

STATE OF SOUTH CAROLINA

COURT OF APPEALS

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

The State

Respondent

v

Theodore Terry Bolick

Appellant

MOTION TO AMEND THE AMENDED  
RECORD ON APPEAL

Now comes: Appellant, Theodore Bolick pro se and hereby moves the Honorable Court to allow him to amend the Amended Record on Appeal by simply providing the attached two page order. Appellant mistakenly forgot to include in the Amended Record on Appeal with this motion. In support of this request Appellant shows as follows:

## PRO SE APPELLANT

Appellant has a formal seventh grade education and is self taught in law. Because Appellant is a pro se prisoner the rules should be applied with less stringency. STATE V. OWENS, 124 SC 220 (1922), and STATE V. HOLLMAN, 232 SC 489 (1958)

## HONEST MISTAKE

Appellant after painstakingly revising and renumbering the Record on Appeal per instruction of the court, and then having copies made at the very considerable expense of 25¢ a page, Appellant noticed that he had mistakenly omitted Judge Cothran's April 16, 2021 Order granting Appellant's Motion To Reconsider, filed April 16, 2021. Appellant's Motion To Reconsider was filed September 24, 2020 in response to Judge Seal's refusing to consider Appellant's Motion For Mistrial and Motion For New Trial on September 16, 2020 before unsealing the

Appellant's sentences. A copy of this Order is submitted herewith as Attachment A.

NOT RELEVANT TO ANY ISSUE

Appellant's Motion To Reconsider filed September 24, 2020 simply requested Judge seals to reconsider abusing his discretion and refusing to consider Appellant's lawfully filed motions for Mistrial and New Trial.

Appellant's September 24, 2020 Motion To Reconsider was actually rendered moot by the Court of Appeals February 3, 2021 order of Remand instructing the circuit court to consider Appellant's outstanding motions. Therefore, Judge Cothran's April 16, 2021 order granting Appellant's September 24, 2020 Motion To Reconsider is not relevant to any issue contained in this appeal, nor is the order. Because the Court of Appeals had already ordered the circuit court to consider Appellant's motions, the issue was moot and the order by Judge Cothran completely unnecessary.

However, Appellant exercising

extreme caution submits a copy of the Order herewith, and respectfully requests this Honorable Court to excuse Appellant's mere oversight.

#### NO PREJUDICE

The omission of this Order in the numbered pages of the Amended Record on Appeal will not prejudice either party, nor will it prevent this court from properly considering any issue on appeal. In the event this Honorable Court does need the Order to adjudicate these proceedings it is submitted herewith, and Appellant hereby moves to incorporate by reference this motion and the attached Order with the Amended Record on Appeal.

#### EVIDENCE OF FRIVOLOUS FILING

After having Amended The Record on Appeal as duly instructed by this Honorable Court upon motion of the Respondent, Appellant hereby moves

this Honorable Court to respectfully compare the Original Record on Appeal and Appendix To Record on Appeal with the resubmitted Amended Record on Appeal and recognize that it contains all the same documents only in a different numbered sequence. That nothing would have prevented this Honorable Court from properly adjudicating the issues before this Honorable Court with the original Record on Appeal and Appendix To Record on Appeal. That after this Honorable Court compares these submissions and recognizes that the same information is contained in both, that this Honorable Court consider the painstaking effort this Amendment posed on Appellant, the very substantial costs incurred, (twenty five dollars a copy and postage), and the additional unnecessary delay. That after making these reasonable considerations Appellant prays this Honorable Court seriously consider and grant Appellant's Motion For

sanctions, and in doing so realize that Appellant on April 15, 2021 was granted a mistrial in a criminal matter. That the Order declaring a mistrial was entered after the Court of Appeals had remanded the case back to the circuit court to consider the lawfully filed Motion For Mistrial and other outstanding motions of which Judge Seals in an abuse of discretion had wrongfully refused to consider before upseating Appellant's sentence on September 16, 2020. That before remanding this case back to the circuit court the Honorable Court of Appeals ordered William M. Blich Jr on behalf of Respondents and Appellant to brief the Honorable Court. That both Appellant and William M. Blich submitted letters briefing the subject, and agreed it was appropriate the case be remanded. That if this Honorable Court would peruse and review the letter Mr Blich submitted in January of 2021 in this case, this Honorable Court could see the diabolical, mendacious culprit it is dealing

with, and that Mr Blitch is truly un-  
worthy of practicing law in any state.

### CONCLUSION

Wherefore, Appellant prays this  
Honorable Court will incorporate by  
reference this motion and its  
attachment with the ~~the~~ Amended  
Record on Appeal.

Respectfully submitted  
This 3<sup>rd</sup> day of April, 2023  
Theodore Bolick, pro se  
Fraws Correctional Inst.  
610 Highway #9 West  
Bennettsville, S.C, 29512

pg 15

STATE OF SOUTH CAROLINA  
COUNTY OF Horry

ORDER IN A CRIMINAL CASE  
WARRANT(S) 2016A2620602245, 2250-51

IN THE COURT OF GENERAL SESSIONS

INDICTMENT(S): 2016GS2605081, 2016GS2604947  
2016GS2604953

State of South Carolina

THEODORE JERRY BOLICK  
DEFENDANT(S)

This form order submitted by: Thomas Groom Terrell, III Assistant Solicitor	Attorney for: <input checked="" type="checkbox"/> State <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE

- DECISION BY THE COURT AFTER HEARING.** This action came to a hearing before the court. The issues have been heard and a decision rendered.  See below for additional information.
- DECISION BY THE COURT AFTER STATUS CONFERENCE.** This case came for a status conference before the court. The status of this case and pending issues in this case were discussed and a decision rendered.  See below for additional information.
- MOTION: MOTION TO RECONSIDER**
  - GRANTED  DENIED  CONTINUED  WITHDRAWN
  - WITHDRAWN BY MOVING PARTY: \_\_\_\_\_  
Signature of Moving Party
  - OTHER: \_\_\_\_\_

2021 APR 19 AM 8:15  
FILED

IT IS ORDERED AND ADJUDGED:  See Order of the Court below  See attached order  
 Formal Order to follow; to be prepared by:  State  Defendant  Other: \_\_\_\_\_

ORDER INFORMATION

This order  ends  does not end the case.  
Additional Information for the Clerk: \_\_\_\_\_


*Thomas Groom Terrell, III*  
Circuit Court Judge

2144  
Judge Code

4-16-21  
Date

pg 6

~~54~~  
Pg 16

For Clerk of Court Office Use Only

This judgment was entered on the 19 day of April, 2021 and a copy mailed first class or placed in the appropriate attorney's box on this 19 day of April, 2021 to attorneys of record or to parties (when appearing pro se) as follows:

\_\_\_\_\_  
Thomas Groom Terrell, III  
ATTORNEY(S) FOR THE STATE

Pro Se  
\_\_\_\_\_  
ATTORNEY(S) FOR THE DEFENDANT(S)  
Kene N. Elko  
CLERK OF COURT

Court Reporter:

FILED

2021 APR 19 AM 8:15

FILED

STATE OF SOUTH CAROLINA

COURT OF APPEALS

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

The State

Respondent

v.

Theodore Terry Bolick

Appellant

PROOF OF SERVICE

I hereby certify I placed in the U.S.  
Mail postage pre-paid a copy of Motion  
To Amend The Amended Record On Appeal  
addressed

William M. Blitch Jr

P.O. Box 11549

Columbia, S.C, 29211-1549

April 3, 2023

Theodore Bolick

610 Highway #9 West

Beaufortville, S.C, 29512

STATE OF SOUTH CAROLINA

COURT OF APPEALS

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

The state

Respondent

v.

