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SC Court of Appeals

Theodore Bolick
Evans Correctional Inst.
610 Highway #9 West
Bennettsville, S.C. 29512

July 26, 2022

TO: Jenny Abbott Kitchings
Honorable Clerk, Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

RE: State V. Bolick
Case No. 2020-001497

Dear Honorable Clerk

Pursuant SCACR Rule 208(b)(7) I wish to supplement the citations in my Initial Brief.

In section IV of my Initial Brief on page 25 I argued because the term of court had expired the court lacked jurisdiction to consider the State's Motion For Reconsideration which was filed after the term of court had expired.

In support of that argument I would kindly ask the Honorable Court of Appeals to consider that Circuit Court Judge, R. Ferrell Cothran Jr. was a visiting judge in the Fifteenth Judicial Circuit on April 15, 2021 and adjourned his court sine die on April 16, 2021. That Judge Cothran had left the Fifteenth Judicial Circuit and returned to his designated Third Judicial Circuit on April 23, 2021 when the state filed its Motion for Reconsideration.

In light of that fact Appellant kindly requests the Honorable Court of Appeals to consider the following supplemented citations.

Shillito v City of Spartanburg, 215 S.C. 83 (1949) (Any designated judge who has held court in a circuit other than his own circuit can, notwithstanding his absence from such circuit, decide all matters which have been submitted to him within circuit, can decide motions for new trials duly made, or perform any other act required by law or rules of court in order to prepare case for review)

in appellate court, he he cannot, after leaving the other circuit, decide any matter which has not been submitted to or heard by him while holding court in such other circuit) citing Borns v Babb, 190 S.C. 508 (1939) (Where a trial judge adjourns court sine die, he loses jurisdiction of case finally determined during that term except under special circumstances) and Eagerton v Atlantic Coast Line R. Co., 175 S.C. 209 (1935) (Trial judge held without jurisdiction to enter order six days after adjournment sine die purporting to set aside directed verdict rendered during term.)

Respectfully Submitted
This 26th day of July, 2022
Theodore Bolick
610 Highway #9 West
Bewellsville, S.C. 29512

CERTIFICATE OF SERVICE

I hereby certify that I placed a copy of the foregoing letter to the clerk concerning supplemental citations pursuant SCACR, Rule 208 (b) (7) in the U.S. Mail, postage pre-paid, addressed as follows:

Attorney General, Alan Wilson
P.O. Box 11549
Columbia, S.C., 29211-1549

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