

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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S.C. SUPREME COURT

PETITION FOR A WRIT OF CERTIORARI

Appellate Case No. 2026-002313

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Hon. B. Alex Hyman, Circuit Court Judge

Appeals Court Case No. 2026-001189
Lower Court Case No. 2023-CP-2601482

Brad Tidik,.....Petitioner

v.

Karen Tidik Sorensen and Jane Doe 1,.....Respondents

QUESTIONS PRESENTED

1. Did the Court of Appeals commit error by denying Petitioner to proceed *In Forma Pauperis* for his Appeal under S.C. Code Ann. § 14-3-330?
2. Did the Court of Appeals commit error in its Order by failing to cite or acknowledge Petitioner's claim under S.C. Code Ann. § 14-3-330?
3. Is the Clerk of the Court of Appeals acting outside of their authority by making judicial determinations of facts and law in Petitioner's Notice of Appeal?
4. Does Petitioner have Probable Cause to investigate a claim of judicial/extrajudicial bias of the South Carolina courts in that they are acting to deny Petitioner Due Process and to exhaust his state remedies?

STATEMENT OF THE CASE

1. Petitioner filed a Notice of Appeal as *In Forma Pauperis* with the Court of Appeals and this was Denied per a claim that Petitioner did not provide a Statute for appeal. **Exhibit A**

2. Petitioner filed a Motion for Rehearing with the Statute for Right to Appeal provided to the Court of Appeals. **Exhibit B**

3. The Clerk of the Court of Appeals refused to file Petitioner's Motion for Rehearing as the Clerk made judgment of law that the Court of Appeals judges would not grant Rehearing on Petitioner's claims under law. **Exhibit C**

4. Petitioner noticed the COA clerk that making judicial determinations *in stead* of the judges of the COA was not within the statutory duties of the Clerk. **Exhibit D**

5. The Clerk then Dismissed the *In Forma Pauperis* Appeal. **Exhibit E**

6. Petitioner then filed a Motion for Reinstatement of Appeal. **Exhibit F**

7. Without reinstating Petitioner's appeal the Court of Appeals incredibly issued an order on Petitioner's Motion for Rehearing on the dismissed appeal. **Exhibit G**

8. Trial court Order dismissing parties and modifying Petitioner's Complaint. **Exhibit H**

9. Petitioner now files to this Honorable Supreme Court.

ARGUMENT

1. Did the Court of Appeals commit error by denying Petitioner to proceed *In Forma Pauperis* for his Appeal under S.C. Code Ann. § 14-3-330 ?

Appellant filed for appeal *In Forma Pauperis* and then received the 7/13/26 Order from the COA judge Denying *In Forma Pauperis* exclusively because Appellant did not specify the Statute for his appeal by right. *Ex Parte Martin* S.C. 533 S.E.2d 134 (1995). **Exhibit A**

Petitioner then provided the statute for as relating to the striking of his complaint in that the statue that states an appeal is by right when in relation to Petitioners Complaint a judge "...strikes out..any part thereof.." being: S.C. Code Ann. § 14-3-330(2)(c). **Exhibit B, Exhibit F**

As Petitioner presented the statutory requirement for his Notice of Appeal the COA must allow the appeal as it meets the standard for *In Forma Pauperis* ad defined by *Ex Parte Martin* S.C. 533 S.E.2d 134 (1995), S.C. Code Ann. § 14-3-330

2. Did the Court of Appeals commit error in its Order by failing to cite or acknowledge Petitioners claim under S.C. Code Ann. § 14-3-330?

Petitioner made a concise legal argument that the COA omitted error as the statue that states an appeal is by right when in relation to Petitioners Complaint a judge "...strikes out..any part thereof.." S.C. Code Ann. § 14-3-330(2)(c). **Exhibit B, Exhibit F**

The failure of the Order to provide any mention of Petitioners concise legal argument means that the COA failed to recognize the argument, or that they chose to ignore it in a manner that provides no direction to Petitioner other that the order is in error by neglect and must be reversed. 60(b)(1) SCRPC. **Exhibit A, Exhibit G**

As Petitioner has met the standards for appeal this matter must be reversed with Petitioner proceeding *In Forma Pauperis* on appeal.

3. Is the Clerk of the Court of Appeals acting outside of their authority by making judicial determinations of facts and law in Petitioners Notice of Appeal?

On 7/21/26 Petitioner received a letter from the COA where the Clerk acted to stand *in stead* of the judges of the COA and Refused to file Petitioner Motion for Rehearing. the Clerk claimed NOT filing the Rehearing would not "...dismiss..." the Appeal. The action of the Clerk in in violation of the clerks duties that are only to dismiss "Whenever it appears that an appellant or a petitioner has failed to comply with the requirements of these Rules." and not to substitute judicial judgment on the argument of law. Rule 260(a) SCACR. **Exhibit C**

Appellant replied his 7/22/26 letter that the actions of the Clerk blocking a determination by the COA judges as shown Motion for Rehearing on *In Forma Pauperis* would unequivocally be the sole cause of dismissal for his Appeal. **Exhibit D**

The COA Clerk, and no judicial order, dismissed the Appeal even though the Clerk earlier wrote that refusing to file the Motion for Rehearing for the *In Forma Pauperis* Petitioner would not dismiss the appeal. **Exhibit E**

Petitioner requests that this court issue a caution of otherwise notice by an Order for Petitioner that the substitution for judicial discretion can not be done. This is specialty important as this is not an isolated incident as other Petitions are to follow.

4. Does Petitioner have Probable Cause to investigate a claim judicial/extrajudicial bias of South Carolina courts in that they are acting deny Petitioner Due Process and to exhaust his state remedies?

Purpose

The purpose of this question it to provide background of the underlying case to indicate that the lower court violations must be taken seriously and in a manner to halt misconduct of the lower courts, while also acting as exhaustion of Petitioner State remedies.

Court of Appeals

The "disappearance" of both the Clerks Dismissal order and Petitioners Motion for Reinstatement of Appeal is disturbing, and it is ever more disturbing as the Rehearing Order suddenly "appearing" and dated after the COA had dismissed the Appeal.

A viable conjecture is that the COA is acting to cover the misconduct of the trial court Chief judge and including the COA judge has knowledge of the parties as explained below.

Trial Court

There are viable claims, not yet before this court, that the Chief judge has personal, political, financial obligations, and liabilities, both singularly and/or in combination, with Defendant Sorensen, the Sorensen family, knowledge of the identity of Jane Doe 1, attorney McClutchen, and is acting with misconduct to make Petitioners case unviable as to discovery of facts and application of law to these facts.

The disabled Petitioner is denied due process and access the court, even through while the commonly used ADA/RCT is available, and all Petitioner matters are Dismissed, while Defendant matters granted that state nothing of law or fact as shown by the attached trial court order and must be appealed by Petitioner. This order is only included for history of the case.

CONCLUSION

Petitioner has shown that the Court of Appeals under law must grant his proceeding *In Forma Pauperis* and this must be remanded with such order from this Honorable court.

Respectfully Submitted

/s/ Brad Tidik
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