Theodore Jerry Bolick

Appellant

MOTION AND EVIDENCE IN SUPPORT  
OF CONFLICT OF INTEREST

Now Comes: Appellant, Theodore Bolick  
pro se in an abundance of caution and  
hereby submits evidence of the conflict  
of interest that exists between the Clerk's  
Office for the Court of Appeals and Appellant

In addition to the wrongful grant-  
ing of extensions of time to help the  
State/Respondent to unnecessarily delay  
these proceedings as Appellant has

alleged in the Notice of Conflict of Interest and Motion For Sanctions, that submitted herewith is a letter to Jenny Kitchings and Attachments which the Appellant hereby moves this Honorable Court to incorporate by reference. That a review of these "Attachments" will reveal both Jenny Kitchings and Deputy Clerk, Catherine Harrison have been wrongfully rejecting Appellant's Petitions For Writs of Habeas Corpus since June 25, 2020 for pretextual and erroneous reasons mysteriously.

These documents will reveal that on June 25, 2020 that Appellant being frustrated with being held in the Horry County Jail without bond, and being denied a hearing on his lawfully filed pro se Motion For Mistrial and Motion For New Trial, that Appellant acting pro se pursuant S.C. Code Ann. § 17-17-30 filed a Writ of Habeas Corpus with the Court of Appeals. (See Pgs 28-32 of 42 of Attachment 2, letter to Jenny Kitchings)

Appellant's Writ was never considered, nor did the Honorable Justices for the

court of Appeals ever see it because the Clerk, Jenny Kitchings rejected it under the pretextual reasoning that Appellant did not have an appeal pending. (See Pg. 27 of 42, Attachment 2 of letter to Jenny Kitchings)

That on April 29, 2021 after having his sentence vacated by order declaring a mistrial on April 15, 2021 by Judge Cothran, Appellant filed a forty-two (42) page Writ of Habeas Corpus because Appellant was wrongfully being held a prisoner in the South Carolina Department of Corrections without a valid judicial order. (See Attachment 2 of letter to Jenny Kitchings)

Appellant was not represented by counsel on April 29, 2021 as Appellant had been granted a mistrial and his sentence vacated by Order of Judge Cothran, but Appellant was still a prisoner.

However, on July 15, 2021 Deputy Clerk, Catherine Harrison rejected the Writ of Habeas Corpus on the wrongful pretext that Appellant was represented by counsel. (See Pg. 1 of Attachment 2

of letter to Jenny Kitchings)

Finally, on May 20, 2021 after being transferred back to the Horry County Jail per Judge Cothran's May 4, 2021 order, and the state having not obtained another indictment, or a proper judicial order to keep Appellant prisoner, Appellant filed a third Petition For Writ of Habeas Corpus. (See Exhibit 2)

However, Deputy Clerk, Catherine Harrison also wrongfully rejected this Writ of Habeas Corpus simultaneously at the same time she rejected the second Writ of Habeas Corpus on July 15, 2021 using the same wrongful and pretextual reasons.

Not only did Deputy Clerk, Catherine Harrison wrongfully reject the Petitions For Writs of Habeas Corpus, but she actually removed the "Petitions" from the Clerk's office so that no evidence of them would be available or on record. Not only was this clearly inappropriate and contrary to well established South Carolina Supreme Court rulings, see *Burdes v. State of South Carolina*, 433

s.c. 399 (2021) and cases cited, but it was a misdemeanor crime pursuant s.c. Code Ann. § 16-13-310.

s.c. Code Ann. § 17-17-30 does not require a person to have an appeal pending before they can file a Writ of Habeas Corpus. Therefore, Jenny Kitchings' rejection and removal of Appellant's June 25, 2020 Petition for Writ of Habeas Corpus on August 6, 2020 was clearly erroneous and highly suspect (see Pg 27 of 42, Attachment 2 of letter to Jenny Kitchings)

Further, a Writ of Habeas Corpus pursuant s.c. Code Ann. § 17-17-30 is a civil action in nature, and a completely separate action than the appeal in this case. Therefore, Deputy Clerk Catherine Harrison's rejection and removal of Appellant's April 29, 2021 and May 20, 2021 Petitions for Writs of Habeas Corpus on July 15, 2021 was clearly erroneous and also highly suspect. (see Pg 1 of Attachment 2, letter to Jenny Kitchings)

Because Appellant does not personally

know Jenny Kitchings or Catherine Harrison, has never met or spoke to them, nor has Appellant ever had any other cases in this court, Appellant can only make an educated guess as to why Jenny Kitchings and Catherine Harrison would actually violate S.C. Code Ann § 16-13-310 and remove the Appellant's Petitions from the Clerk's Office and proffer to the Appellant pretextual reasons for rejecting them.

Because all three (3) Writs of Habeas Corpus (hereafter Petitions) contain the South Carolina Court of Appeals stamp, it becomes an irrefutable fact they were filed. Appellant has put the original Petitions with the "original blue clerk's stamp" in safekeeping for legal purposes and safety. The self-authenticated letter by Jenny Kitchings dated August 6, 2020 found at Page 27 of 42 of Attachment 2 of the letter to Jenny Kitchings makes it an irrefutable fact Jenny Kitchings wrongfully rejected and illegally removed the Petition from the Clerk's Office in the Court of Appeals.

Continuing, the self-authenticated letter of Catherine Harrison dated July 15, 2021 and found at Page i of Attachment 2 of letter to Jenny Kitchings makes it an irrefutable fact that Catherine Harrison wrongfully rejected and illegally removed the April 29, 2021 and the May 20, 2021 Petitions.

The Petitions as made evident on their face and attachments establish they were closely related and relevant to the cases on appeal. The only question that remains is why two clerks for the Court of Appeals <sup>would</sup> act in such an unethical fashion, and wrongfully and illegally remove the Petitions from the Clerk's Office.

Appellant could only guess until the same two clerks began to falsify and fabricate that Respondent's counsel, Mr. William Blich had alleged extraordinary circumstances for his Fourth and Fifth extensions of time to file Respondent's Initial Brief.

Not only is this evidence highly relevant to this case, this evidence

should reasonably be highly alarming to this Honorable Court for obvious reasons. The fact this highly suspect activity was performed by not one, but two clerks acting with impunity within this court should reasonably compel this Honorable Court into investigative mode.

### CONCLUSION

Wherefore, Appellant prays this Honorable Court will carefully consider the evidence presented, find that it is closely related and relevant to the issues on appeal and Appellant's Notice of Conflict of Interest, recognize the conflict of interest between the Clerk's Office and Appellant as a serious concern, and act accordingly.

Respectfully Submitted  
This 3, day of April, 2023  
Theodore Bolick, pro se  
610 Highway # 9 West  
Bennettsville, S.C. 29512

Exhibit 1

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

March 31, 2023

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

RE: State V. Bolick, 2020-001497

Dear Honorable Jenny Kitchings,

Because I have alleged inappropriate behavior on behalf of Deputy Clerks, and even filed a Notice of Conflict of Interest as a result, I am respectfully requesting that you handle this filing personally.

I make this request cautiously and in good faith for reasons I will explain in this letter.

Ms. Kitchings I did not make my accusations against your Deputy Clerks

lightly or without good cause as the record plainly shows.

First, on September 16, 2022 the state/Respondents through William M. Blich Jr (hereafter Mr Blich) circumvented SCACR Rules 240 and 267 by simply sending a short note to the clerk's office requesting an extension, (see Attachment 1). However, this improper request was granted.

Thereafter, on October 17, 2022 Mr Blich filed a proper motion requesting a third extension. By Order on October 18, 2022 Deputy clerk, Catherine Harrison granted the extension, but stated in the Order, "any further extension request must show the existence of extraordinary circumstances."

Black's Law Dictionary (11<sup>th</sup> ed. 2019) defines Extraordinary Circumstances as,

"A highly unusual set of facts that are commonly associated with a particular thing or event."

