

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal From Richland County
On "Writ of Certiorari"
The Honorable Alison Renee Lee, Circuit Court Judge
Appellate Case No. 2012-213621

RECEIVED

MAR 15 2013

S.C. Supreme Court

IN THE MATTER OF THE CARE AND TREATMENT
OF DANNY C. DISPENZA,

Petitioner,

RETURN TO "WRIT OF CERTIORARI"

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

TABLE OF CONTENTS

STATEMENT OF QUESTION PRESENTED 1

STATEMENT OF THE CASE 2

ARGUMENT 4

CONCLUSION 7

STATEMENT OF QUESTION PRESENTED

Did the Court of Appeals properly dismiss Petitioner's appeal for failure to perfect it in accordance with the South Carolina Appellate Court Rules?

STATEMENT OF THE CASE

Petitioner Danny C. Dispenza (“Dispenza”) was committed to the Sexually Violent Predator Treatment Program on February 14, 2007. Pursuant to the Sexually Violent Predator Act, the S.C. Department of Mental Health (“DMH”) reviewed Dispenza’s mental status annually thereafter. Dispenza exercised his right to petition for release each year.

On July 19, 2011, DMH issued an Annual Review Treatment Summary indicating Dispenza’s mental status had not so changed he was safe to be at large, and Dispenza again exercised his right to petition for release. (Exhibit A hereto). By Order dated August 30, 2011, but filed on February 6, 2012, the Honorable Alison Renee Lee, Circuit Court Judge, found and concluded Dispenza’s petition for release was frivolous, and denied it without a hearing pursuant to S.C. Code §44-48-130 (Supp. 2011). (Exhibit B hereto).

On or about February 14, 2012, Dispenza filed a motion pursuant to Rule 59, SCRCF, seeking reconsideration of the Order filed February 6, 2012. (Exhibit C hereto). By Order filed February 27, 2012, the circuit court denied Dispenza’s Rule 59 motion without a hearing. (Exhibit D hereto).

On March 6, 2012, Dispenza filed an appeal from the February 27, 2012, Order denying his Rule 59 motion. He moved to proceed in forma pauperis, which the S.C. Court of Appeals granted by Order filed April 16, 2012. The Court also ordered Dispenza to provide the Court with a copy of the circuit court’s February 6, 2012, Order within ten days of date of the Court’s Order.¹ (Exhibit E hereto).

¹The State has no record that the February 6 Order was ever sent to the Court of Appeals.

On or about March 18, 2012, Dispenza moved for an Order requiring the Commission on Indigent Defense to “pay for a copy thereof transcript of record, ie: Alison Renee Lee, Circuit Court Judge.” He asserted he could not proceed with an appeal without the transcript of record. (Exhibit F hereto). By Order filed July 19, 2012, the Court of Appeals denied Dispenza’s motion. (Exhibit G hereto).

On or about July 17, 2012, Dispenza sent correspondence to the Court of Appeals and S.C. Court Administration asking when he “could anticipate a ruling” on his request that Indigent Defense pay for a transcript. (Exhibit C to Writ of Certiorari). As evident from the face of the document, the Attorney General’s Office was not copied on this correspondence.

By Order filed August 14, 2012, the Court of Appeals dismissed Dispenza’s appeal for failure to order the transcript as required by Rule 207, SCACR, and the Court’s July 19, 2012, Order. (Exhibit H hereto). On August 21, 2012, Dispenza filed a Motion Pursuant to South Carolina Court of Appeals Rule 221 for Withdrawal of July 19, 2012, Order of Dismissal of Appeal. (Exhibit I hereto). By Order filed December 4, 2012, a three judge panel of the Court of Appeals denied Dispenza’s Motion. (Exhibit J hereto).

On December 14, 2012, Dispenza “appealed” to this Court from the Court of Appeals dismissal of his appeal. By letter dated January 3, 2013, the Court acknowledged receipt of Dispenza’s appeal, and instructed him to prepare a petition for writ of certiorari and appendix by January 23, 2013. Dispenza filed a “Writ of Certiorari” on January 10, 2013.²

²In spite of numerous letters indicating the undersigned is representing the State in these appellate proceedings, and asking that all documents be sent directly to her, Dispenza refuses to serve the undersigned directly. Rather, the documents he does send to the Attorney General’s Office are addressed to the Attorney General Alan Wilson, which delays the undersigned’s receipt for purposes of a response.

ARGUMENT

The Court of Appeals properly dismissed Dispenza's appeal for failure to perfect it in accordance with the South Carolina Appellate Court Rules.

Dispenza contends the Court of Appeals erred in dismissing his appeal without first ruling on his motion to require Indigent Defense to pay for a "transcript of record." He further contends denial of his request for a free transcript denied him equal treatment because other residents of the SVPTP have been provided with free transcripts. These contentions ignore one key fact that renders them frivolous - there is no "transcript of record" in connection with the circuit court order(s) on appeal.³

Rule 207(a), SCACR, provides that the appellant must order the lower court transcript "[w]here a transcript of the proceeding must be prepared by the court reporter." In this case, there was no proceeding before a court reporter in connection with either Order on appeal.

Rule 208(a), SCACR, provides the appellant must serve his initial brief and designation of matter to be included in the record on appeal within thirty days "after receiving the transcript or, **if no transcript is ordered,**" within thirty days after serving the notice of appeal. Thus, if there were no lower court proceedings before a court reporter, and therefore, no transcript to order, the initial brief and designation must be served within thirty days after the notice of appeal is served.

³As noted above, Dispenza did not reference the February 6 Order in his Notice of Appeal, and the State has no record he ever complied with the Court of Appeals Order requiring him to send a copy to the Court. Accordingly, the February 6 Order is arguably not at issue in this appeal. Even if it is properly before the appellate court, however, the result is the same.

