

# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211

(803) 734-1080

FAX (803) 734-1499

April 18, 2012

Mr. William Deans  
SCDMH, BRCI, Edisto Unit  
Building 3, 3rd floor  
7901 Farrow Road  
Columbia, SC 29203

Re: Deans, William v. SCDC

Dear Mr. Deans:

This responds to your petition for rehearing. In light of Rule 240(i), SCACR,<sup>1</sup> no action will be taken on this petition for rehearing. Instead, if the filing fee is not received by April 21, 2012, this matter will be dismissed. If this matter is dismissed for failing to pay the filing fee, you may then timely file a petition for reinstatement or rehearing regarding that dismissal.

Very truly yours,



CLERK

cc: Christopher D. Florian, Esquire

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<sup>1</sup> This provision states: "The court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal."

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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The Honorable Ralph K. Anderson, III  
Administrative Law Court  
Case No: 2009-AL-04-00290

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RECEIVED

APR 16 2012

WILLIAM DEANS

S.C. Supreme Court  
APPELLANT,

V.

SOUTH CAROLINA DEPARTMENT OF  
CORRECTIONS,

RESPONDENT.

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APPELLANTS SCACR, RULE 221, SCRPC, RULE 59 MOTION FOR REHEARING  
OF DENIAL OF MOTION FOR LEAVE OF COURT IN FORMA PAUPERIS

---

x-prisoner

William Deans  
SCDMH, BRCI, EDISTO UNIT  
c/o:  
Bldg. 3, 3d floor  
7901 Farrow Rd.  
Columbia, SC 29203

Other Counsel Record:  
David M. Tatarsky  
SCDC General Counsel  
PO Box 21787  
Columbia, SC 29221-1787  
803/ 896-8555

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APPELLANTS SCACR, Rule 221, SCRCP, RULE 59 MOTION FOR REHEARING OF DENIAL OF MOTION FOR LEAVE OF COURT IN FORMA PAUPERIS

Now Comes., Appellant, William Deans, Pro-Se, to move this Court pursuant to SCACR, Rule 221 for re-hearing of this Courts denial of granting Appellant Leave of Court In Forma Pauperis,

Order Of Denial, dated April 6, 2012, for the Court, s/ Costa M. Pleicones J., received by Appellant on 4/9/12, 6 pm.

1. Appellant argues that his Writ Of Certiorari, raises only constitutional issues of condition of confinement.

a) That the violation of condition of confinement derives from a criminal matter pursuant to SC Code Of Law 44-48-30., through an SC Legislatures grant of allowing the SC Dept. Of Corrections and the SC Dept. Mental Health to enter into an Inter-agency agreement to house and care for Appellant under SCC Ann. 44-48-10/170, at 100 / 110.

2. Appellant does not receive any moneys other then what he receives as re-habilitation funds, that must pay for in-civil commitment expendagetures, such as food, hygene, educational, and most importantly is for savings to cover the cost when Appellant is released.

Appellants release is dependant in-part upon being able to support himself when released.

The requirment for release, is that Appellant must already have rented, or otherwise have housing, food, etc. as a mandated condition of release.

To which, for this Court to demand \$100.00 filing fee is on the verge of obsurd.

3. Appellant has been granted leave to proceed indigent two times already in this case, being in the ALC and the SC Court Of Appeals, and Appellants indigency has not changed since,

So the question has presented itself, being, is the question of law as appealed now based upon money interest or not.

It is simple as that, either this Court decides what is constitutional in Appellants civil commitment and not what appellant is able to afford while challenging the conditions of confinement.

4. In the alternative, were this Court to dismiss this Writ Of Certiorari for Appellant not being granted Indigent status,

Then the only inference that can be made is this Court waives review and grants Appellant Probable Cause to seek a Writ Of Certiorari to the United States Supreme Court.

5. This matter would not be before this Court were the SC Court Of Appeals have followed the mandates of this States own Constitution, whereby, not only does Appellant having to defend against the violations perpetrated by the SC Dept Of Corrections, but now, Appellant has to argue against abuse by two prior Courts.

6. Should this Court consider Appellants indigent status based upon the merits of the case, the case is in Appellants favor, this being for the simple fact the SC Constitution Article I, at section 22 is on Appellants side, not the SCDC, for Appellant does

not ask to use the prisoners grievance system but for the Court to order the creation of a new grievance system specifically between a SCC Ann. 44-48-10/170 person and the SCDC.

