

Memorandum in Support of Appellants Motion to Strike Respondants Return to Appellants Motion to Hold Appeal in Abeyance

See Respondants Return, Herein By Reference

1. nt page 1, subsection (1.) is a false, misleading statement, Being the SC Attorney Generals office is consulted on all matters consistent with policy in the Daily operation of the SUPTP, To which there is no phase SUP Treatment Program By design, that is consistent for the fact or purpose of SUP Treatment offering <sup>any</sup> constitutional degree of expectation for release.

Note: Up Request should this Court require further hearings on this matter, Appellant will procure documented evidence and credible witnesses to the foregoing statements of fact.

2. nt page 1, sub (2) irrelevant matter

3. nt page 2, sub (3) irrelevant matter.

4. Respondent complains Appellant provided only the documents (He) entered as designated matter and not Respondents Designated matters.

(a) Appellant argues Rule 212 (c) SCRPC mandates a different requirement

**RECEIVED**

NOV 26 2014

SC Court of Appeals

Respondant wants that Appellant had plenty of time to have prepared & provided the Respondants Disputed Matter.

4) It appears Respondent is dictating Appellants Time Table and attempting to mask over the States unlawful taking of Appellants Legal Files, i.e. 26 floppy disks.

5) At page 2, sub (4) notes & states Appellant was too focused on matters involving other Residents to pay appropriate attention to his appeal / this raises the question as to how does Respondent know what Appellant does with his time if the Respondent has nothing to do with the sub unit.?

a) Maybe Respondent should pay attention to correcting the false statements, withholding of exculpatory evidence being withheld in this case, then making derogatory statements (she) knows nothing about or that (she) and her predecessor have perpetrated, which includes massive amounts of abuse, re-incarceration for preventive detention, criminal interrogations, inflictions of cruel and usual punishments

Basically saying the Respondent can't sling enough dirt to cover up their own wrong doing and being caught and exposed.

C

6. NT page 2-3, sub. (5) The affidavit of Holly Scaturo Approaches  
Lo-La Land of 3d Level Hearing, Blind Monitor's Attempting to  
Defer Legal Action Being Taken against her and SCDMH  
employees Abuse of this Appellant.

(a) see Affidavit of Holly Scaturo at page 2-3 sub-section (7 a-e)  
NOT one alleged reason given by Affiant Scaturo is Forbidden  
By SCDMH Rules or Policy or involves Treatment Determinant.

example: A Resident was found to possess several disks containing  
hundreds of pages of sexually explicit and paraphilic materials  
In Replity:

One Resident was told by his therapist / <sup>wp</sup> ~~social~~ case manager i.e;  
social worker, to write down every sexual fantasy, dream, thought  
sexual wish list, he had for months, the Resident does - this and  
when this material in the name of Treatment was found by

persons not his therapist / case manager, the resident is severely  
punished and ~~was~~ <sup>was</sup> Affiant Holly Scaturo comes along  
and adds her own twist to the stories which are -  
are the same in the other 4 given person

IT is of further note, showing Holly Scutino is not qualified pursuant to the SC Rules of Evidence to testify to such matters and it is shown Affiant Scutino has been directly instrumental in attempting to cover up, coordinate, Retaliate against residents who have been abused, witnessed the abuse and or filed suit or reported the abuse.

7. at page 1-2 at (5) Respondent and Affiant include to Appellant's computer disk and access to computers as privileges. a) Appellant argues that once a legal process is implemented as the access to the court, that process is protected as a created Liberty interest protected by Due-process and Equal Protection clause, SC and US Constitution.

Just like in the era's of *Bond v Smith* and *Lewis vs Casey* (citations omitted) the use of pen and ink have been replaced by the digital age, especially considering the state through the SCOMH SUP, limits Appellant's hard copy space which requires Appellant to store a greater part of his legal files

note: Affiant Holly Scutino carries the qualifications of an Administrative Nurse and is not certified to treat sexual behavioral problems.

on floppy disks which in of itself is an out dated medium

8. Affidavit of Holly Scutaro on page 3 subsection (9) enforces that all  
Appellant had to do is submit a request to SUTP STAFF - to obtain  
copy of any document stored on the confiscated floppy disks  
ie: as if staff can find a page out of 10000 pages of Text

a) not so. the memorandum referenced by the Appellant states (Appellant)  
could access "Treatment documents ie: SCDMU Memorandum  
OCT 23 2014 signed Holly Scutaro

This is another example of the SCDMU attempt to justify  
an unlawful act.

Reasoning that if there were issues of some content on a residents  
computer disks, that issue was resolved by the SCDMU Theft of the  
computers. This by itself is a major stop gate in almost  
residents ability to produce legible legal filings, complaints  
& answers to their attorneys and court,

Retaliation came when the disks were searched out rule  
created at that moment to punish and limit access to the  
courts to which is what is so ironic is the

SUTP had known about most if not all of the

Items months, if not years ago.

9. Affiant Holly sent me at page 3 sub (9) "Appellant remains free to request the printing of any appropriate materials from his desk, including legal documents."

a) The access to the legal documents Barry printed was not allowed until Nov 19, 14 after the fact of appellant complaining to which on Nov 20, 14 according to SCDM staff a memorandum was suppose to have been issued authorizing the copying of legal materials for residents / Foggy's desk.

b) And here is Respondent admission of the SPIRITIFYING OR UNLAWFULL INTERFERENCE in appellants access to the court by controlling when how, where, access to appellants legal files can be questionably obtained, to which again is in reality being censored, delayed, denied the right to journey to his legal documents which includes correspondence to defense legal counsel and appellants expert witnesses and defenses

10. Respondent stated that appellant is portraying himself as a victim and the state the perpetrator.

a) There has to be something wrong with the picture when the state has to continually lie, twist the truth, with hold exoneratory evidence to #1 obtain a conviction #2 cause civil commitment #3 continue civil commitment based on dirty tricks and taking appellants legal property.

This appeal has been turned into a mud slinging fest by the respondent in their efforts to divert the courts attention away from appellants issues on appeal.

Appel can not reasonably produce a amended final appeal brief numbering & addressing Respondent's designated matter, Record on appeal in a hand written form. As such appellant moves the court to extend any filing dates of briefs until access to appellants legal files are back into his possession and Respondent stop slinging mud.

11-23-14

Respectfully submitted by  
William Deans  
William Deans  
7901 FARRAW RD, Box 3 3rd Floor  
Colum Bn, SC 29203

The State of South Carolina  
In the Court of Appeals

---

Appeal From Anderson County  
Court of Common Pleas, 04th Judicial Circuit

---

J. Z. Nicholson, Circuit Court Judge

---

Case NO. 2013-00819

---

State of South Carolina                      Respondent,  
v.  
William Dennis                                      Appellant.

---

### Proof of Service

I William Dennis certify that I did on the below referenced date did  
serve the foregoing Appellant's Motion and supporting memorandum to strike  
Respondent's Return to Appellant's motion to hold Appeal in Abeyance by depositing  
said into the U.S. Mail, posted and pre-addressed to SC Attorney General's  
office Alan Wilson shape PO Box 11549 Columbia SC 29211 on

11-23-14

William Dennis  
1401 Farrow Rd Bldg 3 3rd Floor  
Columbia, SC 29203

to Clerk of Court of Appeals  
Honorable Ms. Ketting

11-23-14

In the Case & Treatment of  
William Dennis  
Case No: 2013-008119

Please check stamp the enclosed and return appellants  
copy

Thank you

W Dennis

**RECEIVED**

NOV 26 2014

**SC Court of Appeals**