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Aug 04 2026

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Richland County

Honorable Heath P. Taylor, Circuit Court Judge

DENNIS MICHAEL GALLIPEAU,

APPELLANT,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-000890

AMENDED RECORD ON APPEAL

GARY H JOHNSON
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

ALAN WILSON
Attorney General

HARLEY L. KIRKLAND
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Office of the Attorney General
PO Box 11549
Columbia, SC 29211
Phone: (803) 734-0406

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Assistant Attorney General
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ATTORNEYS FOR RESPONDENT

INDEX

March 26, 2025

SLED SOR Unit
P.O. Box 21398
Columbia, SC 29221

Re: Application for Removal from the S.C. Sex Offender Registry

Enclosed please find:

1. Application Form
2. SLED Criminal Record Check
3. Affidavit of Indigency and Application for Counsel
4. Federal Plea Agreement
5. Notice of Termination of Supervision

Dennis M. Gallipeau
P.O. Box [redacted]
Columbia, SC 29221

Application for Removal from the S.C. Sex Offender Registry

I hereby make the following application to SLED and hereby certify that the information on this form is true and accurate, under penalty of perjury.

Name: GALLIPEAU, Dennis Michael
Last, First, Middle | *Suffix (Sr., Jr., III)* | *Maiden*

Social Security #: [redacted] Date of Birth: 1952[redacted]
###-##-#### | *YYYY/MM/DD*

Contact: P.O. Box 210134 | Columbia | SC | 29221
Current Address (# Street, Apt) | *City* | *State* | *Zip*

Richland | [redacted] | [redacted]@gmail.com
County | *Phone Number* | *Email*

County and State of Conviction/Adjudication: FEDERAL COURT | County of Current Registration: Richland

List all Convictions/Adjudications for which you are required to register *(Use additional pages, if needed)*:
18 U.S.C. Sec. 2252A(a)(5)(B) | Possession of CP

- I understand that I must continue to register on the S.C. Sex Offender Registry until I have received written notice from SLED that I am no longer required to do so. DG *(Initial)*
- I have been registered as a sex offender for at least 16 years DG *(Initial)*
- I have included **2** sets of my fingerprints (Blue Card (FD-258)) for SLED to conduct a fingerprint-based state and federal criminal history check. DG *(Initial)*
- I have not been convicted of failure to register within the previous ten years. DG *(Initial)*
- I have not been convicted of any additional sexual offense or violent sexual offense after being placed on the registry. DG *(Initial)*
- I have included a filing fee of **$250.00**, which I understand is not refundable regardless of the outcome of this application. Payment must be in the form of a certified check or cashier's check, **No Personal Checks.** AFFIDAVIT *(Initial)*
- I have included all sentencing sheets, or other disposition documents, for all convictions requiring sex offender registration. DG *(Initial)*
- I have "successfully completed all sex offender treatment programs that were required," and I have provided official documentation acknowledging successful completion (Documents attached). DG *(Initial)*

List the name and address of the treatment program: N/A

Out-of-State Offenders must also complete the following:

- I was required to register as an offender because of a conviction in another state or because of a federal conviction and am eligible to be removed under the laws of the jurisdiction where the conviction occurred. DG *(Initial)*
- I have provided proof of my eligibility for and/or proof of my removal from the registry in the state/territory where my conviction occurred. DG *(Initial)*

I understand that I must wait 5 years to reapply if my application is denied.

I also understand that there is no appeal to SLED, and should I wish to challenge a denial, I must file a motion with the general sessions court in accordance with S.C. Code Ann. § 23-3-463.

Dennis M. Gallipeau | March 26, 2025
Signature of Applicant | *Date*

SLED USE ONLY *Date Received:* ____________ *Application #:* ____________

Mail completed form and required enclosures to:

Application for Sex Offender Registry Removal
SLED SOR Unit
P.O. Box 21398
Columbia, South Carolina 29221

NO ARREST DATA
IN ACCORDANCE WITH
SEARCH CRITERIA SUBMITTED
S.C. LAW ENFORCEMENT DIVISION

South Carolina
Law Enforcement Division

P.O. Box 21398
Columbia, South Carolina
29221-1398

Henry D. McMaster, Governor
Mark A. Keel, Chief

Tel: (803) 737-9000

THE SUBJECT OF THIS RECORD IS
A CONVICTED SEX OFFENDER.
ADDITIONAL INFORMATION MAY
BE OBTAINED FROM THE NATIONAL
SEX OFFENDER PUBLIC WEBSITE AT
WWW.NSOPW.GOV

CRIMINAL RECORD CHECK

(Please print your completed form and submit to SLED. You may want to print a copy for your records.)

