

STATE OF SOUTH CAROLINA

RECEIVED

IN THE COURT OF APPEALS

MAY 08 2019

APPEAL FROM DARLINGTON COUNTY
COURT OF COMMON PLEAS

SC Court of Appeals

HONORABLE GOLDSMITH, Cir. Ct. Judge

CASE NO.: 2019-000392

LEORY BENNETT,....., PETITIONER,

v.

THE STATE OF S.C.,....., RESPONDENT.

MOTION TO PROCEED IN FORMA PAUPERIS

APPELLANT LEROY BENNETT, 153421, m PETITION THE HONORABLE COURT TO PROCEED WITHOUT PAYMENTS IN HIS CASE MATTERS THAT IS PENDING ON AN APPEAL BEFORE THE RESPECTFUL COURT OF APPEALS, THE APPELLANT APPEARED BEFORE THE COURT OF COMMON PLEAS PRO SE AND PETITION THE COURT FOR A SENTENCE CLARITY PRIMARILY, AND HAD TO PURSUE A WRIT OF MANDAMUS IN THE FINAL END IN ORDER TO HAVE THE RESPONDENT TO ENTERTAIN THE FACTS THAT APPELLANT IS ENTITLED TO PETITION THE COURT FOR A SENTENCE CLARITY AND OR TO HAVE THE COURT TO CORRECT HIS SENTENCES IMPOSED BY THE GENERAL SESSIONS COURT, AS IN THE SCDC AND SCDPPA IS ERRONEOUSLY CONSTRUING AND ENFORCING THE APPELLANT SENTENCES TO BE SERVED. THE APPELLANT REQUEST TO PROCEED WITHOUT PAYMENT DUE TO THE APPEAL BEING CRIMINAL RELATED AND IS ARRIVING FROM THE APPELLANT'S ORIGINAL SENTENCE FROM THE CRIMINAL CONVICTIONS. THE APPELLANT IS NOT FINANCIALLY ABLE TO PAY THE \$250.00 FILING FEES DUE TO THE COURT, AND THE APPELLANT HAS BEEN INCARCERATED SINCE AUGUST 1988 TO THE DATE, AND HAVE NO FAMILY MEMBERS REMAINING IN SOCIETY, THE APPELLANT'S MOTHER, BROTHER, FATHER, AND SISTER IS DECEASED AND DO NOT HAVE NO IMMEDIATELY FAMILY MEMBERS TO GIVE FINANCIAL SUPPORTS TO PAY SUCH FILING FEES, AND THIS IS WHY THE APPELLANT SUBMITS TO THE COURT RESPECTFULLY TO HAVE THE COURT TO GRANT HIM THE MOTION TO PROCEED IN FORMA PAUPERIS WITH HIS APPEAL.

APPELLANT IS NOT TAKING THIS APPEAL FOR THE PURPOSES OF DELAYS NOR IS APPELLANT'S APPEAL IS OUT OF COMPLIANCE WITH THE APPELLATE COURT RULES, etc., AND APPELLANT SWEARS TO THE COURT THAT HIS APPEAL IS NOT FRIVOLOUS. THE APPELLANT IS pro se AND WAS PLACED TO DEFEND HIMSELF UNDER THE STATUS AS AN ATTORNEY AND UNDER NO CIRCUMSTANCES THE APPELLANT IS TO BE HELD AS AN ATTORNEY STATUS. I AM A LAYMAN OF LAW AND HAVE NO EXPERTISE IN LAW. THE COURT MUST GRANT APPELLANT'S MOTION TO PROCEED WITHOUT PAYMENT AND REVIEW APPELLANT

APPEAL.