The August 30, 2011, Order, which was filed on February 6, 2012, dismissed Dispenza's annual review/petition for release "without a hearing." (Exhibit B). The Order denying Dispenza's Rule 59 motion was also entered without a hearing. (Exhibit D). As a result, no "transcript of record" from the circuit court proceedings is necessary to perfect the appeal from those Order(s).⁴

Dispenza elected to proceed *pro se*, and therefore, is bound by the Appellate Court Rules. See Faretta v. California, 422 U.S. 806, 834 n. 46 (1975) ("The right of self-representation is not a license to abuse the dignity of the courtroom. Neither is it a license not to comply with relevant rules of procedural and substantive law."); see also State v. Burton, 356 S.C. 259, 589 S.E.2d 6, 9 n. 5 (2003) ("A pro se litigant who knowingly elects to represent himself assumes full responsibility for complying with substantive and procedural requirements of the law."). Dispenza is certainly familiar with the Appellate Court Rules because the Court of Appeals' initial letter to him specifically referenced the Rules, and he cited them in subsequent pleadings.

The Court of Appeals properly denied Dispenza's request that Indigent Defense be required to pay for a transcript because there was no relevant transcript to order. Further, since there was no transcript related to the Order(s) on appeal, the time for service of Dispenza's initial brief and designation of matter began on the date he served the Notice of Appeal - March 6, 2012. Thus, in order to perfect the appeal, Dispenza had to serve his

⁴Dispenza's Rule 59 Motion referenced a January 17, 2012, hearing on the State's motion to dismiss, but the Orders on appeal neither refer to, nor rely on, a hearing on that date or any other date. Therefore, whatever was before the circuit court on January 17, 2012, is irrelevant to this appeal.

initial brief and designation on the State by April 5, 2012. His failure to do so constituted a failure to perfect the appeal, and dismissal was appropriate on that basis.

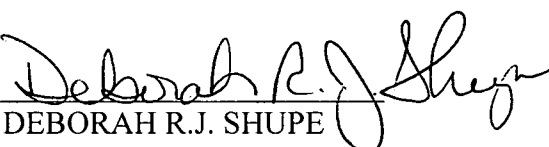
CONCLUSION

Based on the foregoing, Respondent respectfully submits the "Writ of Certiorari" should be denied.

Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

BY: 
DEBORAH R.J. SHUPE
S.C. Bar No. 5098

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

March 15, 2012

EXHIBIT A

State of South Carolina
Department of Mental Health

MENTAL HEALTH COMMISSION:

Alison Y. Evans, PsyD, Chair
Joan Moore, Vice Chair
Jane B. Jones
Everard Rutledge, PhD
J. Buxton Terry

STATE DIRECTOR

John H. Magill

Division of Inpatient Services
G. Werber Bryan Psychiatric Hospital
Forensic Evaluation and Treatment Services
7901 Farrow Road, Building #6
Columbia, SC 29203
Information: (803) 935-6560

SPO

July 19, 2011

The Honorable Alison Renee Lee
Chief Administrative Judge
Fifth Judicial Circuit
PO Box 192
Columbia, SC 29202

RECEIVED

JUL 27 2011

ATTORNEY GENERALS
OFFICE

Re: Dispenza, Danny
Case No: 2006-CP-40-4139

Dear Judge Lee:

Mr. Danny Dispenza was committed to the South Carolina Department of Mental Health, Sexually Violent Predator Program, on February 14, 2007, pursuant to SC Code of Laws §44-48-100, Sexually Violent Predator Act.

Pursuant to SC Code of Laws §44-48-110, "The court shall conduct an annual hearing to review the status of the committed person." Therefore, please find enclosed the required documents in order to conduct such a hearing:

1. Annual Examination, Annual Review Hearing, Annual Notice of Right to Petition for Release, Election to Waive or Exercise Rights form. *(Please be advised that the defendant is exercising waiving refusing his right to petition the Court for release.*
2. Annual Treatment Review Summary, dated July 18, 2011.

Based on our re-evaluation of Mr. Dispenza, it is our recommendation, to the Courts, that Mr. Dispenza remain in inpatient treatment in the South Carolina Department of Mental Health, Sexually Violent Predator Program.

The Attorney General's Office will contact you if a hearing needs to be scheduled to address Mr. Dispenza's Right to Petition for Release.

If I can be of further assistance to the Court, please feel free to contact me or Ms. Cathy B. Garner, Paralegal, (803) 935-5540.

Respectfully,



Holly Scaturro

Director

Sexually Violent Predator Program

(803) 935-5530

- c Lloyd Flores, Assistant Attorney General
- Daniel E. Johnson, Solicitor, Fifth Judicial Circuit
- Joshua Koger, Jr. Attorney at Law
- Teresa Cribb, Clerk of Court-Civil Division, Richland County
- Geoffrey R. McKee, Ph.D., Multidisciplinary Team
- Danny Dispenza, Resident, SVPP

ATTACHMENT 1

ANNUAL EXAMINATION
ANNUAL REVIEW HEARING
ANNUAL NOTICE OF RIGHT TO PETITION FOR RELEASE
~~ELECTION TO WAIVE OR EXERCISE RIGHTS~~

TO: Daniel Dispenza
(Name of Resident)

FROM: Hyacinth White, Case Manager
Sexually Violent Predator Program

DATE: Sp 7, 2010

- A. Pursuant to Section 44-48-110, South Carolina Code of Laws, I am required to arrange for an annual re-examination of your condition and furnish a report of such examination to the Court which committed you, the Attorney General, the Solicitor in whose Circuit you were convicted of the qualifying offense(s) and the multi-disciplinary team. Such examination has been conducted and a report prepared.
- B. Following receipt of the report, the Court which committed you will conduct a hearing to review your status. You may petition for release at the hearing. You have the right to have an attorney represent you at the hearing, but you are not entitled to be present at the hearing. If you are indigent, and so request, the Court will appoint counsel to represent you at the review hearing.
- C. Section 44-48-110 further provides as follows:

The person may retain or, if the person is indigent and so requests, the Court may appoint a qualified expert to examine the person, and the expert shall have access to all medical, psychological, criminal offense and disciplinary records and reports concerning the person.

