

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

RECEIVED

JAN 09 2023

SC Court of Appeals

Dec. 30, 2022

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

RE: State V. Bolick  
Appellate Case No 2020-1497

Dear Ms Kitchings,

I am the Appellant in the above referenced case, and much to my dismay the Clerk's Office in the South Carolina Court of Appeals continues to grant the state, (Respondent) extensions of time to file an Initial Brief. On December 22, 2022 the Clerk's Office granted the state its fifth extension. At no time has the state alleged or demonstrated any "extraordinary circumstances" for these

extensions, however, your office has fabricated that the state has alleged "extraordinary circumstances" for these extensions. Why?

Mr William M. Blich is a Senior Assistant Deputy Attorney General. His everyday ordinary duties are to file appellate briefs and argue before the South Carolina Supreme Court and Court of Appeals. Therefore, filing briefs and arguing before Supreme Court and Court of Appeals is not extraordinary circumstances for him. Why would your office compromise its integrity and state he has alleged extraordinary circumstances for another extension, when in fact he has not?

When your office granted the state its third extension, it stated no further extensions would be granted without "extraordinary circumstances" being shown. Yet the state has not alleged or demonstrated any "extraordinary circumstances" in either its fourth or fifth motion for extensions, but your office contrary to its own orders

continues to grant these unwarranted extensions

Further, the state has since the third motion for extension state that stated that my case was the next case it intended to work on. This has obviously been a lie. Why has your office failed to hold Mr. Blitch to his own statements? It becomes very frustrating when your office ignores the lies Mr. Blitch has proffered to this court in asking for extensions, but even more so when your office pretextually fabricates that Mr. Blitch has alleged "extraordinary circumstances" for these extensions.

I am respectfully requesting your office to specifically state exactly what "extraordinary circumstance or circumstances" Mr. Blitch has alleged or demonstrated to be granted a fifth extension of time. Four of the cases he alleged was the reason for his delay in his fourth motion for extension are again cited in his fifth motion for extension (as

obvious lie).

Because it is blatantly obvious that your office is abusing the discretion the Supreme Court gave it on March 18, 2009 to grant extensions, and because I am a victim of this abuse of discretion, I feel I must file a complaint with the Supreme Court, and the Judicial Commission.

Again, I am respectfully requesting that you state specifically what "extraordinary circumstance or circumstances" Mr. Blich alleged in his fourth or fifth motion for extension of time.

Respectfully Yours  
Theodore Bolick

C. C. Costa M. Pleicodes;  
Administrative Office of the  
Courts;  
Commission on Judicial Conduct;  
William M. Blich

P.S. Before your office fabricates

another lie on behalf of Mr William M. Blitch, please be advised that Black's Law Dictionary (2018) defines "Extraordinary circumstances" - "A highly unusual set of facts that are not commonly associated with a particular thing or event"

Be careful! I've been known to litigate.

STATE OF SOUTH CAROLINA

RECEIVED

COURT OF APPEALS

JAN 09 2023

SC Court of Appeals

FROM Horry COUNTY

LARRY B. HYMAN, CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2020-001497

The state

Respondent

vs.

Theodore J. Bolick

Appellant

MOTION AND NOTICE OF A CONFLICT  
OF INTEREST

Appellant, Theodore Bolick acting pro se hereby motions and gives notice that there is a conflict of interest between the Appellant and the Clerk's Office for the Court of Appeals. In support of this allegation, Appellant shows as follows,

UNETHICAL MISCONDUCT

The Clerk's Office for the Court of Appeals continues to wholly fabricate that the Respondent in the foregoing captioned case has "alleged extraordinary circumstances" that warrant extensions of time for the Respondent to file an Initial Brief on appeal. As of this date the Clerk's Office for the Court of Appeals has granted the Respondent five (5) extensions of time in which to file an Initial Brief. By the Clerk's very own Order dated October 18, 2022 the Respondent would not be granted any further extensions of time without a showing of "extraordinary circumstances." The Clerk's Office issued this mandate in granting the Respondent's Third Motion For Extension of Time.

Black's Law Dictionary (2018) defines "Extraordinary Circumstances" as a "highly unusual set of facts that are not commonly associated with a particular thing or event." (Emphasis Added)

However, since being granted the third extension of time, the Respondent

has sought and been granted a fourth and fifth extension of time to file an Initial Brief of Respondent. Although Respondent did file a fourth and fifth motion for extension of time, nothing in either motion allude to or allege any unusual facts that are not commonly associated with the court or the duties of Respondent's counsel. Therefore, the Respondent, at no time in the fourth or fifth motion for extension of time alleged or demonstrated any extraordinary circumstances what-so-ever for a fourth or fifth or fifth extension of time.

However, for some strange and bizzare reason the Clerk's Office for the Court of Appeals wholly fabricates that the Respondent in its fourth and fifth motion for extension of time to file the Initial Brief of Respondent has alleged "extraordinary circumstances" for an extension of time, and then grants Respondent the extension of time.

It is very disturbing to the Appellant that the Clerk's Office would demonstrate such flagrant bias and unethical

activity is wholly fabricating that the Respondent has alleged "extraordinary circumstances" for an extension of time, and then using this fabricated pretext to unfairly grant the Respondent multiple extensions. Not only does such unethical behavior promote disrespect and disrepute to the court, but it is a flagrant blow to the integrity of the court. It also prejudices the Appellant's ability to receive a timely and fair adjudication to the issues Appellant has presented on appeal.