Merriam-Webster defines Extraordinary as,

"very unusual: very different from what is normal or ordinary"

On November 16, 2022 Mr Blitch filed a Fourth Motion For Extension of Time. However, this motion did not allege any "extraordinary circumstances" for further extensions, only an ordinary everyday heavy-work load. The Supreme Court by Order dated March 18, 2009 required Mr Blitch to show extraordinary circumstances before receiving a Fourth Extension, as well as did the Order signed by Deputy Clerk, Catherine Harrison dated October 18, 2022. However, contrary to the directives of the S.C. Supreme Court, and the Order by Catherine Harrison dated October 17, 2022 Mr Blitch was granted a Fourth Extension by a Deputy Clerk whose signature is not legible. This was over my expressed written objections.

Then on December 16, 2022 Mr Blitch filed a Fifth Motion For Extension of Time. Again, Mr Blitch did not allege any extraordinary circumstances for this extension. However, contrary to S.C. Supreme Court

directives, and the order dated November 22, 2022 Mr Blitch's request for extension was granted. Not only was this contrary to Court orders, but it was also contrary to common law.

Here recently I filed a Motion For sanctions bringing the court's attention to this conduct. In response Mr Blitch wrote to your office seemingly seeking advice on what to file, again attempting to circumvent Rules 24D and 267 seeking

All this behavior is inappropriate and suspicious in nature, and I am respectfully bringing this to your attention. I am very concerned as a result of this suspect behavior because it is not the first time I have been wrongfully mistreated by your Deputy Clerks, this has occurred on two other occasions. Let me explain.

Precedent to Barber v State of South Carolina, 433 S.E. 399 (2021) "A clerk of court may not reject pleading for lack of conformity with requirements of form; only a judge may do" that S.C. App Code Ann. § 17-27-40 and

"The clerk's of court have a ministerial duty to docket filings irrespective of potential procedural flaws that may exist S.C. Code Ann. § 17-27-40"

However, twice I attempted to file a Writ of Habeas Corpus pursuant South Carolina Code of Law § 17-17-30 before Judge Cothran wrongfully granted the state's Motion For Reconsideration on June 10, 2021, but Deputy clerk, Catherine Harrison wrongfully rejected my petitions without filing them (see Attachment 2)

The most disturbing thing about Deputy clerk, Catherine Harrison rejecting my lawfully filed petitions for a Writ of Habeas Corpus is that I was not represented by counsel when I filed them, and although somewhat related, a Petition For Writ of Habeas Corpus is a separate action from an appeal, and therefore, her reasons for rejecting them was clearly erroneous.

Furthermore, on August 6, 2020 you personally rejected a Petition For Writ of Habeas Corpus filed on June 25, 2020 on the basis that I did not have

and appeal pending. That was clearly erroneous as nothing is law states I must have and appeal pending in the court of Appeals before I can file a Writ of Habeas Corpus. (See Pg. A7 of 42 of the Petition for Writ of Habeas Corpus, Bolick V Terrell and James) so respectively speaking your office is partially responsible for the grave miscarriage of justice that has occurred in my case. If not for your office who'dgfully rejecting my filings, the Honorable Justices in the court of Appeals would have knowd of my circumstances years ago.

In addition to sending you a copy of this letter and attachments, I am continuing to file a Motion and Evidence in support of conflict of interest that include this letter and attachments. Please file this accordingly and please cease and desist in interfering with or denying me access to the courts when I lawfully file motions or petitions.

Thank you for your time and

patience, and hopefully instead of resenting me for my filings you will use the things I've respectfully brought to your attention to change and remedy the inappropriate behavior in your office.

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



Attachment 1.

ALAN WILSON  
ATTORNEY GENERAL

September 16, 2022

**VIA ELECTRONIC FILING**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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**RE: The State v. Theodore Jerry Bolick**  
**Appellate Case No. 2020-001497**

Dear Ms. Kitchings:

The Initial Brief of Respondent and Designation of Matter in the above case are due to be served and filed with the Court today. However, due to my heavy work-load, I am requesting a second, thirty-day extension in which to serve and file this brief. By copy of this letter, I am informing Appellant of my request.

Sincerely,

William M. Blich, Jr.  
Senior Assistant Deputy Attorney General

WMB/cc

cc: Theodore Jerry Bolick, *pro se* Appellant (via US Mail)



## The South Carolina Court of Appeals

JENNY ABBOTT  
KITCHINGS  
CLERK  
V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1015 SUMTER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

July 15, 2021

Theodore Jerry Bolick, 00384070

Re:--The State v. Theodore J. Bolick--  
Appellate Case No. 2020-001497

Dear Mr. Bolick:

The Court has received your July 12, 2021 letter. Because you are represented by counsel, we are returning your filings to you. Our records reflect the Office of Indigent Defense, Appellate Division, it assuming representation on appeal. See *Miller v. State*, 388 S.C. 347, 347, 697 S.E.2d 527, 527 (2010) ("Since there is no right to 'hybrid representation' that is partially *pro se* and partially by counsel, substantive documents, with the exception of motions to relieve counsel, filed *pro se* by a person represented by counsel are not to be accepted unless submitted by counsel.").

Very truly yours,

Handwritten signature of Catherine J. Fleming, deputy clerk.  
CLERK

cc: Alan McCory Wilson, Esquire  
Robert Michael Dudek, Esquire  
Thomas Groom Terrell, III, Esquire  
William M. Blich, Jr., Esquire

Theodore J Bolick  
4344 Broad River Rd  
Columbia, SC 29210

Please refer to the Rules  
of Civil Procedure about  
filing requirements pertaining  
to your case and In  
Forma Pauperis Request.  
[SCcourts.org](http://SCcourts.org)

Theodore Bolick 384070 S-B-18  
4848 Goldmine Way  
Kershaw, S.C. 29067



RECEIVED

APR 29 2021

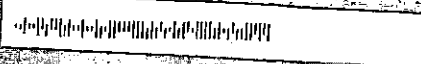
SC Court of Appeals

The South Carolina Court of Appeals  
Jessy Abbott Kitchings, Clerk  
P.O. Box 11629  
Columbia, S.C. 29211

RECEIVED

APR 27 2021

RECEIVED



Theodore Bolick  
4848 Goldmine Hwy  
Kershaw, S.C. 29067

RECEIVED

APR 20 2021

SC Court of Appeals

April 26, 2021

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

RE: State v. Bolick

App. Case No 2020-001497

Dear Ms Kitchings

Please find enclosed my petition for a Writ of Habeas Corpus and present it to the Judge or Judges who are handling the above referenced case

It seems Mr Thomas Groom Terrell III is a rogue Solicitor who feels he is above and beyond the law, or the courts, and simply does what he wants, when he wants, and does so with impunity.

For instance, he has failed to provide this court with a "status update every thirty days" in the above referenced case, as was so duly ordered by this court.

Further, on April 15, 2021 Judge Cotheran granted my Motion For Mistrial. However, I

as of this date am still a prisoner in the S.C.D.C. I have no detainers, and these charges are the only ones I had. So there is no lawful or valid reason for me to still be in the S.C.D.C.

I had my sister call the Horry County Clerk's Office, and they stated to her that the Solicitor was appealing the Judges granting of the mistrial, and that was the reason I was still being held in prison.

However, "A mistrial is not the final disposition of a case, and until the case is finally disposed of, no appeal may be brought as to rulings made up to the time the mistrial was ordered." *Good v. Hartford Acc. & Indem. Co* (S.C. 1942) 201 S.C. 32, 21 S.E. 2d 209. Further, I've received no notice of appeal, no safekeeping order, or Motion for stay of judgment or execution thereof.

How am I legally in prison? Please present my petition for Writ of Habeas Corpus to the Court of Appeals so I can stop a solicitor who has obviously run amok!

Sincerely  
T. Bolick

SOUTH CAROLINA COURT OF APPEALS

PETITION FOR WRIT OF HABEAS CORPUS

Theodore J. Bolick,

Petitioner,

v

Thomas Groom Terrell III,

and Warden James,

Respondents.