FULL NAME (with middle name): Dennis Michael Gallipeau

AKA and/or MAIDEN NAMES:

DOB: 1952 [redacted] SSN: [redacted]

(Federal law permits governmental agencies to require a social security number in order to conduct official business; however, private entities may only obtain social security numbers if given voluntarily).

(A self addressed stamped envelope is required for the return of background

CHARITABLE ORGANIZATIONS AND SCHOOL DISTRICTS ONLY

NAME OF ORGANIZATION: ____________________

VERIFICATION NUMBER *(as provided by SLED for online checks):* ____________________

SCHOOL DISTRICTS ONLY – POSITION APPLIED FOR: ____________________

(A self addressed stamped envelope is required for the return of background check)

PLEASE NOTE:

The fee is twenty-five dollars ($25) unless you are a charitable organization approved for a fee of eight dollars ($8). A charitable organization must include its name and User ID number or the request may not be processed. Payment must be business check, certified/cashier's check or money order payable to SLED. PERSONAL CHECKS [illegible] WILL NOT BE ACCEPTED. This report contains records of arrests and convictions made by state/local agencies in South Carolina only. Alteration of a completed criminal record check may subject a person to criminal prosecution. A completed criminal records check should not be accepted unless it bears an original SLED stamp.

SLED RECORDS SECTION HAS BEEN CLOSED TO THE PUBLIC SINCE DECEMBER 15, 2008.

RECEIVED
SLED/CJIS
JUN 21 2022
CRIME INFORMATION CENTER

(CJ-022) Revised 09/25/15

STATE OF SOUTH CAROLINA COUNTY OF RICHLAND The State of South Carolina Plaintiff, vs. Dennis Gallipeau Defendant.	IN THE COURT OF GENERAL SESSIONS _____ JUDICIAL CIRCUIT **AFFIDAVIT OF INDIGENCY** **AND** **APPLICATION FOR COUNSEL** (Defense of Indigency Act, Form No.2)

CRIMINAL CHARGING DOCUMENT NO.

NAME OF APPLICANT	Dennis Gallipeau
ADDRESS	[redacted] Ashford Road
TELEPHONE NUMBER(S)	[redacted]
DATE OF BIRTH	[redacted]/1952
SOCIAL SECURITY NO.	***-**-[redacted]
NAMES OF CO-DEFENDANTS	N/A

1. Are you presently employed? Yes ☐ No ☒

a. If "yes", state the amount of your salary or wages per month, and give the name and address of your employer.

SALARY OR WAGES PER MONTH	**NAME AND ADDRESS OF EMPLOYER**

If "no", state the name and address of last employment, date of termination of employment, and amount of your salary or wages per month.

SALARY OR WAGES PER MONTH	**NAME AND ADDRESS OF EMPLOYER**	**TERMINATION DATE**
		1996

2. Include employment information for the spouse, if applicable.

SALARY OR WAGES PER MONTH	**NAME AND ADDRESS OF EMPLOYER**

If the spouse is not currently employed, state the name and address of last employment, date of termination of employment, and amount of salary or wages per month.

SALARY OR WAGES PER MONTH	**NAME AND ADDRESS OF EMPLOYER**	**TERMINATION DATE**

3. List by name, age and relationship to you, any persons who are dependent upon you for support. Indicate beside each how much you contribute toward their support.

NAME	AGE	RELATIONSHIP	AMOUNT OF SUPPORT
N/A			

4. **Have you received within the past twelve months any money from any of the following sources?**

a. Business, profession or form of self-employment? Yes ☐ No ☐

b. Rent payments, interest or dividends? Yes ☐ No ☐

c. Pensions, annuities or life insurance payments? Yes ☐ No ☐

d. Gifts or inheritances? Yes ☐ No ☐

e. Any other sources? Yes ☒ No ☐

If the answer to any of the above is "yes", describe each source of money and state the amount received from each during the past twelve months.

SOURCE OF MONEY	AMOUNT
Social Security Retirement Benefits	$864.00
SSI Benefits	$123.00

5. **Do you own cash, or do you have any money in a checking or savings account?**

Yes ☒ No ☐

If the answer is "yes", state the total amount of the cash owned. $36.31

6. **Do you own any real estate, stocks, bonds, notes, or other valuable property (excluding ordinary household furnishings and clothing)?**

Yes ☐ No ☒

If the answer is "yes", describe the property and state the appropriate value of the items owned.

