE HEREBY NOTIFIED that you have the rights listed below.

List of Rights: You have the right at the hearing to question any person who appears as a witness against you and to have witnesses appear on your behalf. You may present evidence on your behalf. You may have an attorney represent you. If you cannot afford an attorney, an attorney will be appointed for you. You must advise the agent or the court in writing of your desire for an attorney. It is your responsibility to make arrangements for your witnesses and your attorney to appear at the hearing.
--

IF YOU FAIL TO APPEAR AT THE TIME, DATE AND PLACE SHOWN ABOVE, THE HEARING WILL BE HELD IN YOUR ABSENCE AND YOU MAY BE INCARCERATED.

WALHALLA , South Carolina	Probation and Parole Agent - Agent # Ginger W. Newton - 0343
Date <u>10/05/2017</u>	

A copy of the citation was served by the undersigned and given to the individual named therein at the time, date, and place indicated below.

Place <u>Oconee</u>	Date and Time <u>10-12-17</u> <u>2:47pm</u>
	Serving Officer's Signature

Sworn to and subscribed before me this	<u>12</u>	day of <u>OCT</u>	, <u>17</u>
 Signature of Notary Public	My Commission Expires <u>4/24/2025</u>		

Exhibit-5

AFFIDAVIT

County of OCONEE

Personally appeared before me, Newton, Ginger W. Ginger W. Newton, who first being duly sworn, deposes and says that GEORGE CLEVELAND III did within this county and State on the 5 day of October, 2017, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

The above named defendant has failed to comply with the Court's probation order and the defendant's agreement to pay a fine, restitution and supervision fees.

The Affiant states that there is probable cause to believe the defendant named committed the violations set forth and that such probable cause is based on the following facts:

The above named defendant agreed in writing, as a part of his/her probation agreement, to pay a fine, restitution and supervision fees. The defendant has not complied with his/her written agreement. As of the date of this affidavit, the defendant's arrearage and unpaid balance on the agreed payment schedule is as follows:

	<i>Fine</i>	<i>Restitution</i>	<i>Supervision Fees</i>	<i>DNA Fees</i>
Arrearage	\$60.00	\$1,560.00	\$300.00	\$0.00
Unpaid Balance	\$267.80	\$13,410.00	\$3,000.00	\$0.00

The matter needs to be reviewed by the court pursuant to Section 24-21-430. The defendant should be required to show the Court why he/she has not kept his/her probation agreement to pay. The Court should determine whether or not the defendant has willfully violated the condition to pay fines, and/or restitution and whether or not the condition to pay fines, restitution should be modified.

Sworn to and subscribed before me this 5 day of October, 2017

[Handwritten Signature]

Signature of Notary Public

4-24-2025

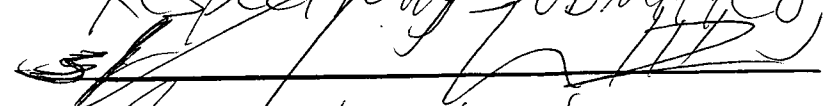
My Commission Expires:

[Handwritten Signature]
Affiant

I, George Cleveland, III, certifies
that on the date below, by and through
the Anderson County Detention Center
employees, with proper United States
postage, served on the Respondent's
Attorney of Record my: Notice of Appeal;
Motion to stay Appeal; Motion to stay
probation, and 90-day jail sentence
to the following:

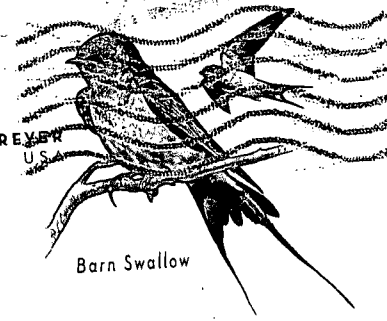
S.C.D.P.P.S,
OFFICE OF GENERAL COUNSEL
P.O. Box 50666
COLUMBIA, S.C. 29250

DATED: MARCH 23, 2018

Respectfully submitted,

George Cleveland, III

George Cleveland IV
Anderson county Detention Center
1009 DAVID Lee Coffee PLACE
Anderson, S.C. 29625

GREENVILLE SC 295
MAR 20 2018 PM 4 1



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The South CAROLINA Court of Appeals
c/o Jenny Abbott Kitchings; clerk of court
Post office Box 11629
Columbia, S.C. 29211

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29211-162929