NOW COMES: Petitioner Theodore J. Bolick pro se pursuant South Carolina Code of Law Title 17, Chapter 17, Section 30 in an abundance of caution hereby respectfully petitions the Judges of the Honorable Court of Appeals for The Great Writ. In support of this Petition the Petitioner shows unto this Honorable Court as follows:

T PARTIES

(a) Petitioner,

RECEIVED

APR 29 2021

SC Court of Appeals

1. Theodore J. Bolick is the Petitioner and his mailing address is 4848 Goldmine Hwy, Kershaw, S.C. 29067

### (b) Respondents

(1) Thomas Groom Terrell III is a Respondent and his mailing address is P.O. Box 1688 Georgetown, S.C. 29442

(2) Warden James is a Respondent and her mailing address is 4848 Goldmine Hwy, Kershaw, S.C. 29067 where she has immediate control and custody of Petitioner.

## II JURISDICTION

The Honorable Court of Appeals has jurisdiction pursuant S.C. Code of Law § 17-17-30 and may assume jurisdiction by and through State v. Bolick Appellate Case No. 2020-051497.

## III REASONS THE GREAT WRIT SHOULD BE ISSUED

As briefly as possible, on July 23, 2019 the State by and through Thomas Groom Terrell III called the Petitioner for trial on three separate indictments. A copy of the indictments are submitted herewith for this court's con-

veinance. The State by and through Thomas Groom Terrell III tried the Petitioner in his complete absentia and without counsel. Further, the State by and through Thomas Groom Terrell III combined the three separate indictments, from three totally unrelated burglaries, which happened on three separate dates, and at three separate locations, with absolutely no evidence the same in either case, and no evidence what-so-ever that these crimes were the result of a chain of circumstances. Furthermore, there was no real evidence that Petitioner committed these crimes. In fact, the evidence was so minute and circumstantial that the States only hope of obtaining a conviction was to use the evidence of all three cases in their cumulative effect and allow this to combine in the jurors mind to infer a criminal disposition. The State by and through Thomas Groom Terrell III did this contrary to clearly established law, without regard to the Petitioner's rights to a fair trial, and with absolutely no remorse. As a result, the jury on July 24, 2019 returned a verdict of guilty on all three counts. Judge Larry B. Hyman sentenced the Petitioner, and in accordance with the law sealed

the judgments. See Exhibit A

Petitioner, upon learning of this outlawish unconstitutional trial, immediately recognized it for the abomination and travesty of justice it manifestly was. The State's behavior by and through Thomas Groom Terrell III was so shocking and outrageous and contrary to clearly established law, the Petitioner was goaded into filing for a mistrial, and did so on April 19, 2020 upon learning of the circumstances. This Motion For Mistrial was filed in the Horry County Clerk's Office and served on all parties.

Further, Petitioner on June 6, 2020 also filed a Motion For New Trial, filed it in the Horry County Clerk's Office, and served on all parties.

Petitioner was taken into custody by Horry County Sheriff's Deputies on May 28, 2020 and unlawfully extradited to South Carolina without being afforded the opportunity to petition for a Writ of Habeas Corpus. The Petitioner was placed in the J. Reuben Long Detention Center and held without bond, a court date, or a possible release date. This was contrary to the clearly established law pursuant to S.C. Code of Law, Title 17, Chapter 25, Section 310. Therefore, Petitioner prepared and filed with the S.C. Court of Appeals

a Writ of Habeas Corpus on June 25, 2020. However on August 6, 2020 Clerk Jenny Abbott-Kitch was returned said petition stating Petitioner had no appeal filed. Petitioner respectfully asks the Honorable Court to take judicial notice of the public record on said petition filed June 25, 2020 entitled Boliek V. Thompson but assigned no case number in that it specifically alleges Petitioner was being held with no bond or court date. See Exhibit B.

Continuing because Petitioner had been extradited illegally, Petitioner filed a Civil Rights Complaint alleging so. This case is still pending in the U.S. District Court, Boliek V. Thompson et. al. 5:20-cv-02888, and Petitioner also kindly asks this Honorable Court take judicial of these public records also.

After filing my complaint and petitioning for a Writ of Habeas Corpus with the Court of Appeals, the staff at J. Reuben Lowe Detention Center suddenly started placing me around prisoners who clearly had been in contact with COVID 19 and displayed the symptoms of COVID 19. However the jailers who were wearing masks steadfastly refused to allow me to have my mask, or to use a towel as a makeshift mask, or issue

me one. Therefore, I followed proper procedures, filed proper grievances, and when nothing was done, I filed another civil rights complaint.

*Bolick V. Thompson et al.*, 5:20-cv-03119. This lawsuit was dismissed with prejudice as a result of the Petitioner being wrongfully sent to S.C.D.C. on September 17, 2020 rendering my claim for injunctive relief moot. All these facts are relevant if the Honorable Court will kindly be patient a little longer. Here again the Petitioner kindly asks the Honorable Court to take judicial notice of the public records.

In response to Petitioner filing Civil Rights Complaints, Harry County Sheriff Phillip Thompson retained Matthew Johnson as counsel in July 2020. Thereafter, Matthew Johnson moved both cases to the U.S. District Court. In early September of 2020 Matthew Johnson began seeking and was granted protective orders in both cases.

On September 16, 2020 after several months of seeking an opportunity to be heard on my Motion For Mistrial and Motion For New Trial, the state by and through Thomas Terrell III had Petitioner transported to Harry County Circuit Court, Judge William Seals presiding. Judge Seals refused to allow the Petitioner

to speak, or be heard on the pending Motion For Mistrial or Motion For New Trial. Judge Seals made no inquiry as to counsel and when I tried to object, he stated, "if you don't like it appeal." He opened the sealed Judgment, read me the sentences, and signaled bailiffs to remove me from the courtroom. Major Joe Johnson of the J. Reuben Long Detention Center began laughing and stated, "you're going to prison," as did Thomas Terrell III, and Judge Seals.

Although I clearly wished to appeal as is manifest by the record, I was not allowed to in open court, nor was any consideration given as to counsel to assist me with appeal.

I was taken back to J. Reuben Long Detention Center where Major Joe Johnson was waiting on me. I was not allowed to return to my cell and gather my legal materials and personal property, but pushed into a small cell in the booking area where I was forced to spend the night. Early the next morning the Petitioner was given the judgments read by Judge Seals, and immediately transported to the S.C.D.C. to Kirkland Rowland E Correctional Inst.

Upon arriving at Kirkland my law books was seized, my writing utensils and paper

were seized, and I was denied access to a law library, thus making it almost impossible to give proper notice of appeal. The Petitioner, however, through sheer determination was able, after much effort, to file an appeal. This was so even though the State by and through Thomas Terrell III and Judge Seals had plainly conspired to deny Petitioner the ability or his right to appeal. See Exhibit C.

However, the Honorable Court of Appeals after finally being able to consider the Petitioner/Appellant's attempt to appeal immediately noticed the Petitioner/Appellant's valid Motion For Mistrial along with several other serious motions had been completely ignored by the State, (Thomas Terrell III), and Judge William Seals, an action that was suspect to say the least. Therefore the Court of Appeals ordered the Petitioner/Appellant and William M. Blich Jr. to serve and file a memorandum addressing the issue of appealability. See Exhibit D.

Thereafter, both William M. Blich Jr. and Petitioner/Appellant filed memorandums fully agreeing that all outstanding motions should have been considered. Petitioner/Appellant complained then of Judge Seals

and Thomas Terrell III's behavior on September 16, 2020.

The Honorable Court of Appeals after duly considering both memoranda remanded the case back to Circuit Court for consideration of all outstanding motions. Further, the court ordered the Respondent to provide this Court with "status updates every thirty days until the motions are resolved." See Exhibit E.