7. **What kind of motor vehicle do you own?** N/A

Is it paid for? Yes ☐ No ☐

If not, what are the payments? _____

8. **How much do you owe (on liens, mortgages, other encumbrances or debts)?**

$0

I do solemnly swear that the account by me delivered into this court with my application for counsel does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I or any person in trust for me have or at the time of my possession had, or am, or was, in any respect, entitled to, in possession, remainder or reversion and that I have not at any time since charges were made against me or before, directly or indirectly sold, leased, assigned or otherwise disposed of or made over, in trust for myself or otherwise, other than is mentioned herein.

I understand the appointment of counsel creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in an amount equal to the cost of representation less the amount paid to appointed counsel, the public defender office and/or the Commission on Indigent Defense. I understand that such claim shall be filed in the office of the Clerk of Court in the county where I, my child, or ward are assigned counsel, but that the filing of a claim shall not constitute a lien against my real or personal property unless, in the discretion of the court, part of all of such claim is reduced to judgment by appropriate order of the court after serving me with at least thirty (30) days notice that judgment will be entered.

I understand that, pursuant to §17-3-30(b), I am required to pay a non-refundable $40.00 application fee to the Clerk of Court for public defender services or other appointed counsel.

I am financially unable to employ counsel and request that counsel be assigned to represent me. I understand that I am entitled to at least thirty days' notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

This 25th day of March 2025

[signature]
Defendant or Parent/Guardian of Defendant if applicable

Subscribed and sworn to before me this
25th day of March, 2025

[signature] (L.S.)
Notary Public for South Carolina
My Commission Expires: 10/12/2028

SONAYE ... KUMSSA
MY COMMISSION EXPIRES 10/12/2028
NOTARY PUBLIC SOUTH CAROLINA

The applicant's request for court-appointed counsel is hereby ☐ **granted** / ☐ **denied.**

Dated: ______________

Judge/Clerk or Deputy Clerk

______________, South Carolina

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA	)	Criminal No: 3:08-96
	)	
V.	)	
	)	**PLEA AGREEMENT**
DENNIS MICHAEL GALLIPEAU	)	
	)	

General Provisions

This PLEA AGREEMENT is made this 30 th day of June, 2009, between the United States of America, as represented by United States Attorney W. WALTER WILKINS, Assistant United States Attorney Dean A. Eichelberger; the Defendant, **DENNIS MICHAEL GALLIPEAU**, and Defendant's Attorney, William Watkins, Esquire.

IN CONSIDERATION of the mutual promises made herein, the parties hereto agree as follows:

1. The Defendant agrees to plead guilty to Count three of the Superseding Indictment now pending, ~~which~~ charges knowing possession of materials containing images of child pornography, a violation of Title 18, United States Code, Section 2252A(a)(5)(B).

In order to sustain its burden of proof as to this offense, the Government is required to prove the following:

ONE: The defendant possessed an item or items which contained an image or images of child pornography;

TWO: The child pornography had been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer; and

THREE: That at the time of such possession the defendant believed that such image or images constituted child pornography.

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MAXIMUM PENALTY

Imprisonment:	10 years
Fine:	$250,000
Supervised Release:	Any term of years or life
Special Assessment:	$100

2. The Defendant agrees to provide detailed financial information to the United States Probation Office prior to sentencing. The Defendant further agrees to enter into the Bureau of Prisons Inmate Financial Responsibility Program if sentenced to a term of incarceration with an unsatisfied monetary penalty. The Defendant further understands and agrees that any monetary penalty imposed is not dischargeable in bankruptcy.

(A) Fines: The Defendant understands and agrees that the court may impose a fine pursuant to 18 U.S.C. §§ 3571 and 3572, which fine may be due and payable immediately after sentencing regardless of whether the Defendant has the money to pay the fine. In the event the Defendant does not have the money, the Defendant understands and agrees that the court may establish a payment schedule, taking into account the Defendant's present and future means of earning money, or of obtaining money to pay the fine.

(B) Special Assessment: Pursuant to 18 U.S.C. §3013, the Defendant must pay a special assessment of $100.00 for each felony count for which he is convicted. This special assessment must be paid at or before the time of the guilty plea hearing.

