

THE SOUTH CAROLINA COURT OF APPEALS

RECEIVED  
FEB 27 2020  
SC Court of Appeals

JAMES A. BROWN, #282981  
applicant,

C/a n.. 2020-000019

v.

STATE OF SOUTH CAROLINA  
respondent,

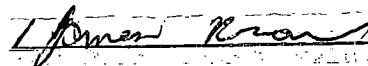
NOTICE OF APPEAL TO  
PROCEED ~~IN FORMA PAUPERIS~~  
MOTION WITHOUT PRE-COST

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. oaklahoma, 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 violatève 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.

DATED 24 2020.



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

**Financial Certificate for the District of South Carolina  
and/or  
Inmate Trust Fund Account Report for SC Court Filing  
Fees**

This is to verify that financial statement(s) addressed to:

SC Department of Corrections  
Financial Accounting Branch  
P.O. Box 21787  
Columbia, SC 29221

from:

James Brown #282981  
Perry Correctional Institution  
430 Oaklawn Road  
Pelzer, SC 29669

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Was/were received in the Perry Correctional Mailroom on January 22, 2020.  
The form(s) was/were logged in and sent out in the Inter Office mailbag to SC  
Department of Corrections Headquarters. The completed form(s) was/were received from  
the Financial Accounting Branch in the Perry Correctional Mailroom on February 5,  
2020 and delivered to Mr. Brown on that same date.

---

N.C. Merchant  
N.C. Merchant – Postal Director  
Perry Correctional Institution  
430 Oaklawn Road  
Pelzer, SC 29669  
(864) 243-4700 Ext. 1127

February 12, 2020  
Date

THE SOUTH CAROLINA COURT OF APPEALS

JAMES A. BROWN, #282981  
applicant,

v.

STATE OF SOUTH CAROLINA  
APPELLATE.


c/a no. 2020-000019

PROOF OF SERVICE

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

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SC Court of Appeals

CC:FILE

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

DATE 2-24 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

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SC Court of Appeals

*James Brown*

JAMES A. BROWN#292881  
BERRY CORRECTIONAL INST.  
455 CARLETON DRIVE, WEST  
PELZER, S.C. 29669

dear clerk; Reconsideration

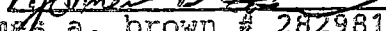
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re; to delay by the state s.c.d.c. division of finance,  
pro se prisoner motion timely because given to prison officials  
before deadline, of the order of dismissed by the court. clerk,

A PRISONER'S NOTICE OF APPEAL, or filing fee may be considered  
timely if it is posted in the prison legal mail system within  
the applicable time limit, even if is not received by the court  
before the deadline, see feb r app 4(C) (1). see also  
houston v. lock, 487 u.s. 266. 275-76 (1988).

HERE, the petitioner's was delay by the state finance, divison  
to file his finance report back to the appellate court, was delay  
by the deadline back to court and not of the petitioner doing.  
and pro se notice of appeal or filing fee is timely, within the  
30-day deadline, and HERE IS AFFIDAVIT from the mailroom official  
systing that the prisoner's notice deemed filed upon delivery to  
prison officials because of peculiar obstacles of pro se defendant  
see delong v. dickhaut, 715 f3d 382, 385-86 (1ST CIR 2013).

DATE 2-24 2020.

  
james a. brown # 282981  
perry correctional inst.  
430 oaklawn road q4b/110  
pelzer, s.c. 29669

James A. Brown #282981  
PENNY Correctional Inst.  
430 Oaklawn Road  
Pelzer, S.C. 29669

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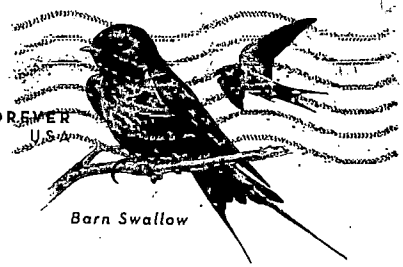
FEB 27 2020

SC Court of Appeals

GREENVILLE SC 29615

25 FEB 2020 PM 3 L

FOREVER  
U.S. AIR MAIL



Barn Swallow

South Carolina Court of Appeals  
Jenny ABBOTT Kitchins, Clerk  
Post Office Box 11629  
Columbia, South Carolina 29211

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FEB 24 2020

RC MAIL ROOM

29211-162929