- D. Pursuant to Section 44-48-110, South Carolina Code of Laws, I am required to notify you on an annual basis of your right to petition the Court which committed you for release at any time, with or without the approval of the Director of the Department of Mental Health.

~~You have the right to petition the Court for release at any time, with or without the approval of the Department of Mental Health. However, it is important that you understand that if you do petition the Court for release without the approval of the Director of the Department of Mental Health, and the Court finds that either: (1) the petition was frivolous or (2) your condition has not changed so that you (the petitioner) are now safe to be at large, then the Court may deny any subsequent petitions without a hearing unless the petition contains facts upon which a Court could find your condition has so changed as to warrant a hearing.~~

ACKNOWLEDGMENT AND ELECTION

1. I have received the foregoing Notice.
2. I understand that a hearing will be held to review my status.
3. Please check one (1) box below:
 - I am aware of the fact that I have the right to petition the Court for release at the annual review hearing, but choose to waive that right at this time. *****If waiving right to petition, DO NOT complete # 4 or 5.*****
 - I am aware of the fact that I have the right to petition the Court for release at the annual review hearing, and I choose to exercise that right at this time.
4. Please check one (1) box below:

I am aware that I have the right to be represented by counsel at the annual hearing to review the status of my case.

 - I choose to waive that right at this time.
 - I will exercise that right by hiring an attorney to represent me.
 - I want to exercise that right but I am indigent and request the Court to appoint counsel for me.
5. Please check one (1) box below:

I am aware that I have the right to retain my own qualified expert to examine me and that I may present the results of that examination to the Court at the annual review hearing.

 - I choose not to exercise that right at this time.
 - I choose to exercise that right and will hire a qualified expert to examine me.
 - I am indigent and I wish to have the Court appoint a qualified expert to examine me. I understand that the appointment of an expert is discretionary with the Court.

I understand that I have the right to petition the Court for my release at any time. However, I also understand that if I petition for my release without the approval of the State Director of Mental Health, the Court will first make a determination as to whether or not the petition is based upon frivolous grounds. If the Court determines that the petition is based on frivolous grounds or, if I previously unsuccessfully petitioned for release without the approval of the Director of Mental Health and I do not allege facts in my new petition upon which the Court could find my condition has so changed that a hearing is warranted, then the Court may deny my petition without a hearing.

DANIEL DISPENZA
Resident: PRINT Name

Penny C. [Signature] 9-7-10
Resident: SIGN Name Date

[Signature] 9-7-10
Witness Date

Or, resident refused to sign.

Witness Date

PLEASE NOTE: Please be advised that this document does not constitute a "PETITION FOR RELEASE." If you choose to petition the Court for release at your annual review hearing, a separate written "Petition for Release" must be submitted to the Court, regardless of whether the Director of the Department of Mental Health is recommending release or further treatment, along with any supporting documentation, by you or your legal counsel.

**SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH
SEXUALLY VIOLENT PREDATOR PROGRAM**

ANNUAL REVIEW

In Accordance With §44-48-110

Name: DISPENZA, DANNY
SCDMH #: 7301303
SCDC #: 210565
Date of Birth: April 18, 1956
Date of Commitment: February 14, 2007
Date of Admission: February 16, 2007
County: Richland
Date of Evaluation: July 11, 2011
Date of Report: July 18, 2011

DIAGNOSES: Paraphilia Not Otherwise Specified
Antisocial Personality Disorder

REFERRAL INFORMATION:

Mr. Dispenza is a 55-year-old male who was committed to the Sexually Violent Predator Program (SVPP) of the South Carolina Department of Mental Health (SCDMH) after adjudication as a Sexually Violent Predator (SVP), pursuant to statute.

In accordance with §44-48-110, the purpose of the current Annual Review is to assess whether Mr. Dispenza's "mental abnormality or personality disorder has so changed that the person is safe to be at large and, if released, is not likely to commit acts of sexual violence."

NOTIFICATION:

The nature and purpose of this evaluation were explained to Mr. Dispenza at the beginning of the interview. He was notified that the information obtained during this evaluation would not remain confidential, and that anything he disclosed could be included in a report to the Court, the Attorney General's office, his attorney, and the SVPP treatment team. Mr. Dispenza demonstrated an adequate understanding of the purpose of the evaluation and the limits of confidentiality and agreed to proceed with the evaluation.

SOURCES OF INFORMATION:

1. Legal records, including police reports, statements of victims and witnesses, arrest warrants, and indictments;
2. Sexual Predator Synopsis Form, undated;
3. Petition Pursuant to the Sexually Violent Predator Act, dated July 19, 2006;
4. Records from South Carolina Department of Corrections (SCDC);
5. Psychiatric Evaluation by Pamela M. Crawford, M.D., dated October 18, 2006;
6. Annual Review of Treatment Summary by Kimberly Harrison, Ph.D., dated March 29, 2010
7. Penile Plethysmograph (PPG) Report by William Burke, Ph.D., dated March 19, 2008;
8. National Crime Information Center (NCIC) criminal history report;
9. Records from the Sexually Violent Predator Program;
10. Consultation with Case Managers, Kim Pohlchuk and Roger Dannells; and
11. Interview of Mr. Dispenza on July 11, 2011, for approximately one and one half hours.