3. Provided the Defendant complies with all the terms of this Agreement, the United States agrees to move to dismiss the remaining counts of the Indictment [and any other indictments

DG

under this number] at sentencing. The Defendant understands that the Court may consider these dismissed counts as relevant conduct pursuant to § 1B1.3 of the United States Sentencing Guidelines.

4. The Defendant understands that the matter of sentencing is within the sole discretion of the Court and that the sentence applicable to Defendant's case will be imposed after the Court considers as advisory the United States Sentencing Commission Guidelines, Application Notes and Policy Statements, as well as the factors set forth in Title 18, United States Code, Section 3553(a). The Defendant also understands that Defendant's sentence has not yet been determined by the court, and that any estimate of a probable sentencing range Defendant may have received from Defendant's attorney, the Government or the United States Probation Office is only a prediction, not a promise, and is not binding on the Government, the Probation Office or the Court. The Defendant further understands that the Government retains the right to inform the Court of any relevant facts, to address the Court with respect to the nature of the offense, to respond to questions raised by the Court, to correct any inaccuracies or inadequacies in the presentence report, to respond to any statements made to the Court by or on behalf of the Defendant and to summarize all evidence which would have been presented at trial to establish a factual basis for the plea.

5. The Defendant agrees that all facts that determine his offense level under the Guidelines and pursuant to any mandatory minimum (including facts that support any specific offense characteristic or other enhancement or adjustment) can be found by the court at sentencing by a preponderance of the evidence standard and the court may consider any reliable evidence, including hearsay. By executing this Agreement, the Defendant understands that

D6

he waives any argument that facts that determine his offense level under the Guidelines and pursuant to any mandatory minimum should be alleged in an indictment and found by a jury beyond a reasonable doubt.

6. The Defendant understands that the obligations of the Government within the Plea Agreement are expressly contingent upon the Defendant's abiding by federal and state laws and complying with the terms and conditions of any bond executed in this case.

7. In the event that the Defendant fails to comply with any of the provisions of this Agreement, either expressed or implied, it is understood that the Government will have the right, at its sole election, to void all of its obligations under this Agreement and the Defendant will not have any right to withdraw his plea of guilty to the offense(s) enumerated herein.

Cooperation and Forfeiture

8. The Defendant agrees to be fully truthful and forthright with federal, state and local law enforcement agencies by providing full, complete and truthful information about all criminal activities about which he has knowledge. The Defendant must provide full, complete and truthful debriefings about these unlawful activities and must fully disclose and provide truthful information to the Government including any books, papers, or documents or any other items of evidentiary value to the investigation. The Defendant must also testify fully and truthfully before any grand juries and at any trials or other proceedings if called upon to do so by the Government, subject to prosecution for perjury for not testifying truthfully. The failure of the Defendant to be fully truthful and forthright at any stage will, at the sole election of the Government, cause the obligations of the Government within this Agreement to become null and void. Further, it is expressly agreed that if the obligations of the

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Government within this Agreement become null and void due to the lack of truthfulness on the part of the Defendant, the Defendant understands that:

(A) the Defendant will not be permitted to withdraw his plea of guilty to the offenses described above;

(B) all additional charges known to the Government may be filed in the appropriate district;

(C) the Government will argue for a maximum sentence for the offense to which the Defendant has pleaded guilty; and

(D) the Government will use any and all information and testimony provided by the Defendant in the prosecution of the Defendant of all charges.

9. The Defendant agrees to submit to such polygraph examinations as may be requested by the Government and agrees that any such examinations shall be performed by a polygraph examiner selected by the Government. Defendant further agrees that his refusal to take or his failure to pass any such polygraph examination to the Government's satisfaction will result, at the Government's sole discretion, in the obligations of the Government within the Agreement becoming null and void.

10. The Defendant acknowledges that the government will not be obligated to make any motion for reduction of sentence, either pursuant to Guideline Section 5K1.1 or Fed. R. Crim. P. 35. He understands that by being permitted to plead to Count 3as contemplated by this Plea Agreement, the statutory maximum of ten years imprisonment will be substantially less than the sentencing he likely would have faced had he gone to trial and been convicted or pleaded guilty to either Count 1 or Count 2 of the Indictment. Thus, by being permitted to plead

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guilty to Count 3 and thereby being subject to a statutory maximum of ten years, he is receiving a significant benefit at sentencing.