Because the record in this case clearly manifests the Respondent at no time in either its "Fourth" or "Fifth" Motion For Extension of Time has alleged an "extraordinary circumstances" of any kind for an extension of time, and because the record clearly demonstrates the Clerk's Office completely fabricated that the Respondent had alleged extraordinary circumstances for an extension of time, and then granted the extension, an unfair bias on the part of the Clerk's Office is manifested.

Not only does the Clerk's Office demonstrate a biased behavior, but the fabrication of a falsehood on behalf of the Respondent is completely unethical, and suspect to criminal activity.

### CONCLUSION

WHEREFORE: Due to the Clerk's Office fabricating falsehoods on behalf of the Respondent to justify an unnecessary adjudicatory delay in the adjudication of the appeal in this case, a plain and obvious bias on the part of the Clerk's Office has been shown, and therefore, this Honorable Court should recognize a conflict of interest between the Appellant and the Clerk's Office for the Court of Appeals.

Respectfully Submitted  
This 2<sup>nd</sup> day of January, 2023  
Theodore Bolick pro se  
61D Highway #9 West  
Bennettsville, S.C. 29512

STATE OF SOUTH CAROLINA

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FROM Horry COUNTY

LARRY B. HYMAN, CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2020-001497

The State

Respondent

VS

Theodore Bolick

Appellant

PROOF OF SERVICE

I hereby certify that I have served the Respondent a copy of Motion And Notice of conflict of Interest by placing same in the U.S. Mail, postage prepaid, addressed

William M. Blitch

P.O. Box 11549

Columbia, S.C. 29211-1549

January 2, 2023  
Theodore Bolick

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

Dec 30, 2022

TO: Commission on Judicial Conduct  
1220 Senate Street, Suite 111  
Columbia, S.C. 29201

RE State V. Theodore Bolick  
Appellate Case No 2020-001497

Dear Commission

In November of 2020 I gave notice of appeal in a wrongful conviction. Before I was sentenced I filed a Motion For Mistrial, but a judge abused his discretion and refused to hear it at my sentencing. My case was remanded for a hearing on the Motion For Mistrial by the Court of Appeals.

On April 15, 2021 I was granted a Mistrial. Then by a subsequent order

dated May 6, 2021 my sentence was vacated and I was released from prison.

Then on June 10, 2021 a judge acting without jurisdiction or authority, because the term of court had expired, reconsidered the granting of the mistrial. I know this sounds suspect or even ludicrous, but I assure you its true. I again gave notice of appeal.

My complaint to your office is that the Clerk for the Court of Appeals is abusing its discretion and is granting the state motions for extension of time without a justifiable reason.

As of this date, the Clerk for the Court of Appeals has granted the state five (5) extensions of time to file the Respondents Initial Brief.

When the Clerk granted the Third extension of time on October 18, 2022 the Clerk stated no further extensions would be granted without "extraordinary circumstances."

However, since that time the Clerk's office has granted two more extensions

without the state having ever alleged or demonstrated a single extraordinary circumstance. The Clerk's Office pretextually fabricates that the state has "alleged extraordinary circumstances", and summarily grants the extensions.

The Clerk for the Court of Appeals is compromising the integrity of the Court of Appeals by failing to follow its own orders and making the state show extraordinary circumstances for its fourth and fifth motions for extension of time.

For the Clerk's office to pretextually fabricate that the state has alleged "extraordinary circumstances" for an extension of time, when in fact the state has not, is to promote disrepute and disrespect for the Court.

I am enclosing a copy of my letter to the Clerk for the Court of Appeals, Jenny Abbott Kitchings, so as to demonstrate the blatant abuse of discretion and disregard

of moral ethics.

Respectfully Submitted  
Theodore Bolick

C. C. Jessy Abbott Kitchings  
William M. Blitch

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

Dec. 30, 2022

TO The Most Honorable,  
Costa M. Pleicores  
P.O. Box 11330  
Columbia, S.C. 29211

RE: State V Theodore Bolick  
Appellate Case NO. 2020-001497

Dear Most Honorable Sir,

I have recently attempted to file with this most honorable court a writ of mandamus. The reason I seek this extraordinary writ is because the Clerk for the Court of Appeals is abusing the discretion to grant extensions of time, an authority given to the Clerks Office by this Honorable Court via a letter dated

March 18, 2009.

As of December 22, 2022 the Clerk for the Court of Appeals has granted the State five (5) extensions of time to file an Initial Brief of Respondents. Contrary to the Clerk's pretextual fabrications, the State has not alleged or demonstrated not one extraordinary circumstance for these delays or requests for extensions.

Not only is the Clerk's Office abusing the discretion given by this Honorable Court to grant extensions, but it is compromising the Court's integrity by fabricating the State has alleged extraordinary circumstances for these extensions, when in fact, the State has not.

Enclosed with this is a letter to Jenny Abbott Kitchings, Clerk for the Court of Appeals. This letter respectfully requests Ms Kitchings to state specifically what extraordinary circumstance the State has alleged for either its fourth or fifth extension of ~~#~~ time. Seeing

as how the Clerk's Office in its Fourth and Fifth Orders granting extensions of time specifically states the State has alleged extraordinary circumstances, this should be relatively easy, and certainly fair.

Honorable Sir, please look into this. What was manifest justice is being turned into a travesty of justice by incompetent practice.

Respectfully Yours  
Theodore Bolick

cc Jenny Abbott Kitchings;  
William M. Blitch

P.S. Please note I gave notice of appeal in November 2020!!!

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

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JAN 09 2023

SC Court of Appeals

Jenny Abbott Kitchings, Clerk

P.O. Box 11629

Columbia, S.C. 29211

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