LEGAL HISTORY:

According to available legal records and reports by Drs. Crawford and Harrison, Mr. Dispenza was convicted of one count of Rape and one count of Attempted Rape in Maryland for a series of assaults that occurred in 1972 and 1973. He was originally charged with one count of Rape and three counts of Attempted Rape. On November 11, 1972, he followed a 30-year-old female stranger into her apartment building, grabbed her, attempted to place an ether-soaked cloth on her face, and attempted to rape her. It is unclear if the rape was completed, and Mr. Dispenza's account of the offense has changed over time. On December 21, 1972, Mr. Dispenza followed a 25-year-old female stranger into her apartment building, hit her on the head, threw her to the floor, placed a pillow over her head, and raped her. On January 29, 1973, he followed a 30-year-old female stranger into her apartment building, placed an ether-soaked rag on her face, and attempted to rape her. On May 3, 1973, he forced his way into the residence of a 17-year-old female, grabbed her around the throat, threw her to the floor, and told her he would rape her. From available records, it is unclear if the rape was completed.

In May 1976 in South Carolina, Mr. Dispenza pled guilty to Rape and Assault and Battery of a High and Aggravated Nature and was sentenced to 30 years incarceration. He was originally charged with Rape and Assault and Battery with Intent to Kill. According to records, the victim was Mr. Dispenza's 28-year-old teacher who was tutoring him at her home. He used a towel soaked in a chemical to render her unconscious, tied one of her hands to the bedpost and the other to the doorknob, tied pantyhose around her neck, and raped her. At the time he was on probation for the sex offenses in Maryland, which was revoked.

In April 1994 the resident pled guilty to Criminal Sexual Conduct (CSC)-1st Degree and was sentenced to 30 years suspended to 25 years incarceration and five years probation. He attacked a 17-year-old female stranger at knifepoint, tied her hands, and raped her. He had been released from prison for his 1976 offense for eight months and twelve days prior to this offense.

PREVIOUS SEX OFFENDER TREATMENT:

According to SCDC records, Mr. Dispenza completed Sex Offender Education (Phase I) in 2003 with "good participation." During the current evaluation, Mr. Dispenza reported that the program was "closed" before he could enter the next phase of treatment.

PREVIOUS PHYSIOLOGICAL ASSESSMENT:

Mr. Dispenza underwent a penile plethysmograph (PPG) on March 19, 2008. Dr. Burke reported the following results suggested pedophilic interest, inconsistent with his sexual criminal history, and a minimal positive score on the Rape Index which is consistent with his sexual criminal history.

RISK ASSESSMENT:

The Static-99R is an instrument designed to assist in the prediction of sexual and violent recidivism for sexual offenders. The recidivism estimates were derived from new charges and reconvictions of groups of individuals; as such, these estimates do not directly correspond to the recidivism risk of an individual offender. Mr. Dispenza's score on the Static-99R (7) places him in the High risk category relative to other adult male sex offenders. Mr. Dispenza's status as an adjudicated SVP indicates that he has been deemed sufficiently high risk to warrant indefinite detention. Therefore, his score on the Static-99R was compared to a reference group identified as "high risk/need." On average, 37.9% (range = 33.1 - 42.9) of high-risk sex offenders with this score sexually recidivated within five years; and 48.6% (range = 41.4 - 55.9) of high-risk sex offenders with this score sexually recidivated within ten years.

RESIDENTIAL FUNCTIONING & BEHAVIOR:

Mr. Dispenza was admitted to the SVPP on February 16, 2007. He remains on wing restriction following an incident on March 2010 when he reportedly struck another resident in the face with a closed fist.

REVIEW OF SVPP TREATMENT PROGRESS:

Mr. Dispenza has become focused on the idea that he will never be discharged from the SVPP. He indicated that he attends group so that he can help others. He is engaged in treatment group and recently presented his victim diary entry. The assignment was noted to have been completed in an "acceptable manner." However facilitators reported that there was a "lack of empathy for the victim." It was noted that the diary entry turned to focus on himself frequently, which is not the purpose of a victim empathy assignment. Although Mr. Dispenza participates in group, he has received feedback about his style of communication which can at times be perceived by others as aggressive, as opposed to assertive. Despite this feedback, he has not made attempts to adjust his style of interactions with others.

MENTAL STATUS EXAMINATION & INTERVIEW:

Mr. Dispenza participated in an interview on July 11, 2011 for approximately one and one half hours. He was notified of the purpose of the evaluation and the limits of confidentiality. Mr. Dispenza demonstrated understanding the limits of confidentiality and the purpose of the evaluation, and he consented to participate in the interview.

Mr. Dispenza is a 55-year-old male whose hygiene and grooming appeared adequate. There were no observed difficulties with balance, gait, or ambulation. He was alert, oriented, and demonstrated appropriate eye contact during the interview. His speech was normal in rate, volume, and tone. His thought processes were logical, linear, and goal-directed. He demonstrated no difficulties with attention, concentration, recent or remote memory.

His affect was irritable initially as he was disturbed that he had to wear shackles during the evaluation, stating he felt "like an animal." Despite being informed that this was procedure, he voiced concerns before being ready to engage in the interview. Midway through the evaluation he became more at ease and was cooperative with the evaluation. He described his current mood as, "trying to maintain a decent attitude." He stated that it "bugs [him] when people get stupid about things." He denied any current psychiatric symptoms, and no overt symptoms were observed. He denied recent or current suicidal or homicidal ideation.

Mr. Dispenza discussed that he has accepted that he will never get out of the program, stating he has learned to control himself and situations so he may be able to help others as much as he can. He indicated that he gets along well with everyone in the program and tries to give everyone respect. He expressed frustration about his wing restriction stating that he has shown restraint and not violated the restriction, yet it has remained in place for some time. He stated that he was accused of hitting another resident, but that he "smacked him, I used to box, I knew what I was doing so stopped myself," referring to his perception of not hurting the resident.

When asked if he felt his commitment to the program was fair, he indicated that he felt "the solicitor picked out certain details" of his history and "the jury ate it up." He stated that his time during incarceration helped him "get it together." He indicated it was during this time that he met his wife and her daughters, which gave him perspective and victim empathy. He described that his offenses had much to do with his childhood as his father figure frequently sexually assaulted him. He discussed that "rage was all [he] knew," and that he did not understand that you were "not supposed to do that," referring to sexual offending, until he met his

stepdaughters.