As of the date of this writing April 27, 2021 the Respondent is in contempt of the Court of Appeals Order dated February 5, 2021. Further, the status update dated March 1, 2021 is based on a falsehood. Appellant was at Kirkland on February 17, 2021 as can easily be proven and established by S.C.D.C. records. The Appellant was transferred to Leiber on February 18, 2021 and placed on quarantine. See Exhibit F. Please also note Thomas Terrell III was trying his very best to have the outstanding motions heard in front of Judge Seals via virtual courtroom.

Further, an Email from Thomas Terrell III to Jacob Lampke, Judge Steven John's Law Clerk clearly manifests Thomas Terrell III's participation in this vicious and shocking conspiracy.

Mr. Terrell's own words, "With that in mind I have already scheduled Mr. Bolick's motions to be heard as soon as possible via WebEx in front of J. Seals next Wednesday, February 17, 2021. That way, any objection Mr Bolick may have to being appointed particular representation may be put on the record and the Judge may make a determination on that motion at that point. Depending on the outcome of that motion, I believe we would be able to handle any other post-trial motions Mr Bolick has then to allow the appeals process to run its course." See Exhibit G

It is manifest that by this communication that Mr Terrell had a preconceived idea as to what the decision would be on the outstanding motions prior to them being heard, and "the appeals process would have to run its course". This is outstandingly amazing considering that when the Motion For Mistrial was finally heard on April 15, 2021 in front of another Judge besides Judge Seals, not only did Mr Terrell not have a single case law to support his position, he could not even state why he tried all three case at once. He didn't have a reason other than he just did. Further,

unless Mr Terrell had a mouse in his pocket, when he used the word "we" in this Email, he was referring to Judge seals, his co-conspirator on September 16, 2020. Also, Mr Terrell's reference to the Petitioner/Appellants Motion For Mistrial as a post-trial motion is clearly erroneous, Petitioner's trial was never actually finished until such time as Petitioner was sentenced on September 16, 2021. Manifesting this as truth is the fact that Petitioner could not even appeal until the judgment was unsealed and read on September 16, 2020. Petitioner's Motion For Mistrial was filed on or about April 19, 2020, five months before the opening of the sealed judgment, Thomas Terrell's and Judge seals' actions which wrongfully denied me the right to be heard on my Motion For Mistrial on September 16, 2020 do not make it a post-trial motion, and nor does their ignorance of law.

Finally, for the very first time since before the trial began on July 23, 2019, Petitioner/Appellant was allowed to speak and be heard on April 15, 2021. Petitioner/Appellant was able to be heard on his Motion For Mistrial and Supplemental Pleading And Motion

For Mistrial, Petitioner/Appellant cited the cases previously cited in his motions. Mr Terrell provided not one case to support his position, but argued he was ready to do so two years prior. The Honorable Judge offered to convene the court to allow Mr Terrell to find a case to support his position. I seconded the motion. Mr. Terrell declined the opportunity.

The Honorable Judge thereafter on April 15, 2021 granted the Motion For Mistrial which was originally filed on or about April 19, 2020. Petitioner/Appellant would argue that the Court granting a mistrial would immediately invalidate the judgments in this case (Exhibit A). However, and for whatever reason the Petitioner/Appellant still remains a prisoner in custody of Warden James at Kershaw Correctional Institute in Kershaw South Carolina by virtue of the same judgments a mistrial was declared on or April 15, 2021.

At the time of this writing to the Petitioner/Appellant's knowledge Mr Thomas Terrell III as the Respondent in State V. Bolick, Appellate Case No. 2020-001497 is in contempt of the Order issued by this court of February 5, 2021, as Petitioner/Appellant has not been given

notice of any "status update" being filed other than the one filed on March 1, 2021 containing a fabricated falsehood. See Exhibit F. Further, as of the date of this writing April 26, 2021 the Petitioner/Appellant has not been given a "notice of appeal" if in fact the State is even entitled to one. See U.S. v. Tamm, 91 S. Ct. 547 (2003) "Government could not appeal from judge's declaration of mistrial." Also is not a Circuit Court Judge's Order binding and in effect until such time as an appellate court would overturn it? At the time of this writing the Petitioner/Appellant has not received or been given notice of a motion for a stay of execution, nor given chance to argue in rebuttal to such a motion.

Furthermore, the Double Jeopardy Clause serves the function of preventing both successive punishments and successive prosecutions. U.S. v. Urey, 518 U.S. 267 (1996).

The mistrial granted on April 15, 2021 was not a mistrial of "manifest necessity," this mistrial was granted as a result both the judge and prosecutor proceeding in such outrageous manner that Petitioner/Defendant was goaded into moving for mistrial as

prosecutor and judge's actions of allowing and presenting all the separate, but unrelated indictments to one jury for one trial severely prejudiced Petitioner/Defendant in front of the jury, and allowed the jury to infer a criminal disposition on all counts. The Double Jeopardy Clause bars a retrial where defendant has been goaded by judge or prosecutor into moving for mistrial. Seay v. Cannon, 927 F.3d 776 (4th Cir. 2019); U.S. v. Masteller, 741 F.3d 503 (4th Cir. 2014); and State v. Parker, 391 S.C. 606 (2011)

The obvious irregularities in this case as is manifested by public records in this case and the other cases referenced in this pleading, along with the Circuit Court's declaration of a mistrial on April 15, 2020 certainly prove something is amiss in Horry County. The fact that Mr. Thomas Terrell III has prosecuted the Petitioner contrary to clear and well established law is certainly suspect and support Petitioner's contentions that something is amiss in Horry County. The fact that Petitioner is still being persecuted contrary to the Circuit Court's ruling on April 15, 2021 is alarming to say the least. Mr. Thomas Terrell III's intent to keep the

Petitioner in prison regardless of a Circuit Court's Order is criminalistic by nature. Further, Mr. Thomas Terrell III's contemptuous attitude toward this Honorable Court's Order dated February 5, 2021 should by all rights compel this Honorable Court's intervention.

Since August of 2016 Mr Thomas Terrell III has lawlessly persecuted and prosecuted the Petitioner. He has consistently disregarded S.C. Code of Law, both the U.S. and S.C. Constitutions, and well established law as set forth by both the U.S. and S.C. Supreme Court, and now he is in contempt of both Circuit Court and Court of Appeals Orders, and continues to be the driving force behind the Petitioner's wrongful and unconstitutional incarceration. It is time for this Honorable Court's intervention, and this Honorable Court is certainly vested with the power to do so by virtue of this pleading and State V. Bolick Appellate Case No. 2020-001497. Further, the plethora of overwhelming evidence of corruption supported by the timing and sequence of events manifest criminal activity by government officials, and the serious need for this Honorable Court's intervention,

and Petitioner kindly asks that it do so, so as to prevent further travesty and miscarriage of justice as soon as humanly possible.

## IV CONCLUSION

WHEREFORE: Petitioner prays the Honorable Court of Appeals:

1. Pursuant to S.C. Code of Law, Title 17, Chapter 17, Section 80 convene an evidentiary hearing within ten (10) days as the Petitioner is incarcerated within one hundred (100) miles of this Court, and the compelling need of justice should mandate it;

2. Upon determining the Petitioner's allegations to be true, and his complaints founded, order the immediate release of the Petitioner without any delay;

3. Order the Petitioner be provided a copy of said order immediately;

4. Order a criminal investigation be conducted concerning the suspect behavior of Mr. Thomas Terrell III;

5. seriously consider holding Mr. Thomas Terrell III in contempt for his contemptuous behavior of both Circuit Court and Court of Appeal Orders;

6. Any and all other action this Honorable Court deems just and necessary.

Respectfully Submitted  
This 26<sup>th</sup> day of April, 2021.  
Theodore Bolick, pro se  
4848 Goldmine Hwy  
Kershaw, S.C. 29067

### CERTIFICATE OF SERVICE

I hereby certify a copy of the foregoing Writ of Habeas Corpus was served on Warden James at Kershaw Correctional Institution by institutional mail, and a copy was placed in the U.S. Mail, postage pre paid addressed

Thomas Terrell III

P.O. Box 1688

Georgetown, S.C. 29442

**RECEIVED**

APR 29 2021

SC Court of Appeals

Theodore Bolick

April 26, 2021

WITNESSES  
Logan Cooper  
Myrtle Beach Police Department  
*Sester Cook*

ARREST WARRANT NUMBER  
2016-08-28-05081  
GDR: 0088 18-11-0312(B)  
DOA: 8/28/2016

ACTION OF GRAND JURY  
**TRUE BILL**

*[Signature]*  
Foreperson of Grand Jury  
Date: NOV 17 2016

DICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2016-08-28-05081

The State of South Carolina  
County of Horry

Thomas Green Termel, III 16-04688

COURT OF GENERAL SESSIONS

NOVEMBER, 2016 TERM

THE STATE

VS.

