

STATE OF SOUTH CAROLINA

RECEIVED

COURT OF APPEALS

JAN 04 2023

SC Court of Appeals

FROM Horry COUNTY

LARRY B. HYMAN JR., CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2020-001497

The State

Respondent

VS.

Theodore J. Bolick

Appellant

OBJECTION TO THE RESPONDENT'S FIFTH
MOTION FOR EXTENSION OF TIME TO FILE
AN INITIAL BRIEF AND DESIGNATION
OF MATTER

Appellant acting pro se respectfully
shows unto the Honorable Court as follows.

OBVIOUS FALSEHOODS MANIFESTED
BY THE RECORD

On October 17, 2022 the State sought

and received a Third Extension of Time. One of the reasons proffered to the court for seeking this extension of time was,

"The undersigned has completed the Initial Brief of Response in State V Duraw." See Third Motion For Extension of Time

Further, in the Third Motion For Extension of Time the State argued,

"The Initial Brief in this case is one of the next briefs the undersigned plans to complete."

Therefore, in all reasonableness on October 18, 2022 this court granted the state's Third Motion For Extension of Time.

Then on November 16, 2022 the State made its Fourth Motion For Extension of Time. In making this Fourth Motion For Extension of Time, the State by and through William M Blich Jr blatantly lied to the court and argued that the reason, or one

reasons the state needed an extension of time was,

"Since the last extension was granted in this case the undersigned has completed the Initial Briefs of Respondent and Designation of Matter in State V. Duran and State V. Turner. See Fourth Motion For Extension of Time,

To a prudent and competent mind this statement was obviously a lie or falsehood as the state argued in the Third Motion For Extension of Time it had completed the Initial Brief in State V. Duran. However, in the Fourth Motion For Extension of Time the state knowingly proffers this falsehood as a pretext for seeking another extension of time. This pretextual excuse had already been used.

Even further, in the Fourth Motion For Extension of Time the state argued,

"The undersigned does not anticipate the need for any

further extensions as this is the next brief the undersigned plans to complete." (emphasis added).

Over Appellant's objection, and much to his dismay on November 22, 2022 this court granted the State's Fourth Motion For Extension of Time.

When seeking the Fourth Motion For Extension of Time the State argued that his actions in State v. Perry; Perry v. State; State v. Peele; and State v. Martin were the reasons for delay, and the reasons why an extension was needed.

However, in this latest Fifth Motion For Extension of the State Time the State again argues the same four cases are the reason for the State's delay. This again is a transparent lie, The State's work in State v. Perry; Perry v. State; State v. Peele; and State v. Martin was the reason for the fourth extension. Then how is it the state can reasonably proffer this same excuse for delay. It should not be allowed because the blatant lies have been

exposed. This court may have inadvertently overlooked the lies proffered by the State in the Fourth Motion For Extension, (Shame on them), but it should not for any reason overlook the lies proffered by the State in its Fifth Motion For Extension, (Shame on the Court). The degenerate debauchery by the State in this case has become so redundant that it reflects poorly on the entire state. It must cease at some point in time.

THERE ARE NO EXTRAORDINARY REASONS FOR AN EXTENSION OF TIME TO FILE A INITIAL BRIEF

Mr William M. Blich, the attorney for the Respondents is a Senior Assistant Deputy Attorney General. Part of his every-day ordinary duties are to file briefs in the Court of Appeals and Supreme Court of South Carolina. It is also part of his ordinary duties to make oral arguments in these courts.

When granting the State's Third Motion For Extension of time the Honorable

Catherine Harrison cautioned the state,

"any further extension request must show the existence of extraordinary circumstances"

However, in the State's Fourth Motion For Extension of Time the state did not allege any extraordinary circumstances for an extension of time. The state simply argued that filed it had done what is every day ordinary work, (filing briefs and arguing) on ordinary every day cases.

Much to the Appellant's shock and dismay, on November 22, 2022 an un-named Clerk for the Court of Appeals fabricated that the state had alleged extraordinary circumstances for an extension of time and then inadvertently granted the extension.

In reality, the state in the Fourth Motion For Extension of Time falsely argued that it had just completed filing an Initial Brief in State v. Duran, the exact same argument it had alleged

is the Third Motion For Extension of Time. This was an obvious lie even to a challenged mentality, notwithstanding, nothing in the State's Fourth Motion For Extension of Time demonstrated or even alleged any extraordinary circumstances for any further delay.

