

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

**RECEIVED**

APPEAL FROM SUMTER COUNTY

AUG 08 2018

Court of Common Pleas

SC Court of Appeals

James C. Campbell, Clerk

Appellate Case No. 2018-001268

John White, #80622

Appellant,

v.

State of South Carolina

Respondent.

INITIAL BRIEF OF APPELLANT

John White, #80622

Turbeville CI/SN-132-B

1578 Clarence Coker Hwy

Turbeville, S.C. 29162

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## STATEMENT OF ISSUES ON APPEAL

(1) Did the court ERB by not granted white to proceed in forma pauperis.

## STATEMENT OF THE CASE

On June 12, 2018 Appellant, Request the Court of Sumter County for a hearing on his petition to correct a void sentence, House breaking and larceny, Indictment #16-GS-43-134. The court denied his in forma pauperis.

## ARGUMENTS

(1) § 24-27-400, Indigent person

This chapter is inapplicable to any case in which the Constitution of the United States or the Constitution of South Carolina requires that an indigent person be allowed access to the court.

(2) Appellant do not have the funds available to pay the costs of filing, SEC.; Exhibit (A) Inmate Trust fund Account, SC. Code of Law § 24-27-100.

(3) In Crumbley, we held that a sentence is void if the court imposes punishment that the law does not allow, See, e.g. Wade v. State, 231 GA. 131, 134, 135, 200 S.E. 2d. 27. (1973)

## CONCLUSION

For the reason stated, this court should reverse the judgment of the Judicial Circuit.

August 2, 2018

Respectfully Submitted:

S/ John White

John White, # 80622

Turbeville CI/SA-132-B

1578 Clarence Coker Hwy

Turbeville, SC, 29162

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Appellant,

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State of South Carolina

Respondent.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant on Alan Wilson Attorney General, a copy in the United States mail, postage prepaid, on August 2, 2018. Addressed to his Attorney of Record, Alan Wilson, P.O. Box 11549, Columbia SC, 29211.

August 2, 2018

s/ John White

John White, #80622

Turbeville CI/SA-132-B

1578 Clarence Coker Hwy

Turbeville, SC, 29162

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South CAROLINA Court of Appeals

AUG 06 2018

The Honorable Jenny Abbott Kitchings, Clerk

SC Court of Appeals

P.O. Box 11629

Columbia, S.C. 29211

August 6, 2018

RE: John White, #80622, Appellant,  
v.  
State of South Carolina, Respondent.

Appellate Case No. 2018-001268

Dear Ms. Kitchings:

Enclosed for filing is A Initial Brief of Appellant in the above case. Also enclosed are the following:

(1) PROOF of Service of the Initial Brief of Appellant on the Respondent.

Sincerely

*John White*

John White, #80622

CC: Alan Wilson, Attorney General

P.O. Box 11549

Columbia, S.C. 29211

Turbeville Ct. / SA-132-B

1578 Clarence Corer Hwy.

Turbeville, S.C. 29162

John White, #80622

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Ms. Jenny Abbott Kitchings

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SC Court of Appeals

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