Theodore Jerry Bolick  
Myrtle Beach, SC 29577-4768  
DOB:  
SSN:

ATTORNEY: W. Thomas Floyd

Indictment for

**BURGLARY, SECOND DEGREE  
(VIOLENT)**

Jimmy A. Richardson, II, Solicitor

FILED  
HORRY COUNTY  
2016 NOV 23 AM 8:23  
MELANIE HUGGINS-WARD  
CLERK OF COURT  
DATE RECEIVED FROM  
GRAND JURY

STATE OF SOUTH CAROLINA )

COUNTY OF Horry )

INDICTMENT

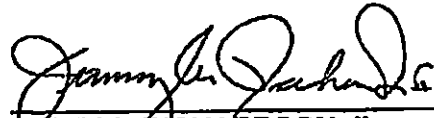
At a Court of General Sessions, convened on November 17, 2016, the Grand Jurors of Horry County present upon their oath:

**BURGLARY, SECOND DEGREE**  
**(VIOLENT)**

CDR: 0086 16-11-0312(B)

That Theodore Jerry Bolick did in Horry County on or about August 18, 2016, enter without consent and with the intent to commit a crime therein, the Barrel Bar and Grill, a building located 2303 S. Kings Hwy in Myrtle Beach, and the defendant, Theodore Jerry Bolick, did enter the building in the nighttime and/or was armed with a deadly weapon, in violation of Section 16-11-0312(B), S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

DOCKET NO. 2016-GS-26-04947

The State of South Carolina  
County of Horry

Thomas Groom Termel, III 16H04580

COURT OF GENERAL SESSIONS

OCTOBER, 2016 TERM

FILED  
HORRY COUNTY  
2016 OCT 21 PH 3:21  
MELANIE JOHNS-WARD  
CLERK OF COURT  
DATE RECEIVED FROM  
GRAND JURY

WITNESSES

J Duesing  
Myrtle Beach Police Department

*Daniel Eddy*

REST WARRANT NUMBER

2018A2820802260  
CDR: 0088 18-11-0312(B)  
DOA: 8/28/2016

ACTION OF GRAND JURY

TRUE BILL

*Ann Melby*  
Foreperson of Grand Jury OCT 20 2016  
Date:

VERDICT

Foreperson of Petit Jury  
Date:

THE STATE

VS.

Theodore Jerry Bolick

Myrtle Beach, SC 29577-4769  
DOB:  
SSN:

ATTORNEY: W. Thomas Floyd

Indictment for

BURGLARY, SECOND DEGREE  
(VIOLENT)

Jimmy A. Richardson, II, Solicitor



WITNESSES

Amanda Crago  
Myrtle Beach Police Department

*Daniel Eddy*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ARREST WARRANT NUMBER

BA2620802251  
CLR: 0088 18-11-0312(B)  
DOA: 8/28/2016

ACTION OF GRAND JURY

TRUE BILL

*Dem Melby*  
Foreperson of Grand Jury  
Date: OCT 20 2016

VERDICT

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Foreperson of Petit Jury  
Date:

DOCKET NO. 2016-GS-26-04953

The State of South Carolina  
County of Horry

Thomas Groom Terrell, II 16H04691

COURT OF GENERAL SESSIONS  
OCTOBER, 2016 TERM

THE STATE

vs.

Theodore Jerry Bolick  
W/M

Myrtle Beach, SC 29577-4768  
DOB:  
SSN:

ATTORNEY: W. Thomas Floyd

Indictment for

BURGLARY, SECOND DEGREE  
(VIOLENT)

Jimmy A. Richardson, II, Solicitor

FILED  
HORRY COUNTY  
2016 OCT 21 PM 3:22  
MEL...-WARD  
CLERK OF COURT  
DATE RECEIVED FROM  
GRAND JURY

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF HORRY                  )

INDICTMENT

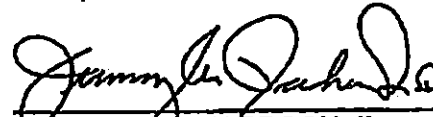
At a Court of General Sessions, convened on October 13, 2016, the Grand Jurors of Horry County present upon their oath:

**BURGLARY, SECOND DEGREE**  
**(VIOLENT)**

CDR: 0088 16-11-0312(B)

That Theodore Jerry Bolick did in Horry County on or about August 26, 2016, enter without consent and with the intent to commit a crime therein, China Chef, a building located at 1470 S. Kings Hwy., in the city limits of Myrtle Beach, and the defendant, Theodore Jerry Bolick, did enter the building in the nighttime, in violation of Section 16-11-0312(B), S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

August 6, 2020

Theodore Bolick  
4150 J. Reuben Long Ave.  
Conway, SC 29526

Dear Mr. Bolick:

The Court received your petition for writ of habeas corpus. Our records do not reflect an appeal pending in your name. Accordingly, this Court is without jurisdiction to act. We are returning your filing to you. We will not take any further action.

Very truly yours,

  
CLERK

IN THE SOUTH CAROLINA COURT OF APPEALS  
FIFTEENTH JUDICIAL CIRCUIT

HORRY COUNTY

PETITION FOR WRIT OF HABEAS CORPUS

THEODORE TERRY BOLICK,

PETITIONER

SOUTH CAROLINA CODE

OF LAW CHAPTER 17 et al.

VS.

PHILLIP THOMPSON

RESPONDENT.

RECEIVED

JUN 25 2020

SC Court of Appeals

NOW COMES: Petitioner, Theodore Terry Bolick pro se and pursuant South Carolina Code of Law Chapter 17 et al and hereby petitions this Honorable Court for the Great Writ. In support of this petition it is showed unto this court as follows:

I PARTIES

A. Theodore Bolick is the Petitioner in this action and his physical address is 4150 J. Reuben Long Ave. Conway, South Carolina 29526

B Phillip Thompson is the duly elected Sheriff of Horry County, and his mailing address is 1301 Second Ave. Conway, South Carolina 29526

## II JURISDICTION

Petitioner submits this Petition to the Justices of the South Carolina Court of Appeals pursuant South Carolina Code of Law 17-17-30.

Petitioner states he is incarcerated by virtue of a bench warrant issued out of Horry County General Sessions Court from the Fifteenth Judicial Circuit, a copy of which is attached hereto as Exhibit A.

## III REASON WRIT SHOULD BE ISSUED

On May 26, 2020 Petitioner was served a Governor's Warrant in Randolph County, North Carolina as a result of the Bench Warrant issue out of Horry County for burglary. The Bench Warrant is attached hereto as Exhibit A.

On May 28, 2020 Petitioner was extradited back to South Carolina without being allotted any time to petition for a Writ of Habeas Corpus in violation of North Carolina General Statutes, Section 15A-730.

Upon his return Petitioner discovered that three charges of burglary had been joined together for trial and tried by jury in his complete and total absence. The charges were joined even though they happened on separate dates, at separate locations, were different types of businesses, and no evidence was the same in either case.

Thereafter, the Petitioner was found guilty and a Judgment was sealed. As a result Petitioner is being held in the Horry County Detention Center with no bond or a court date. Petitioner was tried on July 23 and 24, 2019 in his whole and complete absentia and found guilty. Petitioner alleges this trial was a conspiracy between local government officials orchestrated to retaliate against him maliciously and vindictively for successfully suing the Respondent in this Petition, Sheriff, Phillip Thompson in Bolick v. Thompson et al, 2017-CP-26-7952.