He acknowledged a pattern of stalking women and choosing victims who were vulnerable due to their circumstances, as well as using either ether or a knife to subdue the victims. He acknowledged the offenses that were documented as well as three additional undetected victims; he appropriately declined to discuss these victims further other than to indicate they were adult females. When describing the victim he identified as his first documented in 1972, he discussed that the woman's smell reminded him of his grandmother who sexually abused him from age 6 to 10, so he "wanted to torture her, and [he] didn't care how." This theme of wanting to harm the victim was evident in each of the offenses he described. Regarding the schoolteacher victim who was reportedly unconscious during the attack, he described that "she would know what happened to her" as a way to harm her. He indicated that in each of his offenses, when the victim did not fight him off, he was able to ejaculate in clearly non-consensual situations.

He described that he was able to get rid of his anger through prayer and forgiveness of those who abused him. He acknowledged that he could probably work on his anger further, particularly in expressing it more effectively. He indicated that he is currently working on his "life story," a book about his history. He stated he also needs to address his home plan, though he has been reluctant to do so given that he does not think discharge from the program is likely.

When asked to identify risk factors for sexual reoffending, he stated he was not going to reoffend but if he had risk factors they would include being a loner and not having friends or a girlfriend. He indicated that he would find a good church to meet people and also associate with his stepbrother who is a police officer; he also discussed that he could live with his stepbrother.

When asked what his likelihood of committing another sex offense on a scale of 0 to 10, with 0 being not likely and 10 being very likely, he stated 2. He indicated that he gave himself this rating because he is "smart enough to know anything can happen" but he has the tools to guide himself away from reoffending. He stated that he would like to return to the community because he would "like to experience love and real sex with a woman before I die."

OPINION:

Mr. Dispenza appears to have a basic understanding of his pattern of setting up and acting out his offenses, though he likely continues to have difficulty verbalizing or understanding the motivation for this offending. He cited anger as a reason for his offending and this remains evident in his presentation; he eventually acknowledged this is an area that could require further attention in treatment. It appears that he has adopted an attitude of hopelessness about being discharged from the program as a way to avoid progress in treatment.

A more thorough understanding of why he committed his offenses, as well as coping skills to prevent this in the future would be essential for Mr. Dispenza. Additionally learning to more adequately manage his emotions, particularly anger and frustration, will be important for his progression in treatment. Finally, setting goals and plans for discharge, as well as developing a support system, will be necessary for Mr. Dispenza since he has been incarcerated or in a secure treatment facility for a majority of his adulthood; this preparation would be important to allow him to transition to the community successfully.

To his credit, Mr. Dispenza regularly attends group and participates. Although he remains on wing restriction for an incident in 2010, record review did not reveal any further documented disciplinary infractions since this time. He has the capacity to engage in treatment when he is motivated and has made progress since his admission. It would be to his benefit to adopt a more

optimistic approach to treatment and continue toward the goal of discharge.

Based on evidence that Mr. Dispenza has a mental abnormality or personality disorder and is likely to sexually reoffend, the Court previously determined that he met the criteria as an SVP. He was committed to the SVPP for control, care, and treatment to attempt to help him change such that he would be safe to be at large. His diagnoses of Paraphilia Not Otherwise Specified and Antisocial Personality Disorder are considered to be chronic disorders; he has dynamic and historical risk factors that continue to put him at risk for reoffending.

In consideration of all the available information, it is this examiner's opinion that Mr. Dispenza continues to meet the definition of a Sexually Violent Predator. Mr. Dispenza's present mental condition seriously impairs his ability to control his sexually violent behavior. As such, at this time, there is insufficient basis to opine that his mental abnormality or personality disorder has so changed that he is now safe to be at large and no longer likely to engage in acts of sexual violence.



Allyson M. Sipes, Psy.D.
Chief Psychologist

EXHIBIT B

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2006CP4004139

State of South Carolina

Danny C Dispenza

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other _____

JAN 27 2012 12:56 PM
COURT REPORTER
JAN 27 2012 12:56 PM
COURT REPORTER

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order: _____

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 6 February 2012 to attorneys of record or to parties (when appearing pro se) as follows:

R Westmoreland Clarkson
James G. Bogle Jr.
Lloyd V Flores Jr.

Charlie J Johnson Jr
Joshua Koger Jr.
Danny C Dispenza

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court Janette W. McBride

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
IN THE MATTER OF THE CARE)
AND TREATMENT OF)
DANNY C. DISPENZA)
_____)

IN THE COURT OF COMMON PLEAS
CASE NO. 2006-CP-40-4139
ORDER OF DISMISSAL OF ANNUAL
REVIEW PETITION FOR RELEASE

JEANETTE W. HARRIS
CLERK
2012 FEB -6 AM 8:54
MORNING

This matter comes before me on petition of Danny C. Dispenza, by way of Annual Notice of Right to Petition for Release, seeking an order finding probable cause exists to believe his mental abnormality or personality disorder has so changed that he is safe to be at large and, if released, not likely to commit acts of sexual violence, and ordering a trial on the merits pursuant to South Carolina Code Section 44-48-110. Mr. Dispenza has been in the Sexually Violent Predator (SVP) Treatment Program since he was civilly committed on February 14, 2007. The Director of the Department of Mental Health does not recommend that he be released at this time.

Mr. Dispenza previously has filed petitions for release without the approval of the Director of the Department of Mental Health since his commitment.

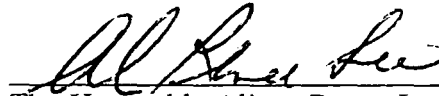
Mr. Dispenza again seeks release without the approval of the Director of the Department of Mental Health. I have reviewed the Annual Treatment Review Summary dated July 18, 2011 and considered the showing made in respect to this matter. The document presented indicates Mr. Dispenza has made limited progress in treatment.

