

Oct. 20, 2013

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court Of Appeals
PO Box 11629
Columbia, SC 29211

Re: In The Matter Of Care And
Treatment Of William Deans
App Case No: 2013-00879

Dear, Mrs. J. A. Kitchings

Please, find enclosed for filing in this above captioned case, and pre-addressed return envelope for Appellants returned clock stamped copy.

APPELLANT'S OBJECTION AND MOTION TO ALTER OR AMEND ORDER OF 10/10/13 FOR SOUTH CAROLINA OFFICE OF APPELLATE DEFENSE TO REPRESENT APPELLANT ON APPEAL/ and Notice of Motion And Appellant Exhibit copy of letter served upon SC Office of Appellant Defense by reference

APPELLANT'S NOTICE TO SC OFFICE OF APPELLATE DEFENSE OF REFUSAL OF APPELLANT TO ACCEPT COUNSEL TO REPRESENT THIS APPEAL. /IN THE ALTERNATIVE/ APPELLANT'S NOTICE OF INTENT TO FILE SUIT AGAINST ANY ATTORNEY WHO ATTEMPTS TO REPRESENT THIS APPELLANT IN THIS APPEAL

Sincerely,

William Deans

RECEIVED

OCT 22 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM ANDERSON COUNTY
Court Of Common Pleas, 04th Judicial Circuit

J.C. Nicholson, Circuit Court Judge

Appellant Case No: 2013-000879

State Of South
Carolina.....Respondent,

v.

Deans.....Appellant.

APPELLANT'S OBJECTION AND MOTION TO ALTER OR AMEND ORDER OF 10/10/13
FOR SOUTH CAROLINA OFFICE OF APPELLATE DEFENSE TO REPRESENT APPELLANT
ON APPEAL/ and Notice of Motion

William Deans
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203

Appellant Pro-Se
803-889-2922

Other Counsel of Record
Alan Wilson
SC Attorney General
Asst. Nicole T. Wetherton
PO Box 11549
Columbia, SC 29211
803-734-3970

RECEIVED

OCT 22 2013

SC Court of Appeals

APPELLANT'S OBJECTION AND MOTION TO ALTER OR AMEND ORDER OF 10/10/13 FOR SOUTH CAROLINA OFFICE OF APPELLATE DEFENSE TO REPRESENT APPELLANT ON APPEAL/ and Notice of Motion

To: Plaintiff State, Please take Notice of this the following Motion, Appellant will move within ten plus 4 days of service for the requested relief,

Now Comes, Appellant pro-se, to move this Court pursuant to SCRPC, Rule 59 to alter or amend it's Order of 10/10/13 ordering SC Appellate Defense to represent Appellant on appeal.

1. On 10/17/13, Appellant received service of herein by reference Order of 10/10/13, signed His Honor John Carman Far.

2. This matter arose when on April 23, 2013 Appellant is granted leave to proceed Pro-se served Notice of Intent To Appeal a SCC Ann. 44-48-10 (Supp. 1998), et seq. the basic denial of a SCC Ann. 44-48-110 Status Review Hearing / Annual Review Hearing, and challenge of lack of both Subject Matter Jurisdiction and lack of Jurisdiction of this person.

a) On May 20, 2013 Appellant served the Initial Brief of Appellant and Designation of Matter To Be Included on Appeal.

b) On June 19, 2013, Office of Attorney General made a return, MOTION TO HOLD APPEAL IN ABEYANCE, claiming the Respondant can not respond to assertions made in the Initial Brief of Appellant and therefore requested a stay until which time a transcript of record is provided.

c) On June 25, 2013, Appellant served (filed June 27, 2013) "Appellant's Reply To Respondants Motion To (of June 19, 2013) To Hold Appeal In Abeyance",

d) On July 15,2013 the Clerk of Court, SC Court of Appeals gave notice to the party's / acknowledged receipt of Appellant motion for court arrange/pay for transcript of record, and requesting the opposing counsel (the Plaintiff State) to file a return to motion

3. On 10/10/13 the Court ordered upon motion of Appellant for SC Appellate Defense pay for a Transcript of Record.

The Court instead ordered SC Appellate Defense to submit a reply "...Unless the Office of Defense convinces this Court, within ten days, that Appellant does not fall within the guild lines promulgated pursuant to section 17-3-310(G) (2) of the South Carolina Code (2012), the Office of Appellate Defense shall represent Appellant on appeal....."

a) Appellant asserts this is where the problem lies with his Honor Far's ruling, as argued in the to following two steps.

