

Application to Appeal In Forma Pauperis

RECEIVED
DEC 07 2023
SC Court of Appeals

Anthony Martin v. Erin Gaffney

Appeal No. 23-6870 (L)

District Court or Agency No. _____

<p>Affidavit in Support of Motion</p> <p>I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)</p> <p>Signed: <u>Anthony Martin</u></p>	<p>Instructions</p> <p>Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.</p> <p>Date: <u>4, Dec, 2023</u></p>
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My issues on appeal are: (required):

violation of Constitutional Rights 1st amendment, 5th amendment, 8th amendment & 14th amendment;

- For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$ 0	\$ 0	\$ 0
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0

Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify):	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ 0	\$ 0	\$ 0	\$ 0

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
None	None	None	\$ None
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
None	None	None	\$ None
			\$
			\$

4. How much cash do you and your spouse have? \$ 0

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
<i>none</i>	<i>none</i>	\$ <i>none</i>	\$ <i>0</i>
		\$	\$
		\$	\$

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home	Other real estate	Motor vehicle #1
(Value) \$	(Value) \$	(Value) \$ <i>0</i>
<i>0</i>	<i>0</i>	Make and year: <i>N/A</i>
		Model: <i>N/A</i>
		Registration #: <i>N/A</i>

Motor vehicle #2	Other assets	Other assets
(Value) \$ <i>0</i>	(Value) \$ <i>0</i>	(Value) \$ <i>0</i>
Make and year:	<i>N/A</i>	<i>N/A</i>
Model:	<i>N/A</i>	<i>N/A</i>
Registration #:	<i>N/A</i>	<i>N/A</i>

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<i>none</i>	\$ <i>0</i>	\$ <i>0</i>
	\$	\$
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support.

Name [or, if a minor (i.e., underage), initials only]	Relationship	Age
<i>none</i>	<i>none</i>	<i>0</i>

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (including lot rented for mobile home)	\$ <i>0</i>	\$ <i>0</i>
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<i>0</i>	<i>0</i>
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <i>0</i>	\$ <i>0</i>
Home maintenance (repairs and upkeep)	\$ <i>0</i>	\$ <i>0</i>
Food	\$ <i>0</i>	\$ <i>0</i>
Clothing	\$ <i>0</i>	\$ <i>0</i>
Laundry and dry-cleaning	\$ <i>0</i>	\$ <i>0</i>
Medical and dental expenses	\$ <i>0</i>	\$ <i>0</i>

Transportation (not including motor vehicle payments)	\$ 0	\$ 0
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$ 0
Life:	\$ 0	\$ 0
Health:	\$ 0	\$ 0
Motor vehicle:	\$ 0	\$ 0
Other:	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 0	\$ 0
Installment payments		
Motor Vehicle:	\$ 0	\$ 0
Credit card (name):	\$ 0	\$ 0
Department store (name):	\$ 0	\$ 0
Other:	\$ 0	\$ 0
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify):	\$ 0	\$ 0
Total monthly expenses:	\$ 0	\$ 0

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes

No

If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit? Yes No

If yes, how much? \$ 0

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal. I am held in the South Carolina Dept. of Mental Health

12. Identify the city and state of your legal residence.

City Columbia State South Carolina

Your daytime phone number: N/A

Your age: 50 Your years of schooling: 10

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
INFORMAL BRIEF

RECEIVED

No. 23-6870 (L), Anthony Martin v. Erin Gaffney

4:22-cv-02042-HMH

DEC 07 2023

SC Court of Appeals

1. Declaration of Inmate Filing

An inmate's notice of appeal is timely if it was deposited in the institution's internal mail system, with postage prepaid, on or before the last day for filing. Timely filing may be shown by:

- a postmark or date stamp showing that the notice of appeal was timely deposited in the institution's internal mail system, with postage prepaid, or
- a declaration of the inmate, under penalty of perjury, of the date on which the notice of appeal was deposited in the institution's internal mail system with postage prepaid. To include a declaration of inmate filing as part of your informal brief, complete and sign the declaration below:

Declaration of Inmate Filing	
Date NOTICE OF APPEAL deposited in institution's mail system: <u>4, Dec 2023</u>	
I am an inmate confined in an institution and deposited my notice of appeal in the institution's internal mail system. First-class postage was prepaid either by me or by the institution on my behalf.	
I declare under penalty of perjury that the foregoing is true and correct (see 28 U.S.C. § 1746; 18 U.S.C. § 1621).	
Signature: <u>Anthony R. Martin</u>	Date: <u>4, Dec, 2023</u>
[Note to inmate filers: If your institution has a system designed for legal mail, you must use that system in order to receive the timing benefit of Fed. R. App. P. 4(c)(1) or Fed. R. App. P. 25(a)(2)(A)(iii).]	

2. Jurisdiction

Name of court or agency from which review is sought:

Date(s) of order or orders for which review is sought:

3. Issues for Review

Use the following spaces to set forth the facts and argument in support of the issues you wish the Court of Appeals to consider. The parties may cite case law, but citations are not required.

Issue 1.

ISSUE : NUMBER 1 :

Violation of Constitutional Rights as Amended § 1st Amendment ;

ARUGEMENT :

- a) The Plaintiff believes that the defendants violated Constitutional Rights afforded the plaintiff by the confiscation of plaintiff produced News Letter that showed a peer reviewed alternative to the Civil Commitment and Involuntary Sex Offender Treatment Programs throughout the country.

SUPPORTING FACTS :

- i) The confiscation of Plaintiff produced Newsletter violated constitutional rights by defendants not able to show plaintiff distributed this newsletter to any individual (basic defendant statement 'found on multiple units' not that it was found in the possession of other individuals).
- ii) Defendants did not / could not show or demonstrate that the Newsletter was confiscated for any other reason than the content of the Newsletter as content was sighted numerous times. Were as matters lacking scientific conformation such as unconventional attitudes, criminal attitudes beyond the lack of Causation or indicative of a connection between sex offenders' attitudes and later offending behaviors whether cognitive or emotional are protected by the freedom of thought and consciousness intrinsically implied in the 1st amendment of the UNITED STAES Constitution.
- iii) Further the Newsletters alternative views of sex offender treatment programs under the Free Speech Doctrine has been noted "restrictions of this kind are valid" provided they are justified and done without reference to content. Also, that the principal inquiry is whether the restriction was because of the message conveyed. Also, been noted to not regulate speech based on hostility or favoritism towards the underlying message conveyed
- iv) To ban something because of religion, philosophical, political, sexual content or because repugnant or unpopular will not pass muster, and 'must' have data and not unsupported speculation to connect goal to restriction.
- v) It has been ruled in the courts that even false statements about officials were entitled to 1st amendment protection unless actual malice could be demonstrated. Plaintiff showed

in Plaintiff produced Newsletter all articles were case cited and peer reviewed articles with case citations and peer reviewed papers named at end of the Newsletter.

- vi) Lastly the defendants fail to note that the 'facility produced' newsletter has the same issue of possible secret writings, pseudonyms, codes, other ways to conceal messages. Nor does the defendant allude to the fact that newsletter is shared by individuals in the program with other individuals of the same program, or that the information provided and distributed is contributed by the individuals of that program that are the 'highly manipulative' that defendants stated about plaintiff.
- vii) It is the plaintiff's belief this ban will not pass a penological interest as the ban does not help prepare the plaintiff to return to society nor does it follow a societal interest.
- viii)

ARUGEMENT :

- b)** The Plaintiff believes that the defendants violated Constitutional Rights afforded the Plaintiff by the confiscation of Nationally recognized newspaper articles that showed the peer reviewed alternative to the diagnosis of pedophilia, antisocial personality disorder.