Mr. Dispenza asserts that he is not requesting to be released but is simply exercising his right to a hearing. He cites to the language in documents he signed. The language in the documents, in essence, states that he has the right to petition for release at the hearing but in checking the box he is exercising his right to petition for release immediately instead of petitioning at the hearing. The confusion arises based upon the fourth page of the documents. The fourth page informs Mr. Dispenza that if he has petitioned for release previously and his petition was deemed frivolous or without merit then in the future his petitions could be denied by the Court without a hearing. The fourth page is simply notice to the petitioner of provisions of the SVP statutes. At the end it states that the document is not a petition for release. By including this language on page four at the end of all of the documents, it creates an impression that the previous three pages do not constitute a petition. It is suggested to the Department to separate or clarify these documents so that confusion does not occur in the future.

Accordingly, I find and conclude Mr. Dispenza has failed to state facts upon which a court could find the condition of the Petitioner has so changed that a hearing is warranted. South Carolina Code Section 44-48-130 provides that if the court determines a subsequent petition for release is frivolous, the court may deny the petition without a hearing. I so find and conclude that Mr. Dispenza's petition is frivolous and should be denied without a hearing.

THEREFORE Mr. Dispenza's petition in this matter is denied pursuant to South Carolina Code Section 44-48-130.

AND IT IS SO ORDERED.



The Honorable Alison Renee Lee
Chief Administrative Judge for the Fifth
Judicial Circuit Court of Common Pleas

August 30, 2011
Columbia, South Carolina

EXHIBIT C

D

SC Attorney General
RECEIVED

STATE OF SOUTH CAROLINA)
RICHLAND COUNTY)
)
)
)
In The Matter Of Care)
And Treatment Of)
)
Danny C. Dispenza)
)
Respondent)
)
_____)

COURT OF COMMON PLEAS

c/a: 2006-CP-40-4139

FEB 16 2012

Referred to Flores

Answered _____

RESPONDENT'S SCRPC, RULE 59 MOTION FOR
RE-HEARING OF THE COURTS DISMISSAL OF
OF RESPONDENTS REQUEST FOR ANNUAL REVIEW HEARING
ie: (IMPLIED PETITION), Notice Of Motion

To Plaintiff State, Please, take Notice of this the following Motion, Respondent will move for the requested relief with in ten plus four days of service.

Come Now, Respondent, Danny Dispenza, to move this Court pursuant to South Carolina Rules Of Civil Procedure, Rule 59 for re-hearing, to with draw the Court's granting the Plaintiff's motion To Deny Respondent's (non-existing) Petition For Release.

1. Respondent signed what appears to be falsely entitled ANNUAL EXAMINATION, ANNUAL REVIEW HEARING, ANNUAL NOTICE OF RIGHT TO PETITION FOR RELEASE, ELECTION TO WAIVE OR EXERCISE RIGHTS, at page 3 of 3, subsection, "ACKNOWLEDGMENT AND ELECTION", at 3., states

"Please check one (1) box below:

[] I am aware of the fact that I have the right to petition the Court for release at the annual review hearing, but choose to waive that right at his time ** If waiving right to petition, DO NOT complete #4 or 5.

[] I am aware of the fact that I have the right to petition the Court for release at the annual review hearing and I choose that right at this time.

2. The Plaintiff, SC Attorney Generals office filed a Motion To Deny Respondent's (alleged) Petition For Release.

3. Respondent filed/ served "Respondent's Motion To Deny Plaintiff's Motion To Dismiss Respondents Petition(s) For Release.

a) and, Respondent's Motion To Find SC Attorney General, Alan Wilson In Contempt Of Court, ie: for filing false claim Respondent had filed petitions for release.

4. A hearing of motion was scheduled for Jan. 17, 2012, whereby the Plaintiff motion for a continuance.

a) said motion for continuance was denies.

5. On January 17, 2012, before Judge Clifford Newman, Judge Newman ruled that the above referenced document:

"ANNUAL EXAMINATION, ANNUAL REVIEW HEARING, ANNUAL NOTICE OF RIGHT TO PETITION FOR RELEASE, ELECTION TO WAIVE OR EXERCISE RIGHTS,"

a) Is in fact a SC Code of Law, Annotated 44-48-110, Petition For Release".

6. On feb. 9, 2012 Respondent received Form 4, ORDER OF DISMISSAL OF ANNUAL REVIEW PETITION FOR RELEASE, as filed Feb. 6, 2012, post marked 2/08/2012, signed by The Honorable Alison Renee Lee.

7. Argument: The Court, Judge Alison R. Lee was with out the jurisdictional authority and abused her discretion as follows,

a) see, ORDER OF DISMISSAL OF ANNUAL REVIEW PETITION FOR RELEASE,
at page 1, 4th paragraph, Judge Lee states,

(i) Mr. Dispenza asserts that he is not requesting to be released but is simply exercising his right to a hearing. He cites to the language in documents he signed. language in the documents, in essence, states that he has the right to petition for please at the hearing,

(ii) but in checking the box he is exercising his right to petition for release immediately instead of petitioning at the hearing.

(iii) The confusion arises based upon the fourth page of the documents.

(iv) The fourth page informs Mr. Dispenza that he has petitioned for release previously and his petition was deemed frivolous or with out merit then in the future his petitions could be denied by the Court without a hearing.

(v) The fourth page is simply notice to the petitioner of previsions of the SVP Statues.

(vi) At the end it states that the document is not a petition for release.

(vii) By including this language on page four at the end of all of the documents, it creates an impression that the previous three pages do not constitute a petition.

(viii) It is suggested to the Department to separate or clarify these documents so that confusion does not occur in the future."