#### IV. CONSTITUTIONAL ISSUES

The Petitioner alleges that his whole and complete absentia conviction violates his Due Process rights protected by the Fourteenth Amendment of the United States Constitution.

Further, the Petitioner alleges that the joinder of the three burglaries for trial did prejudice the Petitioner's right to a fair trial protected by the Sixth Amendment of the United States Constitution.

Finally, Petitioner alleges the conspiratorially orchestrated malicious and vindictive prosecution of these cases in retaliation for Petitioner suing Sheriff, Phillip Thompson violates his

rights protected by both the First and Sixth Amendments to the United States Constitution.

The Petitioner elaborates in more detail with supporting case law the foregoing constitutional issues in the Brief of Law In Support of Writ of Habeas Corpus submitted herewith.

#### V REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully prays as follows:

1. An evidentiary hearing on all issues;
2. Order declaring the joinder of said cases for trial in violation of the Sixth Amendment;
3. Order declaring the absentia conviction of the Petitioner in violation of the Fourteenth Amendment;
4. Order allowing Petitioner to proceed as an indigent in this action;
5. Any and all other action this Honorable Court deems just and necessary.

Respectfully Submitted

This 15<sup>th</sup> day of June, 2020  
Theodore J. Bolick  
4150 J. Reuben Long Ave  
Conway, S.C. 29526

## VI WITNESSES

I hereby affirm that I witnessed Theodore Bolick prepare the foregoing Petition For Writ of Habeas Corpus in his own hand and submit it to the officers here at the Horry County Detention Center on June 15 2020,

This 15<sup>th</sup> day of June 2020

witnesses Print Quran Coffey  
Sign Quran Coffey

Print Chris Brown  
Sign Chris Brown



South Carolina Court Administration  
South Carolina Supreme Court  
Columbia, South Carolina

KARAMA BAILEY  
DEPUTY DIRECTOR  
  
DESIREE ALLEN  
COURT REPORTER MANAGER

1220 SENATE STREET, SUITE 200  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1800  
FAX: (803) 734-0269  
EMAIL: [dallen@sccourts.org](mailto:dallen@sccourts.org)

October 27, 2020

Mr. Theodore Bolick, SCDC 384070  
Kirkland Correctional Institution  
4344 Broad River Road  
Columbia, SC 29210

Dear Mr. Bolick:

I am writing in response to your letter received by this office on October 23, 2020, in which you are requesting assistance with finding out why you are not being heard on your motions nor been assigned counsel to assist with your appeal. Unfortunately, I am unable to assist you with this matter, as the Office of Court Administration does not provide any legal advice. Please contact the South Carolina Commission on Indigent Defense (P.O. Box 11433, Columbia, S.C. 29211) about the possibility of having a lawyer appointed to assist you with your ongoing legal needs.

Please do not hesitate to contact this office again, if you have questions regarding court reporters and/or to obtain transcripts from proceedings in circuit or family court in this state.

Sincerely,

Karama T. Bailey

Deputy Director  
Court Reporting/Court Interpreting



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
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FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

December 4, 2020

Theodore Jerry Bolick, 384070  
Kirkland Correctional Institution  
4344 Broad River Road  
Columbia SC 29210

Re: The State v. Theodore J. Bolick  
Appellate Case No. 2020-001497

Dear Mr. Bolick:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at [www.sccourts.org/courtreg](http://www.sccourts.org/courtreg). Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at [www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02](http://www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02). Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review

filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

The State, Respondent,

v.

Theodore Jerry Bolick, Appellant.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

*Catherine J. Fanning, deputy*  
CLERK

cc: Alan McCrory Wilson, Esquire  
Thomas Groom Terrell, III, Esquire  
William M. Blich, Jr., Esquire  
Robert Michael Dudek, Esquire



C-3

## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

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TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

December 8, 2020

Theodore Jerry Bolick, 384070  
Kirkland Correctional Institution  
4344 Broad River Road  
Columbia SC 29210

Re: The State v. Theodore J. Bolick  
Appellate Case No. 2020-001497

Dear Mr. Bolick:

Upon reviewing your notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or this appeal will be dismissed:

- The notice of appeal is not accompanied by a redacted copy of the order(s) and/or judgment(s) challenged on appeal.
- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

*Catherine J. Fanning, deputy*  
CLERK

cc: Alan McCrory Wilson, Esquire  
Thomas Groom Terrell, III, Esquire  
William M. Blich, Jr., Esquire  
Robert Michael Dudek, Esquire

---



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

December 10, 2020


Theodore Jerry Bolick, 384070  
Kirkland Correctional Institution  
4344 Broad River Road  
Columbia SC 29210

Re: The State v. Theodore J. Bolick  
Appellate Case No. 2020-001497

Dear Mr. Bolick,

The Supreme Court forwarded your November 23, 2020 letter addressed to the Honorable Daniel E. Shearouse to this Court for response. Our records reflect your appeal has some deficiencies that must be corrected before you will be allowed to proceed. Enclosed please find our most recent deficiency letter. You must cure these deficiencies within ten (10) days of the date of this letter or your appeal will be dismissed.

Very truly yours,

  
CLERK

cc: Alan McCrory Wilson, Esquire  
Thomas Groom Terrell, III, Esquire  
William M. Blicht, Jr., Esquire  
Robert Michael Dudek, Esquire



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

January 4, 2021

Theodore Jerry Bolick, 384070  
Kirkland Correctional Institution  
4344 Broad River Road  
Columbia SC 29210

Re: The State v. Theodore J. Bolick  
Appellate Case No. 2020-001497

Dear Mr. Bolick:

This Court has received your notice of appeal. A preliminary review of the order(s) challenged on appeal indicates it might not be immediately appealable.

Accordingly, it is requested that you and opposing counsel serve and file a memorandum addressing the issue of appealability within ten (10) days of the date of this letter. The time limits for perfecting the appeal are held in abeyance pending the Court's consideration of the memorandum.

Very truly yours,

*V. Claire Allen*

CLERK

cc: Alan McCrory Wilson, Esquire  
Thomas Groom Terrell, III, Esquire  
William M. Blich, Jr., Esquire  
Robert Michael Dudek, Esquire

Exhibit ~~B~~ B

Exhibit ~~B~~ B

Pg 9

# The South Carolina Court of Appeals

The State, Respondent,

v.

Theodore Jerry Bolick, Appellant.

Appellate Case No. 2020-001497

---

## ORDER

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After reviewing the parties' appealability memoranda, this appeal is held in abeyance and the case is remanded to the circuit court for consideration of all outstanding motions, including the Motion to Reconsider, Motion for Mistrial, and Motion for the Appointment of Counsel. Respondent shall provide this court will status updates every thirty days until the motions are resolved.



FOR THE COURT

Columbia, South Carolina

cc:

Theodore Jerry Bolick, 384070  
Alan McCrory Wilson, Esquire  
Thomas Groom Terrell, III, Esquire  
William M. Blicht, Jr., Esquire  
Robert Michael Dudek, Esquire  
The Honorable Steven H. John  
The Honorable Renee Elvis

**FILED**  
**Feb 05 2021**

~~pg 5~~  
~~40 of 42~~  
40 of 42

Exhibit BF

State of South Carolina  
Office of the Solicitor  
Fifteenth Judicial Circuit

Scott R. Hixson  
Chief Deputy Solicitor

REPLY TO

P.O. BOX 1276  
CONWAY, SC 29528  
843-915-5460  
FAX: 843-915-6461



Alicia A. Richardson  
Deputy Solicitor

REPLY TO

P.O. BOX 1688  
GEORGETOWN, SC 29442  
843-545-3169  
FAX: 843-545-3268

JIMMY A. RICHARDSON, II  
Solicitor

March 1, 2021

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
PO Box 11629  
Columbia, SC 29211

Re: State vs. Theodore Jerry Bolick  
Appellate Case No. 2020-001497

Dear Ms. Kitchings:

Appellant's motions were scheduled to be heard Wednesday, February 17, 2021, before the Honorable J. Seals. Appellant was scheduled to participate in J. Seals' virtual courtroom from SCDC. The morning of February 17, we were notified by the Department of Corrections that Mr. Bolick was being moved to a new facility and was therefore placed into quarantine. Consequently, he was not able to join the virtual courtroom and we were unable to proceed with having his motions heard that morning.