SUPPORTING FACTS :

- i) Defendants do not state the fact that the Plaintiff has been in program numerous years longer than the defendants have had control of the day to day operations nor do the defendants state the fact that items acquired before the defendants took over day to day operations of program have been "grand fathered"(a term stating that items acquired prior to rule(s) are not affected by the rule(s)).
- ii) Nor does the defendants state fact that plaintiff prior clinicians approved / disapproved the nationally recognized news paper articles.
- iii) Defendants seem to allude to the possibility the plaintiff 'must follow blindly' the ideals set forth by the defendants without searching second / alternative opinions (for / against) teachings of the defendants. This seems over broad and a tyrannical view of the defendant.

iv). It is the plaintiff's belief this ban will not pass a penological interest as the ban does not help prepare the plaintiff to return to society nor does it follow a societal interest.

v)

ARUGEMENT :

c) The Plaintiff believes that the defendant violated Constitutional Rights afforded the Plaintiff by denying the Plaintiff access to the Internet / intranet as other "more restrictive programs" allow such interactions.

SUPPORTING FACTS :

i) The plaintiff's belief the S.C. s.v.p.t.p. is basically design to change an offender thought pattern and behavior issues and to give that individual the tools to go back into society and be a productive person in that society.

ii) It is the plaintiffs understanding that the statements made by President Biden paraphrasing President Obama "high speed internet service is no longer a luxury it is now a necessity". Further it has been noted that a "sweeping internet restrictions and total bans" trigger Constitutional protections.

iii) It is the plaintiff's belief that it has been proven by the use of the internet to fill out job applications, talk in the "modern day public forum", read publications, also order every day items (food, services, etc.) that there is a need for the sex offender population to be trained and taught to access these roads to rehabilitation.

iv) It is the plaintiff's belief this ban will not pass a penological interest as the ban does not help prepare the plaintiff to return to society nor does it follow a societal interest.

v)

ARUGEMENT :

- d) The Plaintiff believes the Defendants violated Constitutional rights afforded the Plaintiff by denying the Plaintiff the access to the use of Laptop, tablets, other electronic devices to access the internet / intranet as described in argument (C).

SUPPORTING FACTS :

- i) Plaintiffs belief that 'more restrictive settings' the SOUTH CAROLINA Department of Corrections, Florida Civil Commitment Center, SOUTH DAKOTA Department of Correction, etc. all allow the use of tablets, computers, laptops as well as a 'faux internet' system.
- ii) It is the Plaintiffs belief there is already in place in the S.C. s.v.p.t.p. an internet or Web Page blocking system that can / could be utilized to block or limit Web access.
- iii) It is the plaintiff's belief that a 'broad swath ban' of internet access will not pass a narrowly tailored penological interest.
- iv) It is Plaintiffs belief that a similar situated individual will / should be provide the same.
- v) It is plaintiff's belief that a ban on the internet, laptop, computer, tablet use may stop the plaintiff from intentional contacting of past or potential victims. The key word being the "intentional contacting". As any technologies can be used for the intentional miss use by a manipulating criminal mind set.
- vi) The plaintiff believes the statements made by Dr. Dube in her affidavit "that the s.v.p. resident population is intelligent for which internet access, laptops, computers use would enable endless possibilities for counter – therapeutic activities" (Affidavit of Dr, Dube @ 41, 24 (a), Summary Judgement). Is a broad reaching statement not narrowly tailored to the plaintiff as plaintiff did / has not used the internet or electronic devices to commence any crime. Broad statements about matters not relevant...
- vii) It is the plaintiff's belief this ban will not pass a penological interest as the ban does not help prepare the plaintiff to return to society nor does it follow a societal interest.

viii)

ARUGEMENT :

- e)** Denial of access to 800 / 888# as allowed by more restrictive settings to include S OUTH CAROLINA Department of Corrections

SUPPORTING FACTS :