8. argument: It appears the only confusion here is Judge Lee taking what is admitted by her as a flouted instrument, and turning the notice into a presentment. ie: From a SCC Ann. 44-48-110 notice into a SCC Ann. 44-48-130 presentment of cancellation of rights.

herein by reference (ORDER OF DISMISSAL) "ORDER OF DISMISSAL OF ANNUAL REVIEW PETITION FOR RELEASE",

a) at paragraph three, 9th sentence.

""By including this language on page four at the end of all the document, it creates an impression that the previous three pages do not constitute a petition.

b) at paragraph three, 10th sentence,

""It is suggested to the Department to separate or clarify these documents so that confusion does not occur in the future''

c) herein subsection: (7, a, (i-ii), No where does the document state or claim to be a substitute PETITION FOR RELEASE, ie: pages 1-3.

ANNUAL EXAMINATION, ANNUAL REVIEW HEARING, ANNUAL NOTICE OF RIGHT TO PETITION FOR RELEASE, ELECTION TO WAIVE OR EXERCISE RIGHTS, at page 3 of 3, subsection, "ACKNOWLEDGMENT AND ELECTION", at 3., states

[] I am aware of the fact that I have the right to petition the Court for release at the annual review hearing and I choose that right at this time."

d) the only inference that can be made here is this 3 page document is a deliberate deception on the part of the State.

e) For Judge Lee to interpret this notice other wise is out right court double talking who-do to deny Petitioner the right to challenge the states witness, violates the Separation Of Powers clause of both the SC Constitution and U.S. Constitution.

e) and, violates Respondents right to equal protection of the laws by having Respondent sign a document by trickery calling it a notifice of rights and then refusing Respondent the right to have a Annual Review Hearing for at the least , for conditions / status of his treatment, a fair evaluation that is not controlled by the Attorney Generals office, ie: puppet psychiatrist.

f) Judge Lee would have some ground to support her bogus claim except the language of the notice does not say ...""But instead I choose to file a Petition at this time and not wait until the hearing... The notice does not say this and like wise it is deceptive to cheat Respondent out of his signature and worse so, when the court refuses to hear Respondents objection to his signature being stolen.

Respondent was not given fair notice by the State nor by the Court that the Notice of Annual Review was in fact a secret deceptive form of a Petition.

g) Judge Lee does not have the discretionary power to re-write SC Legislation intent in State Law which at SCC Ann 44-48-110 to mandate at the least a Annual Status Hearing, And, SCC Ann. 44-48-110 at the fourth sentence states:

"The committed person shall not be prohibited from petitioning the court at the hearing."

It appears the SC Legislature mandates the Respondent to only be allowed to file a Petition until at a Annual Review Hearing and not until.

Judge Lee's (Order Of Dismissal) is interlocutory at most which still requires a mandated Annual Review Hearing of Status of Treatment.

The hearing On January 17, 2012, before Judge Clifford Newman, who ruled the notice was in fact a Petition for Release does not cancel out Respondents right to a Annual Review Status Hearing.

h) Judges Lee's only directionally power was/ is to cancel out the States instrument entitled "ANNUAL EXAMINATION, ANNUAL REVIEW HEARING, ANNUAL NOTICE OF RIGHT TO PETITION FOR RELEASE, ELECTION TO WAIVE OR EXERCISE RIGHTS", pages 1-3 and page 4 of 3.

i) Judge Lee ruled that page 4 of 3 is not part of the whole four page presentment.

This is a bogus ruling, being Respondent would show page 4 says page 4 of 3, not page 4 of 1 or not 1 of 1 or any other who do the State is attempting to play out to cause Respondent not to be given an Annual Review Status Hearing.

Page 4 of 3, means it is a sub-section of the whole 4 pages, not as Judge Lee claims as a BO-Bo of some kind,
The deceptive document is not one produced by the Department Mental Health, it is what the State Attorney General orders the SCDMH to use as Judge Lee infers.

j) one other issue of note is ""at no time in the past 12 years has any civilly committed resident been told the Annual Review Notice been considered a petition for release, only in the last three months, when SC Attorney General Alan Wilson has come to office has this deceptive practice come to light.

9. Then to show further abuse Judge Lee went on and held a ex parte annual status review, which in turn denied Respondent his right to challenge the State witness.

see (Order Of Dismissal) 3d paragraph, at sentence 2;

""I have reviewed the Annual Treatment Review Summary dated July 18, 2011 and consider the showing made in respect to this matter. The document presented indicates Mr. Dispenza has made limited progress in treatment.""

Judges Newman and Judge Lee were with out the statutory authority to do so and by doing this have made themselves into judges of extremely questionable evidence given in the form 3d to 10th level hearsay and not law.

No where does the court mention the testimony of Rikki L. Halavonich, MD, Forensic Psychiatrist, who's expert opinion completely differed from that given in Judge Lee's reference.

a) SCC Ann. 44-48-130 might have allowed the Court to dismiss a petition had one been actually filed and not a the court considerate as a petition line two of a notice "and I choose that right at this time.""

This Court and the State have refused to produce proof of any actual document entitled Respondents Petition For Release".

A bogus inference does not cancel out Respondent saying in open court before Judge Newman, [he] the Respondent request a annual review (status) hearing.

Respondents intent in oral form over rides any second guessing conclusionary presumptions on the part of the court.

10. For arguments sake, were the court[s] of appeal to rule the Notice Of Annual Review is a Petition for release, Respondent is still entitled to a Annual Review (Status) Hearing.

a) Judge Newman and Lee confirms Respondent intent as stated, at (Order Of Dismissal) 4th paragraph, 1st sentence:

" " Mr. Dispenza asserts that he is not requesting to be released but is simply exercising his right to a hearing."

b) this is documented proof of Respondents intention when signing the document titled ""ANNUAL EXAMINATION, ANNUAL REVIEW HEARING, ANNUAL NOTICE OF RIGHT TO PETITION FOR RELEASE, ELECTION TO WAIVE OR EXERCISE RIGHTS.

c) which required at that moment for Judge Newman to strike the implied Petition as stated in:

" "[] I am aware of the fact that I have the right to petition the Court for release at the annual review hearing and I choose that right at this time."