4. Argument #1:

Appellant did not motion for the court to order representation for this Appellant.

Especially, for Appellate Defense to file an Initial Brief.

On May 20, 2013 the court filed Initial Brief of this Appellant, The State made a reply, motioning for a stay claiming the State can not reasonably answer to the allegation's made by this Appellant with out a transcript of record.

On July 15, 2013 the Clerk of Court, SC Court of Appeals gave notice to the party's / acknowledged receipt of Appellant motion for court arrange/pay for transcript of record, and requesting the opposing counsel (the Plaintiff State) to file a return to motion.

The Court then asked the Office of Appellate Defense to make a reply, and submitted stating Appellate defense would provide a transcript if ordered to do so.

The Court either did not know an Initial Brief of the Appellant has already been filed or the court took upon itself to appoint representation.

Either way, Appellant rejects the ordering of representation,

Appellant did not ask for representation and pursuant to the SCACR, Rule 208, not to exclude any other, it would be an abuse of discretion to cause the filing of a subsequent Initial Brief of Appellant.

This Court ordered a transcript (only) be provided to another SCC Ann. 44-48-10/170 person, PRO-SE Appellant in "The Matter Of Care and Treatment Of Michael Farrow, Case No: 06-CP-04-4097

The Court did not order presentation in that case.

Appellant ask only for equal treatment which is to be provided a transcript, for the benefit of the State,

5. Argument #2: Appellant objects and refuses for cause to accept the appointment of un-solicited counsel.

a) see hereto "Appellant's Notice Of Refusal of Accepting Counsel From the Office Of Appellate Defense and Notice of Intent To File Suit Against Any Appointed Attorney Who Attempts to Represent This Appellant in This Matter.

PRAYER FOR RELIEF

Wherefore the foregoing reasons and this Court lack of jurisdictional authority to force a un-solicited counsel upon this Appellant.

1. For the Court to order the With-drawl of it's prior order appointing representation of SC Office Of Appellate Defense for Appellant.

2. Either, order SC Office Of Appellant Defense to provide funding for a transcript of record as original requested.

3. Or in the Alternative, Appellant moves to with draw his original motion for the court to order SC Office Of Appellate Defense pay for a transcript and,

Then let the Office Of The SC attorney General procure copies of the transcript of record in this case at the expense of the SC Attorney Generals Office.

Respectfully submitted by,

Oct. 20, 2013

William Deans
William Deans
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, SC 29203

The Honorable Alexander Judge
4th Judicial Circuit
PO Box 428
Walhalla, SC 29692-0428

SCRCP, R 5 (e) filing

William Deans
7901 Farrow Rd.
Bldg. 3, 3d floor
Columbia, SC 29203

Ref: In The Matter Of Care And Treatment Of
William Deans
c/a: 2002-CP-04-3343

To: Judge Macaulay,

Please, process the in closed filing and return copy to Applicant.

I have been granted leave to proceed Pro-se in this matter.

Secondly, please, excuse the use of one line spacing, for the
computer / printer in out SCDMH unit is not working correctly causing
me not to be able to shift line spacing properly.

Respectfully,

William Deans

ADD EX AA

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
 ANDERSON COUNTY)
) c/a: 2002-CP-04-3343
 IN THE MATTER OF CARE)
 AND TREATMENT OF) SCRCRCP, R 5 (e) Filing to
) Chief Administrative Judge
 WILLIAM DEANS,)
)
 RESPONDANT) RESPONDANT'S MOTION FOR
) SUPERSEDES OF MATTER ON
) APPEAL, and Notice of Motion

To: Petitioner, State of South Carolina, Attorney General Alan Wilson, Take Notice of this the following Motion, Respondant will move for the requested relief within 10 plus 4 days of service.

