

THE SOUTH CAROLINA COURT OF APPEALS

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FEB 13 2020

SC Court of Appeals

JAMES A. BROWN, #282981  
applicant,

C/a n.. 2020-000019

v.

STATE OF SOUTH CAROLINA  
respondent,

NOTICE OF APPEAL TO  
PROCEED ~~IN FORMA PAUPERIS~~  
~~SERV~~

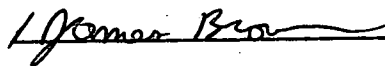
MOTION WITHOUT PRE-COST

THE APPLICANT IN SUPPORT OF HIS MOTION, APPLICANT SUBMITS that in addressing his financial inability to pay the cost of his appeals. the u.s. supreme court has held that fundamental fairness entitles applicant to an adequate opportunity to present their claims fairly within the adversary system. aka v. oaklohma, 470 u.s. 68 (1985).

IN CONJUNCTION THE south carolina supreme court has held under s.c. code ann& 17-27-60 (1985) THAT ANYTIME CRIMINAL procedures discriminate against a petitioners by reason of their indigent status such procedures violate the guarantee of equal protection where the indigent petitioner is subjected to a process which is not required of a non-indigent petitioner, then the process becomes invidiously discriminatory and violatëve of equal protection exparte LEXINGTON COUNTY, 442 s.e.2d589, 594 (1994).

IN RELIANCE UPON THE ABOVE COURT DECISIONS PETITIONER MOVES THIS HONORABLE COURT TO GRANT HIM LEAVE TO PROCEED IN THIS NOTICE OF APPEALS WITHOUT PRE-PAYMENT OF COST TO CONTEST HIS ILLEGAL LIFE SENTENCE AND CONVICTION.

DATE 2-7. 2020.



JAMES A. BROWN #292881  
perry correctional inst.  
430 oaklawn road q4b/110  
pelzer, s.c. 29669

Perry

# INMATE TRUST FUND ACCOUNT REPORT for SOUTH CAROLINA COURT FILING FEES

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*INSTRUCTIONS TO INMATE: Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court.*

FEB 07 2020

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws 27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

**PO: MAILROOM**

INMATE NAME (print): James Brown

SCDC # 282981

INMATE SIGNATURE: James Brown

I plan to file this action in the SC County of ~~\_\_\_\_\_~~ Spartanburg J.B./NCM

*The section below is for SCDC - Financial Accounting Branch's use ONLY.*

- (1) Total deposits to inmate's account for preceding six months' period \* ..... \$ 1,334.28
- (2) Twenty percent (20%) of line 1 ..... \$ 266.86
- (3) Account balance - current date ..... \$ ~~20.54~~ \* 0  
*\* Prior Holds on Account*
- (4) PAYMENT AMOUNT \*\*  
(lesser of line 2 or line 3)  
Enclosed check # \_\_\_\_\_ \$ 0

ZUZU JAN 28 AM 9:57  
ACCOUNTS PAYABLE

**NOTE to COURT:** If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections  
Financial Accounting - Room 234  
PO Box 21737  
Columbia, SC 29221-1737

Not Applicable  
~~1/22/20~~

\* Admission date is noted here if inmate incarcerated less than six months

Peggy Caldwell

1/31/2020

MOON JAM FOR

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JAN 22 2020  
P.C.I. MAILROOM

RECEIVED  
FEB 05 2020  
P.C.I. MAILROOM

RECEIVED  
FEB 11 2020  
APPELLATE DEFENSE

RECEIVED  
FEB 05 2020  
P.C.I. MAILROOM

Q1870

THE SOUTH CAROLINA COURT OF APPEALS

JAMES A. BROWN, #282981  
applicant,

v.

STATE OF SOUTH CAROLINA  
APPELLATE.

c/a no. 2020-06008

PROOF OF SERVICE

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FEB 13 2020

SC Court of Appeals

THE APPLICANT, above-named do hereby certify that he served a true copy of his notice of appeals to proceed in forma pauperis without cost and the order of judgment to challenged on appeal, to respondent HARLEY LITTLETON KIRKLAND, EQ AND THOMAS PARKIN C. HUNTER, EQ POST OFFICE BOX 11549 columbia, s.c. 29211. and the honorable JENNY ABBOTT KITCHINGS, CLERK POST OFFICE BOX 11629. COLUMBIA, S.C. 29211

CC:FILE

*James Brown*

JAMES A. BROWN #292881  
perry correctional inst.  
430 oaklawn road q4b/110  
pelzer, s.c. 29669

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FEB 07 2020

P.C.I. MAILROOM

DATE 2-7- 2020.

HONORABLE JENNY ABBOTT KITCHINGS, CLERK  
POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211

RE: JAMES A. BROWN, 282981 V. STATE APPELLATE  
CASE CASE NO. 2020-000019

notice of APPEAL, TO PROCEED IN FORMA PAUPERIS, AND THE  
ORDER OR JUDGMENT TO CHALLENGED ON APPEAL.

DEAR, MRS KITCHINGS:

ENCLOSED PLEASE FIND THE NOTICE OF APPEAL TO PROCEED IN  
FORMA PAUPERIS AND THE ORDER OR JUDGMENT TO CHALLENGED  
ON APPEAL TO BE FILE IN YOUR OFFICE.

THANK YOU VERY MUCH IN THIS MATTER.

CC: HARLEY LITTLETON KIRKLAND, EQ  
THOMAS PARKIN C. HUNTER, EQ

*James Brown*

JAMES A. BROWN#292881  
PERRY CORRECTIONAL INST.  
430 OAKLAWN ROAD Q4b/110  
PELZER, S.C. 29669

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FEB 07 2020

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FEB 13 2020  
SC Court of Appeals

AMES A. BROWN, 282981  
entry correctional inst.  
30. calkoon road  
OAB 1110  
elton S.C. 29669

**RECEIVED**  
FEB 08 2020  
SC Court of Appeals  
South Carolina Court of Appeals  
Jenny Abbott Kitchens, Clerk  
Post Office Box 11629  
Columbia, South Carolina 29211

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FEB 07 2020  
PC I MAILROOM

**RECEIVED**  
FEB 11 2020  
APPELLATE DEFENSE