11. In connection with the investigation of this matter, the government seized from the defendant a computer(s) and/or certain external storage media such as computer discs, CD-Roms, DVDs, etc. The Defendant agrees to abandon, voluntarily surrender to, and not to contest the forfeiture by, the United States of America of such property. The Defendant further agrees to prevent the disbursement, relocation or encumbrance of any such assets and agrees to fully assist the government in the recovery and return to the United States of any assets, or portions thereof, as described above, wherever located.

The Defendant agrees to forfeit all interests in the properties as described above and to take whatever steps are necessary to pass clear title to the United States. These steps include, but are not limited to, the surrender of title and the signing of any other documents necessary to effectuate such transfers. The Defendant agrees not to object to any civil forfeiture proceedings brought against these properties pursuant to any provision of law and the Defendant further understands that any such civil proceedings may properly be brought at any time before or after acceptance of Defendant's guilty plea in this matter and agrees to waive any double jeopardy claims he may have as a result of the forfeiture of these properties as provided for by this Agreement.

Merger and Other Provisions

12. The parties agree that if the Court determines the Defendant has readily demonstrated acceptance of responsibility for his offenses, that USSG § 3E1.1(a) applies, thereby providing for a decrease of two (2) levels. In addition, if the Defendant qualifies for a

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decrease under § 3E1.1(a), the Government will move that he receive the one level decrease set forth in § 3E1.1(b), and requests that this provision be considered as that request.

13. The Defendant represents to the court that he has met with his attorney on a sufficient number of occasions and for a sufficient period of time to discuss the Defendant's case and receive advice; that the Defendant has been truthful with his attorney and related all information of which the Defendant is aware pertaining to the case; that the Defendant and his attorney have discussed possible defenses, if any, to the charges in the Indictment including the existence of any exculpatory or favorable evidence or witness, discussed the Defendant's right to a public trial by jury or by the Court, the right to the assistance of counsel throughout the proceedings, the right to confront and cross-examine the government's witnesses, the Defendant's right to testify in his own behalf, or to remain silent and have no adverse inferences drawn from his silence; and that the Defendant, with the advice of counsel, has weighed the relative benefits of a trial by jury or by the Court versus a plea of guilty pursuant to his Agreement, and has entered this Agreement as a matter of the Defendant's free and voluntary choice, and not as a result of pressure or intimidation by any person.

14. The Defendant is aware that 18 U.S.C. § 3742 and 28 U.S.C. § 2255 afford every defendant certain rights to contest a conviction and/or sentence. Acknowledging those rights, the Defendant, in exchange for the concessions made by the Government in this Plea Agreement, waives the right to contest either the conviction or the sentence in any direct appeal or other post-conviction action, including any proceedings under 28 U.S.C. § 2255. This waiver does not apply to claims of ineffective assistance of counsel or prosecutorial misconduct. This

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Agreement does not affect the rights or obligations of the Government as set forth in 18 U.S.C. § 3742(b). Nor does it limit the Government in its comments in or responses to any post-sentencing matters.

15. The Defendant waives all rights, whether asserted directly or by a representative, to request or receive from any department or agency of the United States any records pertaining to the investigation or prosecution of this case, including without limitation any records that may be sought under the Freedom of Information Act, 5 U.S.C. § 552, or the Privacy Act of 1974, 5 U.S.C. § 552a.

16. The Defendant understands and agrees that as a result of the plea of guilty in this case, the separate civil action captioned Dennis Gallipeau v. Byron Mitchell et al, C/A No. 3:07-3522, that he has brought arising out of the investigation into this matter should be dismissed with prejudice. Accordingly, upon acceptance by the Court of the plea of guilty in this case, the Defendants does hereby consent to the entry of an order dismissing that case.

17. If the defendant complies with all the terms of this Agreement, both parties agree that the appropriate disposition of this case (irrespective of any fines and/or forfeitures) is a sentence of between 84 and 120 months actual incarceration, followed by the appropriate statutory term of supervised release. The defendant specifically understands that the government intends to seek the statutory maximum for the crime to which he is pleading guilty. He agrees that a sentence of at least 84 months is an appropriate sentence in view of the fact that Counts 1 and 2, which can be considered as relevant conduct pursuant to the sentencing guidelines, would likely call for a sentence significantly in excess of 120 months. In the event that the defendant complies with all terms of this Agreement and the Court declines

DG

to impose this sentence, the Defendant will have the right to withdraw his FRCRP 11(C)(1)(c). If the Defendant does not comply with all the terms of this Agreement, the United States will seek the maximum sentence allowed by law and the Defendant will not be allowed to withdraw his plea.