Come Now, Respondant, William Deans, who is granted leave to proceed Pro-se, moves this Court pursuant to SCACR, Rule 225 for an order to proceed on matters separate of issues on appeal,

On ^{4/25}~~5/6~~/2013 Respondant filed Notice Of Intent to Appeal, and On 5/23/2013 Initial Brief On Appeal.

a) On ¹²⁻²⁻⁷¹, upon Respondants Motion, this Court issued an Order that all SCC Ann. 44-48-110 Annual Review Examinations by the State of Respondant be recorded by Respondant, with the order entering that Respondant have access to the recording for preparation of a transcript and the use of the recording at pending Annual Review Hearings.

b) On 2/27/2012 Respondant filed Motion For Evidential Hearing.

c) On ^{3/13} Respondant filed for Evidentary Hearing be moved to the Hearing Docket.

d) On 3/11/13 Respondant filed Notice of Violation of Court Order (alt) Motion To Find State Officials In Contempt Of Court Order and Notice Of Motion.

e) On 4/18/13, Respondant filed Motion To Find State Officials In Willful Contempt Of Court Of Court Order / Be Placed Upon The Hearing Docket, and

f) Respondant's Request For Issuance Of Subpoena's

i) Subpoena For Appearance Of PSO Capt. Franklin Abney For Contempt Of Court (for the knowingly taking of Court Ordered [tape recording] of Respondant's Annual Examination 2012)

ii) Subpoena For Ordered Deposition Of Marla L. Domino Ph.D. (for violation of SCC Ann. 44-48-150 Court Ordered Sealed Documents)

Were this to be true, then the State is allowed to commit all the acts of contempt and mayhem against this Respondant with out being held accountable.

It is Respondants asserts the SC Legislature did not intent for the State Attorney General's Office to abuse SCC Ann. 44-48-10/170 in this or any manner.

Secondly, it can be argued the Separation of Powers Act forecloses the Attorney General's Office from commanding the Court when a hearing is to take place, being that there is no enabling authority within SCC Ann. 44-48-10/170 which permits this. See hereto, Respondants Exhibits A- showing the Court Ordered for Respondant access to record and transcribe Annual Review Examinations,

And, subsequent filings not at issue, specifically Motions for

(1) Motion For Evidentary Hearing and for a hearing be scheduled.

(2) Contempt (against PSO Abney) for stealing the Court Ordered tape recording, to which it can also be argued the Court has an invested interest in.

(3) Contempt of Court against three Assistant SC Attorney General's Office SVP attorneys, being Flores, Bogle, Shupe for disclosing Court ordered SCC Ann.44-48-150 sealed documents, being, Respondant's SCC Ann. 44-48-90/110 defense experts examination report that not entered into evidence at trail, due to the expert subsequently admiring in court she lied on this report at the order of SC Attorney Generals Office, ie: deceased AAG, Westmoreland Clarkson.

(4) Subpoena for Deposition of Dr. Domino, ordering her to disclose who actually provided the court ordered sealed x-expert perjured report..


see hereto: Respondant's Issues / Question that have been presented to the SC Court of Appeals.

Wherefore, Respondant moves this Court,

1. to grant Respondant leave to pursue matters not raised on appeal..
2. Order Clerk Of Court to schedule hearings, which issues arise that are separate / collateral from an actual SCC Ann. 44-48-110 Annual Review Hearing.

Respectfully,

Aug. 6, 2013



William Deans
7901 Farrow Rd.
Columbia, SC 29203

STATE OF SOUTH CAROLINA
ANDERSON COUNTY

COURT OF COMMON PLEAS

C/a: 02-CP-04-3343

STATE

V.

IN the MATTER OF CARE
AND TREATMENT OF,
WILLIAM DEANS

RESPONDENT

CERTIFICATE OF SERVICE

I, William Deans, state under the penalties of perjury that on this below referenced date did pursuant to HOUSTON V LACK 487 US 266 serve a true copy of the foregoing as listed below, by depositing said into the United States mail at the SCDMH mail service, with proper postage paid fir by Respondent, preaddressed as follows,

1. Respondants Application For Supersedeas Of Matter On Appeal

His Honor Alexanders S. Macaulay
Chief Administrative Judge\PO Box 428
Walhalla, SC 29691-0428

SC Attorney Generals Office
Att: Alvan Wilson
Mrs. Shupe
PO Box 11549
Columbia, SC 29211

8/6/2013

William Deans
William Deans
7901 Farrow Rd.
Bldg. 3, 3d floor
Columbia, SC 29203

APP EX 11

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM ANDERSON COUNTY
Court Of Common Pleas, 04th Judicial Circuit

J.C. Nicholson, Circuit Court Judge

Appellant Case No: 2013-000879

State Of South
Carolina.....Respondent,

v.