- i) It is the Plaintiffs belief there is in place a phone blocking system such that the plaintiff can not pick up the phone and call any one he wishes without this number being reviewed and placed on the approve plaintiffs calling list.
 - ii) It is the Plaintiffs belief that the defendants have not showed any penological interest why the access to 800 / 88 # for use of family / friends to help keep cost down of having contact with family or outside support team members is not viable or helpful to the plaintiff and family members.
 - iii) It is the plaintiff's belief that "more restrictive settings" prison systems (Federal and state) have and do allow use of 800 / 888 # to keep cost down and that such numbers are set up by such programs as Global Tel Link (G.T.L.) and Secures Links the two biggest suppliers of the jail / prison phone systems.
 - iv) It is the plaintiff's belief the ban will not pass a penological interest as the ban does not help prepare the plaintiff for a return to society nor does it follow a societal interest.
-
- f)** Plaintiff believes that the Defendants violated Constitutional Rights afforded the Plaintiff by denying the Plaintiff the access to Hard Back books as some and most periodicals, research, educational books as distributed in the hard-back form.

- i) It is the Plaintiffs belief that the broad ban on the access to hard back books fails to pin point the source of the evil it intends to eliminate. Does not meet a penological interest or demonstrate that interest.
- ii) Plaintiff does not believe that any 'justification' to be given must be genuine not hypothesized or invented post hoc in response to preconceived notions.
- iii) It is the plaintiff's belief that the latest confiscation of the hardback books from the program's library fails in the named above (see # ii)
- iv) It is the plaintiff's belief this ban will not pass a penological interest as the ban does not help prepare the plaintiff to return to society nor does it follow a societal interest.

ISSUE NUMBER 2 :

Violation of Plaintiffs Constitutional Due process rights (5th as amended) :

ARUGEMENT :

- g)** Placement of wing restriction / Secured Management Unit without written charges levied against Plaintiff.
- I) It is the Plaintiffs belief that the restriction of movement around the compound, restriction from attending sex offender treatment group settings, restriction from wearing plaintiff street clothes represents a "atypical deprivation"
- II) It is Plaintiffs belief that Due Process violation on grounds that policy / rules failed to specify in language that a normal individual would / could understand and make an informed decision to follow the rule / policy or not. This meets the Void for vagueness.
- III) It is the Plaintiffs belief Void for Vagueness takes two (2) forms. One (1st) denies fair nature of standards of conduct to what.... can be held accountable for. The second (2nd) if it is an unrestricted delegation of power which in practice allows the definition of its law to the officer(s) and therefore invites arbitrary, discriminating and overzealous enforcement.

iii) It is the Plaintiffs belief that the circular policies / procedures of such as : conspiring to violate facility rule violations, possession of anything unauthorized are void for vagueness as no normal individual would understand what specific behavior or actions would be deemed unlawful.

iv)

ISSUE NUMBER 3 :

Violation of Plaintiffs Constitutional Equal Protection rights (14th as amended).

ARGUMENT :

a) Undo restriction on plaintiff attending family members funerals wakes.

SUPPORTING FACTS :

- i) Plaintiff belief that "more restrictive settings" to include S.C.D.C. other prison systems throughout the UNITED STATES are transported to their family funerals / wakes.
- ii) It is Plaintiffs belief that a similar situated individual will / should be provide the same.
- iii) It is Plaintiffs belief that the "less restrictive" setting WELLPATH cannot / does not show a penological interest in denying this action to those it over sees.
- iv) In spite of the affidavits of Dr. Dube or Mr. Lawrenz's even "if the plaintiff" is held in a maximum-security prison" still it is in violation of the afforded rights of those in that setting.
- v)

ARGUMENT :

- b) Failure to adhere to placement on the secured management unit of any and all violate / non-violate individuals

SUPPORTING FACTS :

- i) It is Plaintiff belief that the placement of plaintiff on wing restriction / secured management unit (s.m.u) when plaintiff did not / was not a threat to other individuals as shared information / had a picture of a women's vagina and the failure to place other individuals on the s.m.u. for the behaviors of communicating threats, verbal assaults, public masturbation, etc. violate the equal protection clause.
- ii) It is the plaintiff's belief that the statements made by Dr. Dube "when a resident commits a behavioral violation certain privileges may be temporary revoked". As individuals in the program have been given personnel televisions, jobs outside their care levels.
- iii) It is plaintiff's belief this negates the care level system and violates the Equal Protection clause of the plaintiff as plaintiff punished.