Now, here again, the State has not alleged any "extraordinary circumstances" in this Fifth Motion For Extension of Time. In fact, even the every day ordinary circumstance the State purports to be the reason for delay is manifestly an outright lie, as four of the cases the State alleges is the reason for delay, are the exact same cases referenced in the fourth motion for extension of time. Just how gullible does Mr. Blich consider the court to be?

CONCLUSION

WHEREFORE: for obvious reasons and good cause shown this court should redeem its integrity and deny the Respondent's Fifth Motion For Extension

of Time.

Respectfully Submitted
This 22nd day of December, 2002
Theodore B. Dick, prose
Evans Correctional Inst
610 Highway #9 West
Bennettsville, S.C. 29512

STATE OF SOUTH CAROLINA

RECEIVED

JAN 04 2023

IN THE SUPREME COURT

SC Court of Appeals

TO THE CHIEF JUSTICE
THE MOST HONORABLE
COSTA M. PLETCHER

SUPPLEMENTAL EVIDENCE AND
PLEADING FOR A WRIT OF
MANDAMUS

FROM THE COURT OF APPEALS
APPELLATE CASE NO. 2020-001497
STATE V. THEODORE BOLICK

Theodore J. Bolick

Petitioner

v.

Jessy Abbott Kitchings,

Respondent

Petitioner, Theodore Bolick having recently petitioned this Most Honorable Court for a writ of mandamus on December 5, 2022 hereby submits the attached

document labeled Exhibit 6 as supplemental evidence in this petition, and pleads and argues accordingly

STATEMENT OF CASE

In pleading for a writ of mandamus the Petitioner has alleged the State is unnecessarily delaying the proceedings is an attempt to gain a tactical advantage, and prejudice the Petitioner's/Appellant's ability to argue and present the case.

Petitioner by way of five (5) exhibits submitted as evidence with the Petition has demonstrated quite clearly the State is fabricating pretextual reasons for an unnecessary delay and extensions of time to file an Initial Brief on Appeal in State v. Bolicks, 2020-001497.

Petitioner sought this Most Honorable Court's intervention after the State sought, and was granted, a Fourth Extension of Time on November 22, 2022 without having demonstrated or even alleged any extraordinary circumstances for such an

extension as was previously mandated by the court would be required for any further extensions.

An unidentified Clerk for the Court of Appeals inadvertently found the State had alleged extraordinary circumstances for its Fourth Motion For Extension of Time, and subsequently granted the extension, Please see Exhibits 4 and 5 is the Original Petition.

NEW SUPPLEMENTAL EVIDENCE

Attached hereto and labeled Exhibit 6 is the State's Fifth Motion For Extension of Time To File Initial Brief of Respondent And Designation of Matters. In this Fifth Motion For Extension of Time the State argues the reason for delay this time is the State's work in State v Perry; Perry v. State; State v. Peele; and State v. Martin. However, this proffered reason for delay is manifestly a blatant pretextual falsehood. If this Most Honorable Court would look to the State's Fourth Motion For Extension of Time, is that motion

the State argued the reason for delay was these same four cases.... State V. Perry; Perry V. State, State V. Peele; and State V. Martin. Neither of these cases are extraordinary, nor does any reason given by the State present extraordinary circumstances for another extension of time. The State is blatantly fabricating pretextual excuses for extension of ~~time~~ time to file Respondent's Initial Brief on Appeal. By doing so the State is trying to gain a tactical advantage and prejudice Petitioner/Appellant's ability to present his case, not to mention keeping Petitioner/Appellant unlawfully incarcerated. The State is turning what was manifest injustice into a travesty of justice by deviant diabolical practices of a degenerate nature. The pretextual fabricated falsehoods given as a reason for delay exploit fully the nature of the tyrannical beast, and Petitioner prays this Most Honorable Court will see fit to redeem the integrity of the court.

CONCLUSION

WHEREFORE: Petitioner prays this Most Honorable Court grant the writ of mandamus and order the Clerk for the Court of Appeals to deny the State's Fourth and Fifth Motion For Extension of Time To File Respondent's Initial Brief on Appeal as no extraordinary circumstances have been alleged or shown for these delays, and the pretextual reasons given for the delays are manifestly false.