William
Deans.....Appellant.

APPELLANT'S NOTICE TO SC OFFICE OF APPELLATE DEFENSE OF REFUSAL OF
APPELLANT TO ACCEPT COUNSEL TO REPRESENT THIS APPEAL.

IN THE ALTERNATIVE/

APPELLANT'S NOTICE OF INTENT TO FILE SUIT AGAINST ANY ATTORNEY WHO
ATTEMPTS TO REPRESENT THIS APPELLANT IN THIS APPEAL

William Deans
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
Appellant Pro-Se
803-889-2922

Other Counsel of Record
Alan Wilson
SC Attorney General
Asst. Nicole T. Wetherton
PO Box 11549
Columbia, SC 29211
803-734-3970

APP EXHIBIT BB

To: SC Office of Appellate Defense

From: William Deans
7901 Farrow Rd.
Bldg. 3, 3d floor
Columbia, SC 29203

Ref: In The Matter Of Care And Treatment Of William Deans
Appellant Case No: 2013-000879

To, Whom it may concern,

Please, take Notice of REFUSAL OF APPELLANT TO ACCEPT COUNSEL TO REPRESENT THIS APPEAL as ordered by his Honor John C. Far, Chief Administrative Judge, SC Court Of Appeals, dated 10/10/13.

In the Alternative,

Please, Take Notice Of Appellants Intent To File Suit Against Any Attorney who attempts to represent this Appellant with out my explicit written prior permission,

Notice Given This,

Oct. 20, 2013

William Deans
William Deans
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203

Clerk, Administrative Judge
for the 04 Judicial Circuit
His Honor Judge Alexander S. Macaulay
PO Box 428
Wallhalla, SC 29691-0428

Oct. 20, 2013

William Deans
7901 Farrow Rd.
Bldg. 3, 3d floor
Columbia, SC 29203

Ref: In The Matter Of Care And
Treatment Of William Deans
Case No: 02-CP-04-3343
Appeal No: 2013-000879

To, Judge Macaulay,

Take Notice of the enclosed Petition For Order Lifting Automatic
Supersedes.

Please, disregard my prior attempt to file this with your office on
Aug. 6, 2013 which appears to have been ignored and became untimely.

Respectfully

William Deans

APP EX CC
~~DD~~

In The Court Of Appeals

APPEAL FROM ANDERSON COUNTY
Court Of Common Pleas, 04th Judicial Circuit

J.C. Nicholson, Circuit Court Judge

Appellant Case No: 2013-000879

State Of South
Carolina.....Respondent,

v.

William
Deans.....Appellant.

PROOF OF SERVICE

I certify that I have served "APPELLANT'S OBJECTION AND MOTION TO ALTER OR AMEND ORDER OF 10/10/13 FOR SOUTH CAROLINA OFFICE OF APPELLATE DEFENSE TO REPRESENT APPELLANT ON APPEAL/ and Notice of Motion", and Appellant's Exhibit on the, SC Attorney Generals Office by depositing a copy of it in the United States Mail, postage prepaid, on Oct. 20, 2013, addressed to attorney of record, SC Attorney Generals Office, Alan Wilson, Asst. Nicole T. Wetherton, PO Box 11549, Columbia, SC 29211 and on Oct. 20, 2013 Appellant did serve a complimentary copy to the office of Chief Administrative Judge of the 04th Judicial Circuit, Judge John Macualey, PO Box 428, Wallhalla, SC 29691 and Office Of Appellate Defense, PO Box 11629 Columbia, SC 29211

Oct. 20, 2013

William Deans
William Deans
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203

cc: SC Court Of Appeals

RECEIVED
OCT 22 2013
SC Court of Appeals