18. The parties hereby agree that this Plea Agreement contains the entire agreement of the parties; that this Agreement supersedes all prior promises, representations and statements of the parties; that this Agreement shall not be binding on any party until the Defendant tenders a plea of guilty to the court having jurisdiction over this matter; that this Agreement may be modified only in writing signed by all parties; and that any and all other promises, representations and statements, whether made prior to, contemporaneous with or after this Agreement, are null and void.

6/30/09
DATE

DENNIS MICHAEL GALLIPEAU,
Defendant

6/30/09
DATE

William Watkins
Attorney for the Defendant

W. WALTER WILKINS
UNITED STATES ATTORNEY

6/30/09
DATE

BY:
Dean A. Eichelberger
Assistant U. S. Attorney

MARY ELIZABETH G. WINDHAM
CHIEF U.S. PROBATION OFFICER

UNITED STATES PROBATION OFFICE
DISTRICT OF SOUTH CAROLINA

Professionalism is the Standard!
Excellence is the Goal!

REPLY TO:
Columbia Probation Office
Strom Thurmond Federal Building
1835 Assembly St., Rm. 611
Columbia, SC 29201-2445
Tel: 803-253-3310
Fax: 803-765-5420

March 9, 2021

Dennis Gallipeau
1920 Ashford Lane
Columbia, SC 29210

Re: **Termination of Supervision**

Dear Mr. Gallipeau:

Your period of supervision has expired, effective February 28, 2021.

Since your supervision has expired, your right to vote may be restored. You must visit your local Voter Registration Office to complete the paperwork to accomplish this task.

You are reminded that if your conviction was for a felony, it is illegal for you to own, possess, or have a firearm. This right may be restored only by applying for and receiving a presidential pardon.

You have our best wishes for your future success and happiness.

Sincerely,

David P. White
U.S. Probation Officer

DPW/jdr

South Carolina
Law Enforcement Division

P.O. Box 21398
Columbia, South Carolina
29221-1398

Henry D. McMaster, Governor
Mark A. Keel, Chief

Tel: (803) 737-9000

SEX OFFENDER REGISTRY REMOVAL APPLICATION RETURN FORM

Send Back Date: 04/02/2025 Application # 2025-00041

Dennis Michael Gallipeau

Your Sex Offender Removal Application and/or fee(s) are being returned for the following reason(s):

____	APPLICATION	____	Not complete
		____	Signature missing
		____	Initials missing
✓	FEE	✓	$250.00 fee not included
		✓	Money Order or Cashier's Check Payable to "SLED" CASH OR PERSONAL CHECKS ARE NOT ACCEPTED
✓	FINGERPRINT CARDS	✓	Fingerprints are illegible; please have them retaken
		✓	Incorrect fingerprint cards
		✓	Only one fingerprint card, must include two
		✓	Fingerprint cards filled out completely or signed
____	DOCUMENTATION	____	Needs sentencing or disposition documents
		____	Needs treatment completion documentation, or indication that treatment was not required
		____	**Out of State:** Has not provided proof of eligibility for and/or proof of removal from the registry in the state/territory where conviction occurred.

Additional Information:

Sent back due to no fee and fingerprint cards included.
Please include $250 fee (Money Order or Cashier's Check) and x2 completed fingerprint cards.

1. **Complete a new Application for Removal from the S.C. Sex Offender Registry**
2. **Include this Return Form**
3. **Include all required documentation (any notated as missing above, and all that was initially submitted) and mail to:**

Application for Sex Offender Registry Removal
SLED SOR Unit
PO Box 21398
Columbia, SC 29221.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE COURT OF GENERAL SESSIONS

3:08-CR-0096-JFA

M.P. No.

DENNIS MICHAEL GALLIPEAU,)
)
Petitioner,)
)
vs.)
)
STATE OF SOUTH CAROLINA,)
)
Respondent.)

PETITION FOR ORDER FOR REMOVAL FROM REQUIREMENTS OF S.O.R.A

Petitioner, DENNIS MICHAEL GALLIPEAU, *pro se*, hereby petitions the Court pursuant to Section 23-3-463(A)(1), S.C. Code, for an order directing SLED to remove him from the requirements of the South Carolina Sex Offender Registration Act (SORA).