ISSUE NUMBER 4 : Respondent Superior Liability

ARGUMENT :

- a) Defendant(s) Wellpath are not able to claim dismissal of issues on grounds of 'Respondent Superior

SUPPORTING FACTS :

- i) It is Plaintiffs belief that Administration is responsible for their subordinates as superiors design and enforce the memo(s) / policy(s) that dictate the violation of the plaintiff's rights as the governing body for the facility.

- ii) It is the Plaintiffs belief that the supervisor or facility administrator that acquies's to the constitutional violations of the Plaintiff by their subordinates are to be held liable.
- iii) It is the Plaintiffs belief that the administration of WELLPATH is the policy makers and polices are therefore carried out by their subordinates at the risk of failing to do so resulting in staff write ups that can / has led to termination.

ISSUE NUMBER 5 : Liability under 42 U.S.C. § 1983

ARGUMENT :

- a) Defendants liability under 42 U.S.C. § 1983 as all acts alleged establish liability.

SUPPORTING FACTS :

- i) As discrimination against individuals with disabilities as Plaintiff has been diagnosed with a mental abnormality by the SOUTH CAROLINA Department of Mental Health.
- ii) It is Plaintiffs belief that any and every person who under the color of law, statute ordinance, regulation, or custom. neglects or causes the neglect of any citizen (Plaintiff holds Citizen rights), or the deprivation of any right, privilege, or securities is liable.
- iii) Numerous times the defendants WELLPATH have argued "they are an arm of the SOUTH CAROLINA Department of Mental Health and therefore fall under § 1983. Therefore, losing the defense of Qualified Immunity.

Further the Plaintiff sayth not.

VERIFICATION :

The Plaintiff does hereby declare that the following issues, arguments, and supporting facts are true to the best of the Plaintiffs knowledge. They are not intended to mislead in any way.

Signature page to follow :

Exhibit A

South Carolina SVPTP
Resident Communication Form



Resident Name: Anthony Martin coast

Date: 14 May 2021

Area of Concern or Interest: (Please select one per form)

- Property (i.e. package request)
- Treatment
- Security Chief Davidson
- Programs / Activities
- Medical Care (requests for care must be submitted on sick call form)
- Food Service
- Maintenance
- Other (specify an area of concern not a specific person): _____

Brief description of concern or issue to be communicated:

Enclosed please find Blue print of proposed news letter minus name as yet to do poll to get resident input from program for name changing news you need to know into a vertical page instead of horizontal for space

Resident Signature: Anthony Martin

Staff Response:

Under consideration / review

Staff Name: Chief

Staff Signature: Davidson, Sr

Date: 5-28-21

**All Resident Communication Forms will be placed in the appropriate communication box. Staff will not accept Communication Forms in person.

Exhibit B

STATE of SOUTH CAROLINA

COUNTY of RICHLAND

Anthony-Shane ; Martin

v.

DECLARATION of

Erin Gaffney Facility Administrator ET. Al.

Anthony - Shane ; Martin

Lisa Young Major of Security ET. Al.

Leonka Gavin Psychologist ET. Al.

Ray Walker Captain of Security ET. Al.

Hodiyah Lewis Clinician ET. Al.

I Anthony - Shane ; Martin hereby declare I have been and continue to be housed at the SOUTH CAROLINA sexually violator predator treatment program (S.C.S.V.P.T.P.). Run by the for profit company WELLPATH / CORRECT CARE and that is overseen by the SOUTH CAROLINA Department of Mental Health the program is located on the SOUTH CAROLINA Department of Corrections Compound at the Broad River location in Columbia SOUTH CAROLINA.