And not as the SC Court of Appeals twisted the issue into being as if Appellant had asked to use the (Al-Sabazz) SCDC prisoner grievance system, to which the exact opposite is what is before the Court. As stated prior, A SVP vs SCDC grievance system must be created, it's either that or the State must accept having 100's of conditions of confinement cases filed in the Richland County Court of Common Pleas.

7. Appellant asserts his substantive rights to a grievance system between a SVP and the SCDC is being held hostage by this Court for the price of admission ticket.

Wherefore, Appellant moves for the Court to withdraw it's denial of grant to proceed in Forma Pauperis.

Respectfully,

William Deans

4/11/12

x-prisoner

William Deans  
SCDMH, BRCI, EDISTO UNIT  
c/o:  
Bldg. 3, 3d floor  
7901 Farrow Rd.  
Columbia, SC 29203

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

---

The Honorable Ralph K. Anderson, III  
Administrative Law Court  
Case No: 2009-AL-04-00290

---

WILLIAM DEANS

APPELLANT,

RECEIVED

APR 16 2012

S.C. Supreme Court

V.  
SOUTH CAROLINA DEPARTMENT OF  
CORRECTIONS,

RESPONDENT.

---

PROOF OF SERVICE

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I certify that I have served the Notice Of Appeal on, David M. Tatarsky, SCDC General Counsel, PO Box 21787, Columbia, SC 29221-1787 and, The Honorable Daniel E. Shearhouse, Clerk, South Carolina Supreme Court, PO Box 11330, Columbia, SC 29211,

April 11, 2012

x-prisoner

William Deans

William Deans  
SCDMH, BRCI, EDISTO UNIT  
c/o:  
Bldg. 3, 3d floor  
7901 Farrow Rd.  
Columbia, SC 29203

William Deans

Bldg 3 3rd Floor

2901 FARROW RD

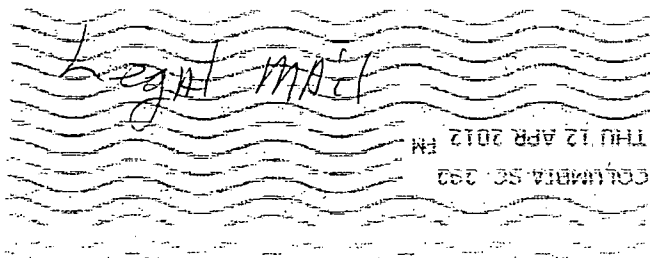
COLUMBIA, SC 29203

Honorable David E. Shearhouse

Clerk SC Supreme Court

PO BOX 11330

COLUMBIA, SC 29211



David E. Shearhouse  
Clerk of the SC Supreme Court  
PO Box 11330  
Columbia, SC 29211

April 11, 2012

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

William Deans vs. SCDC  
App. Case No. 2012-207307

Dear, Mr. Shearhouse,

Please find inclosed for filing a motion for re-hearing of denial of leave in Forma Pauperis.

Should the court also deny this motion, please inform me so that I can send you a check to cover the cost of sending me a copy of the record.

Sincerely,

*William Deans*

NOTE:

Note:

To: Clerk of Court,

I have been experiencing the theft of postage of my legal mailings.

Please make a photo-copy of the postage area of the envelope this filing came in and send me the photo-copy so that I can verify what I have been charged for postage.

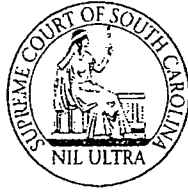
Thank you,

Debons

**RECEIVED**

APR 10 2012

S.G. SUPREME COURT



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

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April 6, 2012

William Deans  
Broad River Correctional Institute  
SCDMH, Edisto Unit  
Bldg. 3, 3d floor  
7901 Farrow Road  
Columbia, SC 29203

Re: Deans, William v. SCDC  
Appellate Case No. 2012-207307

Dear Mr. Deans:

The following order has been endorsed on your Motion for Leave of Court In Forma Pauperis in the above matter.

"Motion denied.

s/ Costa M. Pleicones J.  
For the Court

April 6, 2012."