We have rescheduled his motions to be heard during the next term of General Sessions court in Horry County, the morning of March 10, 2021, before the Honorable J. John. By this time, Appellant should be in his new facility, out of mandated quarantine, and able to join the virtual courtroom.

Sincerely,

  
Thomas Groom Terrell, III  
Assistant Solicitor

Cc: Theodore Jerry Bolick, 00384070  
Kershaw Correctional Institution

The mission of the Fifteenth Circuit Solicitor's Office is to uphold the public's trust in the pursuit of justice and enforcement of the law.

41 of 42

**Terrell, Tom**

**From:** Terrell, Tom  
**Sent:** Friday, February 12, 2021 9:03 AM  
**To:** John, Steven H. Law Clerk (Jacob Lampke)  
**Cc:** Hazzard, Ron  
**Subject:** State v. Bolick Appeal

Good morning,

I am in receipt of a letter from J. John appointing Mr. Bolick counsel barring appellant's objection. From his past motions, I do not believe Mr. Bolick will accept appointed counsel from the Public Defender's Office; he claims a conflict because he has sued them in the past and has repeatedly rejected their assistance. With that in mind, I have already scheduled Mr. Bolick's motions to be heard as soon as possible via WebEx in front of J. Seals next Wednesday, February 17, 2021. That way, any objection Mr. Bolick may have to being appointed particular representation may be put on the record and the Judge may make a determination on that motion at that point. Depending on the outcome of that motion, I believe we would be able to handle any other post-trial motions Mr. Bolick has then to allow the appeals process to run its course. Please let me know if J. John needs me to change those arrangements. I am just trying to be as efficient and as fair as is possible.

Thank you,

---  
Thomas Groom Terrell, III I Assistant Solicitor  
**Georgetown County Government**  
Fifteenth Circuit Solicitor's Office  
401 Cleland Street I Georgetown, South Carolina 29440  
P.O. Box 1688 I Georgetown, South Carolina 29442  
Tel 843.545.3173 I [terrellt@horrycounty.org](mailto:terrellt@horrycounty.org)  
[www.gtcounty.org](http://www.gtcounty.org)

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Cc: Theodore Bolick, # 00384070  
KCI R&E B1-17  
4344 Broad River Road  
Columbia, SC 29210

Exhibit 2

STATE OF SOUTH CAROLINA  
HORRY COUNTY

COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT

THEODORE J. BOLICK,

PETITIONER,

v.

MARCUS RHODES,

RESPONDENT

PETITION FOR A WRIT  
OF HABEAS CORPUS  
S.C. CODE OF LAW  
TITLE 17, CHAPTER 17,  
ET AL.

**RECEIVED**

MAY 20 2021

**SC Court of Appeals**

NOW COMES Petitioner, Theodore Bolick pro se and pursuant to South Carolina Code of Law Title 17, Chapter 17, et al. hereby lawfully attempts to exercise his right to petition for a Writ of Habeas Corpus. In support of this petition, the Petitioner shows as follows:

I PARTIES

A. The Petitioner is Theodore Bolick who is being unlawfully incarcerated against his will at J. Reuben Long Detention Center whose mailing address is 4150 J. Reuben Long Ave, Conway, S.C. 29528.

B. The Respondent is Marcus Rhodes who is the Director of J. Reuben Long Detention Center where he is unlawfully confining the Petitioner, and the mailing address is 4150 J. Reuben Long Ave Conway, S.C. 29528

## II REASON WRIT SHOULD BE ISSUED.

On May 6, 2021 Respondent, Marcus Rhodes did willfully, wantonly, with afore thought and malice feloniously kidnap, and restrain the Petitioner against his will. The Petitioner is being feloniously restrained against his will in violation of his Fourth and Fourteenth Amendment rights without due process at the J. Reuben Long Detention Center. The Respondent, Marcus Rhodes has refused to produce any judgment, commitment, warrant, or any valid order which gives him the authority to deny the Petitioner his liberty.

## III CONCLUSION

WHEREFORE: Petitioner prays as follows:

1. All fines, penalties, and sanctions for failure to follow the rules of law set forth by

South Carolina General Assembly be imposed on any party or person who fails to adhere to S.C. Code of Law § 17-17-et. al.;

2 That pursuant to S.C. Code of Law § 17-17-80 the Petitioner be produced before a Circuit Court Judge within 10 days for an evidentiary hearing on this Petition;

3 That Petitioner be immediately released from custody;

4, That any person who connives at an insufficient return to this Petition For Writ of Habeas Corpus be impeached and fined;

5. Any and all other action this court deems appropriate.

Respectfully Submitted  
This 10<sup>th</sup> day of May, 2021  
Theodore Bolick pro se  
4150 J. Reuben Long Ave.  
Conway, S.C. 29528

Carbed Copies Sent to:

1 Governor Henry McMaster

2. Attorney General, Alan Wilson
3. South Carolina Supreme Court
4. South Carolina Court of Appeals
5. United States District Court, Florence Division
6. South Carolina House of Senate.

The Petitioner is respectfully sending a copy of this lawful petition to all the foregoing because of Horry County Government officials propensity to ignore properly filed Petitions for Writ of Habeas Corpus as they have done in the past in

Bolick V Thompson 20-16-CP26-6583,  
and Bolick V. Thompson 20-16-CP26-7653  
Horry County. Please verify the public records to establish this as fact.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct

This 10<sup>th</sup> day of May, 2021  
Theodore Bolick

CERTIFICATE OF SERVICE

I hereby certify that I left a copy of the foregoing Writ of Habeas Corpus at the officer's desk in cellblock A-1 at the J. Reuben Long Detention Center pursuant to South Carolina Code of Law, Title 17, Chapter 17, Section 60

17<sup>th</sup>

This ~~17<sup>th</sup>~~ day of May, 2021  
Theodore Bolick

**RECEIVED**

MAY 20 2021

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

RECEIVED

APR 05 2023

COURT OF APPEALS

SC Court of Appeals

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

The State

Respondent

v.

Theodore Jerry Bolick

Appellant

CERTIFICATION OF AMENDED RECORD  
ON APPEAL

I Theodore J. Bolick do hereby certify  
and declare under the penalty of perjury  
that the following Amended Record on  
Appeal contains;

1. All materials designated by the  
Respondent;

2. All materials designated by the

Appellant; and

3 That all submissions are relevant to this appeal, and have been filed in the Harry County Clerk's Office in these cases.

Further, I specifically declare under the penalty of perjury that I mailed copies of both the Supplement Pleading For Mistrial, (AROA 30), and Objection To State's Motion To Reconsider For Reconsideration, (AROA 83) to both the Clerk of Court for Harry County Renee Elvis and Thomas Terrell as is evidenced by the certificates of service attached to them.

The Respondent did not object to the submission of these documents when I filed my Designation of Matters on Appeal or when they filed the Motion To Require Amended Record on Appeal, and because these documents have been filed with the Clerk's office they are properly before the Honorable Court of Appeals.

This I certify and declare under the penalty of perjury and respectfully

request this Honorable Court accept the  
following Amend Record on Appeal

This 3 day of April, 2023  
Theodore Bolick

Sword And subscribed

Before Me

This 3rd day of April, 2023

Notary Sarah Quttaw

My Commission Expires 2/17/24