I believe the ongoing violation of Constitutional rights of plaintiff by employees of WELLPATH / CORRECT CARE to include though not limited to First Amendment rights to Freedom of Speech, Freedom of Association, Freedom of Press, Freedom to voice opinion in public forum, etc. continues to create a irreparable harm as defendant acted under the color of law (Williams v. UNITED STATES 341 U.S. 97, 100, 71 S. Ct. 95 L. ED. 774 (11th Circuit 2013)) as a punitive machinery of the government agents (company), in order to punish the plaintiff. (Garcia 348 F3d. @ 729). That the defendants did not show or cannot show a penological interest in the violations of plaintiffs rights. (Barker v. Wilkins No. 2:09 - CV - 795 - FTM 36 2011 U.S. Dist. Lexis 82202 (2011)).

I further state that defendants violated due process rights of the plaintiff by acting under the color of law to punish the plaintiff by placing plaintiff on wing restriction (confined to the living unit), (.... Determination if the restriction is for punishment or incidental to some other government purpose Burke 2012 U.S. Dist. Lexis 134468) this being a departure from the ordinary conditions of confinement as plaintiff was restricted from movement around the compound, restricted from the use of law library, restricted from the use of large recreation yard or the recreation buildings, restriction of treatment as this is a fundamental of the S.C.S.V.P.T.P. and statutes set by the Supreme Court of The UNITED STATES,

The plaintiff further states that a violation of Constitutional Rights is never De Minimis A phrase meaning so small or trifling that the law takes no account of it (Lewis v. Woods 848 F. 2d 649, 651 (5th Circuit 1988)).

STATE of SOUTH CAROLINA

CASE NUMBER

COUNTY of RICHLAND

2020CP4002434

Anthony – Shane : Martin

v.

Declaration of

Ronald M. Owen

WELLPATH / CORRECT CARE

RECOVERY SOLUTIONS

The above mentioned petitioner hereby declare the fore going is true and correct.

It is the belief that being deprived of the use of the internet via computer, laptop, tablet is a violation of the first amendment right of the Freedom of Speech of the afore mention. As the internet was introduced to the constitution in Reno V. American Civil Liberties Union. My being in a sexually violent predator program does not exclude me from this right, nor from this protection. Nor access from the internet as in the United States V. ox the Packingham case was cited as stating ".....sex offenders have Free Speech Rights...." I also believe that being denied access to the internet in spite of technology being available to limit access to unwanted, improper sites through companies like Internet Probation and Parole Inc. State Support Services Division in King of Prussia Pennsylvania. Stops me from receiving the legitimate benefit from these means for access to the world of ideas. Particularly when I am seeking to reform myself through treatment and pursue a lawful and rewarding life through further online education support groups, and programing.

Further the Plaintiff sayth not.

Date:

At COLUMBIA, SOUTH CAROLINA

10/06/21

2021 OCT 14 AM 9:30
REC'D - 2021 OCT 14 AM 9:30

Respectfully Submitted

Ronald M. Owen

4. Relief Requested

Identify the precise action you want the Court of Appeals to take:

*Injunction Relief (permanent / temporary)
Return of confiscated items
Any other remedies court deems relevant*

5. Prior appeals (for appellants only)

A. Have you filed other cases in this court? Yes [] No [X]

B. If you checked YES, what are the case names and docket numbers for those appeals and what was the ultimate disposition of each?

Anthony - S. Martin

Signature

[Notarization Not Required]

Anthony - S. Martin

[Please Print Your Name Here]

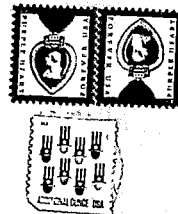
CERTIFICATE OF SERVICE

I certify that on 27, Nov. 2022 I served a copy of this Informal Brief on all parties, addressed as shown below:

Anthony - S. Martin
Signature

NO STAPLES, TAPE OR BINDING PLEASE

Anthony: Martin
c/o well path
4546 Broad River Rd
Columbia, south Carolina
[2020]



RECEIVED
DEC 07, 2023
SC Court of Appeals

Clerk of Court
Box 11629
Columbia, south Carolina
2021