JURISDICTION

1. This Court has subject matter jurisdiction pursuant to Sections 23-3-462(A)(1)(c) and 23-3-463(c), S.C. Code.

VENUE

2. Venue is proper in this Court pursuant to Section 23-3-462(E), S.C. Code.

PARTIES

3. Petitioner has resided in Richland County for 20 years and has no criminal record in South Carolina.

4. Respondent is the State of South Carolina pursuant to Section 23-3-463(G), S.C. Code and service upon the Attorney General is required pursuant to Section 23-3-463(G)(3), S.C. Code.

FACTS

5. In 2009 Petitioner plead guilty as part of a plea agreement in federal court to violating Title 18 United States Code Section 2252(A)(a)(5)(B), possession of child pornography. He was remanded to BOP custody to serve a term of imprisonment followed by a lifetime period of federal supervised release.

6. Petitioner was released from BOP custody in March 2015 and made his initial Registration with the Richland County Sheriff's Department on March 26, 2015.

7. Pursuant to SORNA (federal law), Petitioner is a Tier I offender eligible for removal After 10 years of registration.

8. On November 14, 2018 Petitioner's lifetime supervision was reduced to a term of 2 years and registration as a sex offender was made a mandatory condition of his federal supervised release.

9. Petitioner's term of supervised release was terminated on February 28, 2021.

10. Petitioner alleges that SLED does not have and never has had jurisdiction over him

11. Petitioner alleges that SLED (state of south carolina) is not in compliance with SORNA (federal law) and that the substantial implementation submission plan submitted to the United States Department of Justice, S.M.A.R.T. office by SLED is not the "plan" SLED implemented or has subjected Petitioner to during the past 10+ years.

12. Petitioner has continued to register bi-annually with the Richland County Sheriff's Department not voluntarily but out of threat of arrest and incarceration.

EXHAUSTION OF ADMINISTRATIVE REMEDY

13. On March 26, 2025 Petitioner submitted an application for removal to SLED.

14. SLED rejected and returned Petitioner's application because he is financially unable

to pay the $250 application fee.

15. Petitioner has exhausted his administrative remedy and this Court now has jurisdiction to hear and grant Petitioner's petition for removal.

WHEREFORE, petitioner, DENNIS MICHALE GALLIPEAU, prays the Court grant his petition and order SLED to remove him from the requirements of SORA and from the sex offender registry.

Respectfully submitted,

Dennis M. Gallipeau, pro se
P.O. Box [redacted]
Columbia, SC 29221
[redacted]

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	
COUNTY OF RICHLAND	)	
		M.P. No.
DENNIS MICHAEL GALLIPEAU,	)	
	)	
Petitioner,	)	
	)	**CERTIFICATE OF SERVICE**
vs.	)	
	)	
STATE OF SOUTH CAROLINA,	)	
	)	
Respondent.	)	
	/	

I hereby certify that I served Petition for Order by first class mail upon the Attorney General, 1000 Assembly Street, Columbia, SC 29201, this 21st day of April, 2025.

Dennis M. Gallipeau, pro se
P.O. Box [redacted]
Columbia, SC 29221
[redacted]

STATE OF SOUTH CAROLINA	)	**IN THE COURT OF GENERAL SESSIONS**
	)	
COUNTY OF RICHLAND	)	**3: 08-CR-0096-JFA**
DENNIS MICHAEL GALLIPEAU,	)	
	)	
v.	)	
	)	
STATE OF SOUTH CAROLINA,	)	**ORDER**
DEFENDANT.	)	

THIS MATTER IS BEFORE THE COURT pursuant to the Defendant's petition for appeal of the South Carolina Law Enforcement Division's (hereafter "SLED") denial of removing the Defendant from the South Carolina Sex Offender Registry. In 2009, the Defendant pled guilty in the District Court of South Carolina to charges relating to possession of child pornography. As a result of his guilty plea, the Defendant was placed on the sex offender registry in South Carolina.

S.C. Code § 23-3-462 explicitly states that "a filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements." Further, SLED's website states that the fee is "non-refundable and not waivable." SLED rejected the Defendant's initial application for failure to pay the fee. After reviewing the Defendant's memoranda, this Court finds that the Defendant's petition for appeal should be denied for failure to pay the two hundred fifty dollar ($250.00) application fee, as is required by statute.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that the Defendant's motion is hereby denied.

[SIGNATURE PAGE TO FOLLOW]

IT IS SO ORDERED.

The Hon. Heath P. Taylor
Circuit Court Judge
Fifth Judicial Circuit

This 25 day of April, 2025.