Respectfully Submitted
This 22nd day of December, 2022
Theodore Bolick, pro se
Evans Correctional Inst.
610 Highway # 9 West
Bennettsville, SC 29512

Exhibit 6

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County
Honorable Larry B. Hyman, Jr., Circuit Court Judge
Appellate Case Tracking No. 2020-001497

The State,

Respondent,

vs.

Theodore Jerry Bolick,

Appellant.

**MOTION FOR FIFTH EXTENSION OF TIME TO SERVE AND FILE
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

Respondent, through its undersigned counsel, would respectfully show unto this Court:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed December 16, 2022. Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a fifth extension in the above referenced appeal. Due to the issues raised and work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this brief on time. The undersigned has completed filings this month in multiple appeals including the Return to Emergency Motion for Appeal Bond in State v. Martin, Returns to Petition for Writ of Certiorari in State v. Peele and State v. Brewton, and the Brief of Petitioner in State v. Perry and has participated in the oral argument in State v. Leggette and State v Cook. The undersigned has been directed to prepare Returns to the Petitions in the Original Jurisdiction of the South Carolina Supreme Court in Perry

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County
Honorable Larry B. Hyman, Circuit Court Judge
Appellate Case Tracking No. 2020-001497

The State,

Respondent,

vs.

Theodore Jerry Bolick,

Appellant.

PROOF OF SERVICE

I, Caroline Collins, certify that I have served the Motion for Fifth Extension of Time to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by depositing a copy in the US Mail addressed to:

Theodore Jerry Bolick, *Pro Se* Appellant
#384070, 1B-0148-A
Evans Correctional Institution
610 Highway 9 West
Bennettsville, South Carolina 29512

I further certify that all parties required by Rule to be served have been served.

This 16th day of December, 2022.



CAROLINE COLLINS
Administrative Coordinator
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727

v. State and Gibson v. Bodiford and a memorandum in State v. Mello, each with a proximate deadline. The undersigned also has administrative responsibilities as the supervisor of the Criminal Appeals Section at the Attorney General's Office. The Initial Brief in this case is the next initial brief the undersigned plans to complete, and he believes it can be completed without subsequent extension.

II.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would, therefore, request a fifth extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

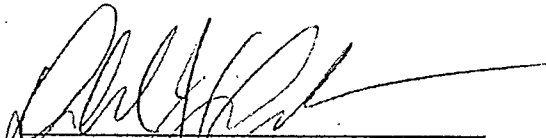
WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.


Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General

I have reviewed and approve this request:


DONALD J. ZELENKA
Deputy Attorney General


WILLIAM M. BLITCH, JR.
S.C. Bar No. 15608
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

December 16, 2022

ATTORNEYS FOR RESPONDENT

CERTIFICATE OF SERVICE

Petitioner, Theodore Bolick hereby certifies that he mailed a copy of the foregoing Supplemental Evidence And Pleading For A Writ of Mandamus by placing copies in the U.S. Mail, postage prepaid and addressed as follows:

Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia, S.C, 29211, and

William M. Blitch Jr.
P.O. Box 11549
Columbia, S.C, 29211-1549

This 22nd day of December,
2022
Theodore Bolick

STATE OF SOUTH CAROLINA

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SC Court of Appeals

FROM HORRY COUNTY

LARRY B. HYMAN CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2020-001497

The State

Respondent

v.

Theodore T. Bolick

Appellant

PROOF OF SERVICE

I hereby certify that I placed a copy of the foregoing objection to the Respondent's Fifth Motion For Extension of Time To File An Initial Brief And Designation Of Matter in the U.S. Mail, postage prepaid, addressed

William M. Blitch Jr.

P.O. Box 11549

Columbia, S.C. 29211-1549

This 22nd day of December,

2022

Theodore Bolick

Theodore Bolick 384070
Evans Correctional Inst
610 Highway #9 West
Bennettsville S.C, 29512

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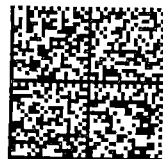
JAN 04 2023

SC Court of Appeals

Clerk, Court of Appeals

P.O. Box 11629

Columbia, S.C, 29211



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