Please be advised that pursuant to Rule 242(e), SCACR, the \$100.00 filing fee should be received in this office within fifteen (15) days from the date of this letter or this matter will be dismissed.

Deans, William v. SCDC  
Page Two  
April 6, 2012

Very truly yours,



CLERK

DES/la

cc: Christopher D. Florian, Esquire

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

RECEIVED

The Honorable Ralph K. Anderson, III  
Administrative Law Court  
Case No: 2009-AL-04-00290

FEB 21 2012

S.C. Supreme Court

WILLIAM DEANS

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF  
CORRECTIONS,

RESPONDENT.

PETITIONER MOTION FOR LEAVE OF COURT IN FORMA PAUPERIS

Notice Of Motion

Feb. 15, 2012

x-prisoner

William Deans  
SCDMH, BRCI, EDISTO UNIT  
c/o:  
Bldg. 3, 3d floor  
7901 Farrow Rd.  
Columbia, SC 29203

Other Counsel Record:  
David M. Tatarsky  
SCDC General Counsel  
PO Box 21787  
Columbia, SC 29221-1787  
803/ 896-8555

*M. Tatarsky*  
*David M. Tatarsky*  
For the Court

April 6, 2012

PETITIONER MOTION FOR LEAVE OF COURT IN FORMA PAUPERIS

Now Comes, Petitioner, Pro-Se, William Deans moves this Court pursuant to SCACR, Rule 226 (e) for leave to proceed indigent.

1. Petitioner, is a civilly committed person, who appeals unconstitutional conditions of confinement, Who's civil commitment is indirectly a continuation of a criminal conviction, ie:SCC Ann. 44-48-30.

2. Petitioner receives approximately \$80.00 per month in rehabilitation funds, which is used to subsidize prison food, purchase postage which averages close to \$20.00 per month, legal materials, hygiene, recreational therapy materials.

And, of this in order to qualify for re-release, the State of SC demands that Petitioner save a substantial amount of money to support himself in the intrum of being re-released.

3. Two prior Court have already found Petitioner to be indigent, to which the only issue that has changed since being granted leave to proceed indigent is the cost of living has risen, but with out a raise in incoming subsidy.

Notice Of Motion

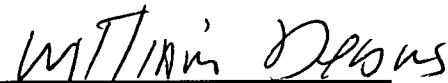
To Plaintiff State Of SC, Pleas be advised Petitioner moves at this time for the requested relief.

Prayer For Relief

Wherefore, Petitioner moves this for an order granting Leave of Court to Proceed Indigent.

Feb. 16, 2012

x-prisoner



William Deans  
SCDMH, BRCI, EDISTO UNIT  
c/o:  
Bldg. 3, 3d floor  
7901 Farrow Rd.  
Columbia, SC 29203

Deans v SCD

CWS

2-16-12

2009-AL-04-290

to Clerk

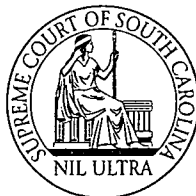
Please check stamp the enclosed filing  
and return copy to Petitioner

Respectfully  
CWS

RECEIVED

FEB 21 2012

S.C. SUPREME COURT  
PM 2-17-12



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211

(803) 734-1080

FAX (803) 734-1499

February 8, 2012

Mr. William Deans  
SCDMH, BRCI, Edisto Unit  
Building 3, 3rd floor  
7901 Farrow Road  
Columbia, SC 29203

Re: Deans, William v. SCDC  
Case Tracking No. 2010-173047

Dear Mr. Deans:

This office has received your Notice of Intent to file Writ of Certiorari from the Court of Appeals in the above matter. We have received the records from the Court of Appeals that compiles your Appendix for your Writ of Certiorari. It has been assigned the Case Tracking Number that appears above. Please use this number on all future correspondence relating to this matter.

Please be advised that you will need to furnish this office pursuant to Rule 242(c), SCACR (copy attached) with the Petition for Writ of Certiorari, with proof of service, and the \$100.00 filing fee within fifteen (15) days from the date of this letter. Failure to file these documents will result in the dismissal of this matter.

I do wish to call the attention of the parties to the attached order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Deans, William v. SCDC  
Page Two  
February 8, 2012

Very truly yours,



CLERK

DES/lda

Enclosures

cc: Christopher D. Florian, Esquire  
The Honorable Tanya Gee