

The South Carolina Court of Appeals

In the Matter of the Care and Treatment of Michael Todd
Braxton, Appellant.

Appellate Case No. 2026-001741

ORDER

Appellant moved to proceed *informa pauperis*. No return was filed. After careful consideration, we grant the motion. *See Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995) (explaining the right to proceed *informa pauperis* must rest upon a statute or a fundamental constitutional right); S.C. Code Ann. § 44-48-90(B) (Supp. 2024) (explaining that "[a]t all stages of the proceedings under [the sexually violent predator act], a person subject to this chapter is entitled to the assistance of counsel, and if the person is indigent, the court must appoint counsel designated by the Office of Indigent Defense to handle sexual predator cases to assist the person"); S.C. Code Ann. § 17-3-360(C)(1) (2014) (requiring the Division of Appellate Defense to "represent a person who the office determines, subject to court review, falls within the guidelines promulgated pursuant to [s]ection 17-3-310(G)(2) who files [n]otice of [i]ntention to [a]ppeal a . . . decision of a proceeding in civil commitment . . . in a state, county, or municipal facility"); S.C. Code Ann. § 17-3-360(C)(2) (2014) (explaining the Division of Appellate Defense "shall represent" a person who qualifies as an indigent" in his appeal of a conviction in a trial court, or decision of a proceeding in civil commitment or other involuntary placement in a state, county, or municipal facility").

Additionally, after careful consideration, we hold this appeal in abeyance for thirty days to allow the Office of Appellate Defense to screen this case. We will act on the motion to relieve counsel upon receipt of a response from Appellate Defense.


FOR THE COURT

Columbia, South Carolina

cc:

Wanda H. Carter, Esquire

Michael Braxton

Charles Thomas Brooks, III, Esquire

Christopher Runyan, Esquire

Alan McCrory Wilson, Esquire

FILED
Sep 16 2026