Columbia, South Carolina

CERTIFIED TRUE COPY
OF ORIGINAL FILED
C.C.C.P. & G.S.
RICHLAND COUNTY
SOUTH CAROLINA

AO 245D (SCDC Rev. 02/18) Judgment in a Criminal Case for Revocations
Sheet 1

UNITED STATES DISTRICT COURT
District of South Carolina

UNITED STATES OF AMERICA

v.

DENNIS MICHAEL GALLIPEAU

Judgment in a Criminal Case
(For **Revocation** of Probation or Supervised Release)

Case No: 3:08-96 (001 JFA)
USM No: 16472-171

Pro Se with stand-by counsel
Defendant's Attorney

THE DEFENDANT:

■ admitted guilt to violation of condition(s) of the term of supervision.
■ was found in violation of condition(s) after denial of guilt.

The defendant is adjudicated guilty of these violations:

Violation Number	Nature of Violation	Violation Ended
1	Failure to Report to the USPO	11/13/18
2	Failure to Submit to a Drug Test	11/13/18

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has not violated condition(s) __________ and is discharged as to such violation(s) condition.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material changes in economic circumstances.

Last Four Digits of Defendant's Soc. Sec. No.:
[redacted]
Defendant's Year of Birth:
1952
City and State of Defendant's Residence:
Columbia, SC

November 13, 2018
Date of Imposition of Judgment

Signature of Judge

Joseph F. Anderson, Jr., United States District Judge
Name and Title of Judge

November 14, 2018
Date

DEFENDANT: DENNIS MICHAEL GALLIPEAU
CASE NUMBER: 3:08-96

IMPRISONMENT

The defendant's term of supervised release is hereby REVOKED and the defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of Four (4) months.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:
☐ at ________________ ☐ a.m. ☐ p.m. on ______________________________.
☐ as notified by the United States Marshal.

■ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☐ before 2 p.m. on ___________________________.
■ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on ______________________________ to ______________________________

at ____, with a certified copy of this judgment.

____
UNITED STATES MARSHAL

By ______________________________
DEPUTY UNITED STATES MARSHAL

DEFENDANT: DENNIS MICHAEL GALLIPEAU
CASE NUMBER: 3:08-96

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of Twenty-four (24) months.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
   ☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ■ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ■ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. §20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program of domestic violence. *(check if applicable)*

DEFENDANT: DENNIS MICHAEL GALLIPEAU
CASE NUMBER: 3:08-96

The defendant must comply with the standard conditions that have been adopted by this court as well as with any other conditions listed below:

1. You must not access the Internet except for reasons approved in advance by the probation officer.

2. You must allow the probation officer to install computer monitoring software on any computer (as defined in 18 U.S.C. § 1030(e)(1)) you use.

3. You must not possess and/or use computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic communications or data storage devices or media.

4. You must submit your computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic communications or data storage devices or media, to a search, when requested.

5. You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition. The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

6. You must participate in a sex offense-specific treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must contribute to the cost of such program not to exceed the amount determined reasonable by the court approved "U.S. Probation Office's Sliding Scale for Services," and you will cooperate in securing any applicable third-party payment, such as insurance or Medicaid.

7. You must submit to periodic polygraph testing at the discretion of the probation officer as a means to ensure that you are in compliance with the requirements of your supervision or treatment program.

8. You must not view or possess any "visual depiction" (as defined in 18 U.S.C. § 2256), including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of "sexually explicit conduct" (as defined in 18 U.S.C. § 2256). You must not view or possess any "visual depiction" (as defined in 18 U.S.C. § 2256) including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of "sexually explicit conduct" (as defined in 18 U.S.C. § 2256), that would compromise your sex offense-specific treatment.

9. You must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must contribute to the cost of such program not to exceed the amount determined reasonable by the court approved "U.S. Probation Office's Sliding Scale for Services," and you will cooperate in securing any applicable third-party payment, such as insurance or Medicaid.

10. You must submit to substance abuse testing to determine if you have used a prohibited substance, as requested by the US Probation Offiice. You must contribute to the cost of such program not to exceed the amount determined reasonable by the court approved "U.S. Probation Office's Sliding Scale for Services," and you will cooperate in securing any applicable third-party payment, such as insurance or Medicaid.

DEFENDANT: DENNIS MICHAEL GALLIPEAU
CASE NUMBER: 3:08-96

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at www.uscourts.gov.

Defendant's Signature ______________________________ Date ______________

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Amended Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

Gary H Johnson
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

This 4th day of August, 2026.

ATTORNEY FOR APPELLANT