CONCLUSION

APPELLANT LEROY BENNETT, #153421, FOREVER PRAYS THAT THE COURT GRANT HIS MOTION TO PROCEED WITHOUT PAYMENT SO THAT THE ENDS OF JUSTICE COULD FINALLY SERVED IN HIS CASE MATTERS, THE COURT WILL FIND THROUGH FACTUAL CONTENTIONS AND RECORDS ARGUMENTS THAT THE RESPONDENT IS FOUND TO BE DENYING THE APPELLANT A SENTENCE CORRECTIONS AND CLARIFICATION OF HIS SENTENCES THAT WAS IMPOSED BY THE HIS ORIGINAL SENTENCING JUDGE AS IT WAS DONE THE HONORABLE COURT WELL SOME THIRTY (30) YEARS AGO.

APPELLANT FOREVER PRAY THAT THE COURT GRANT HIS MOTION.

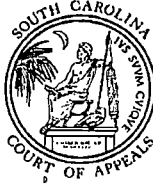
SUBMITTED ON T HIS 2nd DAY OF MAY 2019.

MAY 2, 2019

RESPECTFULLY SUBMITTED,



LEROY BENNETT
990 WISACKY HWY,
BISHOPVILLE, SC 29010
APPELLANT/PETITIONER



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

April 25, 2019

Leroy Bennett 153421
Lee Correctional Institution
990 Wisacky Highway
Bishopville SC 29010

Re: Leroy Bennett, 153421, v. State of South Carolina
Appellate Case No. 2019-000392

Dear Mr. Bennett:

Upon reviewing your correspondence received April 1, 2019, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- If you would like to proceed without the payment of fees, you must present your request in the form of a motion, in accordance with Rule 240 of the South Carolina Appellate Court Rules.
- You must provide proof of service of your motion on all other parties to the appeal. Your proof of service must include the name of the document you are serving, the names of the parties, their contact information, and the date you served them.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Harley Littleton Kirkland, Esquire

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM DARLINGTON COUNTY
COURT OF COMMON PLEAS

RECEIVED

MAY 08 2019

HONORABLE GOLDSMITH, Cir. Ct. Judge

SC Court of Appeals

CASE NO.: 2019-000392

LEORY BENNETT,....., PETITIONER,


v.

THE STATE OF S.C.,....., RESPONDENT.

PROOF OF SERVICE

I, LEROY BENNETT, 153421, CERTIFY THAT I DID SERVE TO THE RESPONDENT HARLEY L. KIRKLAND, Esquire, A TRUE COPY OF THE APPELLANTS MOTION TO PROCEED IN FORMA PAUPERIS IN THE ABOVE STATED CASE NO., APPELLANT SERVED THE RESPONDENT THIS MOTION BY WAY OF U.S. POSTAL MAIL, PREPAID POSTAGE, MAILED TO HGER OFFICE ADDRESSA AS: HARLEY LITTLETON KIRKLAND, Esquire, ATTORNEY GENERAL OFFICE, PO BOX 11549, COLUMBIA, SC 29211-1549, SERVED ON THIS 1st DAY OF MAY 2019, BY PERSONALLY DELIVERING IT TO THE PRISON MAILROOM CLERK FOR POSTAGE VERIFICATIONS. AND VERIFIED ON THIS 2nd DAY OF MAY 2019.

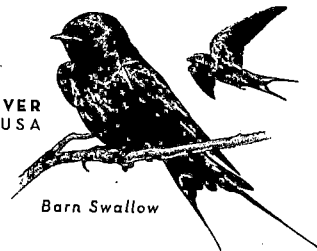
MAY 2, 2019


LERoy BENNETT
LEE C.I.
990 WISACKY HWY.
BISHOPVILLE, SC 29010
APPELLANT/PETITIONER

LEROY BENNETT, 153421
LEE C.I./F2A-1154
990 WISACKY HWY.
BISHOPVILLE, SC 290210
29010

626291-11262

FOREVER
USA



Barn Swallow

HON: JENNY ABBOTT KITCHINGS
PO BOX 11629
COLUMBIA, SC 29211

LEGAL MAIL

RECEIVED
MAY 08 2019
SC Court of Appeals



COLUMBIA SC 290