11) An issue over looked by the Court is SCC Ann. 44-48-139 only authorizes the dismissal of a duly filed Petition For Released, SCC Ann. 44-48-130 doe snot cancel out SCC Ann. 44-48-110 which mandates a Annual Review Status Hearing.

12) Respondent would show that the State has refused to cooperate in disclosure, being in answer to Respondent request for production, the State claimed [it] had zero document in support of their claim Respondent is still too dangerous to be released.

With the Court ruling in the States favor, the Court has just raised Respondents burden of proof, being that every year the State is required to give Respondent Notice of his right to petition for release, then the State turns around and claims that since Respondent signed in acknowledgment of being notified the State claims the Notice is a pres-to Respondent Petition For Release.

13. See hereto as if fully re-written is Respondents Motion To Deny The Plaintiff's Motion To Dismiss Petition For Release.

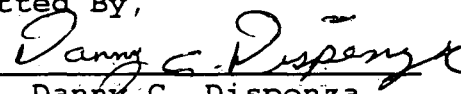
Prayer For Relief

Wherefore, Respondent moves this Court as follows,

1. to with-draw it's grant of Plaintiff motion to dismiss petitions for release.
2. Order that a signed "ANNUAL EXAMINATION, ANNUAL REVIEW HEARING, ANNUAL NOTICE OF RIGHT TO PETITION FOR RELEASE, ELECTION TO WAIVE OR EXERCISE RIGHTS" is not a SCC 44-48-110 Petition For Release.
3. Grant Respondent a SCC An. 44-48-110 Annual Review Status Hearing.

Submitted By,

Feb. 13, 2012


Danny C. Dispenza
7901 Farrow Rd.
Bldg. 3, 3rd floor
Columbia, SC 29203

STATE OF SOUTH CAROLINA)
RICHLAND COUNTY)
In the Matter Of Care)
And Treatment Of)
Danny C. Dispenza)
Respondent)

COURT OF COMMON PLEAS

c/a: 2006-CP-40-4139

AFFIDAVIT OF SERVICE

I, Danny C. Dispenza, states under the penalties of perjury that on this below referenced date did serve a true copy of the foregoing, "Respondent's Motion For SCRCF, Rule 59 Rehearing Of Denial Of Respondent Request For Annual Review Hearing", RESPONDENT'S MOTION TO DENY PLAINTIFF' PURPOSED "ORDER DENYING RESPONDENT'S MOTION FOR APPOINTMENT OF DEFENSE EXPERT and Notice Of Motion", by depositing said into the United States Mail at the SVPTP mail service, postage paid for by Respondent, preaddressed as follows, on 2/13/12,
14 P.D

SC attorney Generals Office
Att: Alvin Wilson
PO Box 11549
Columbia, SC 29211

Clerk, CP, Richland County
1701 Main St.
Columbia, SC 29201

Danny C. Dispenza
Danny C. Dispenza
7901 Farrow Rd.
Bldg. 3, 3d floor
Columbia, SC 29203

Sworn To Before Me This

14th Day of February 2012
Shirley Lindsay
Notary Public For South Carolina
My Commission Expires 3/8/20

STATE OF SOUTH CAROLINA)
RICHLAND COUNTY)

COURT OF COMMON PLEAS

c/a: 2006-CP-40-4139

In the Matter Of Care)
And Treatment Of)

Danny C. Dispenza)
Respondent)

RESPONDENT'S MOTION TO DENY
PLAINTIFF' PURPOSED "ORDER DENYING
RESPONDENT'S MOTION FOR APPOINTMENT OF
DEFENSE EXPERT and Notice Of Motion

To Plaintiff State, Please, take Notice of this the following Motion, Respondent will move for the requested relief with in ten plus four days of service.

Come Now, Respondent, Danny Dispenza, to move this Court pursuant to South Carolina Rules Of Civil Procedure, Rule 12 b6, to deny the Plaintiff's purposed Order denying the appointment of defense expert.

1. The Plaintiff falsely claims Respondent by requesting an Annual Review Status Hearing, ism a petition for release.

2. During the course of these proceedings Respondent who is Pro-Se motioned for the appointment of a defense expert.

3. On Feb. 8, 2012 Judge Lee ordered the dismissal of a fictional Plaintiff's claim that Respondent requested a Annual Review Status Hearing is a Petition For Release.

4. Plaintiff's present herein by reference (Order) denying appointment of Defense Expert, is based upon SCC Ann. 44-48130 , which should does not effect Respondent request for supporting testimony for Respondent's request for a Annual Review Status Hearing.

5. In plain language, the States claims in it's expert's opinion, the Respondent's condition[s] have not so changed.

a) This raises the question, as to how can Respondent take the treatment for over five years, score high marks, have all treatment assignments signed off as passed by case managers, the State has spent over 500,000 dollars on treatment and not change.

Add that question with Why does the States experts differ on opinion as to how dangerous Respondent is claimed to be.

Upon civil commitment being the most dangerous of the dangerous, the States civil commitment expert testified Respondent was a 10 on a scale of 10 in the Static R99 test, then depending which expert the State now uses the score changes from 4-7, which is documented proof from the SCDMH of Respondents change from extremely dangerous to a person who can be released.

This confusion among the States expert should automatically require an inquiry by the Court.

The Respondent has asked for an independence verification by a qualified expert.

Respondent has not had an independent evaluation since 2007. And secondly, this court has conducted an ex parte review based only upon one source of information being that of the Plaintiff State.

See hereto as if fully re-written in support of this motion is RESPONDENT'S SCRCR, RULE 59 MOTION FOR RE-HEARING OF THE COURTS DISMISSAL OF RESPONDENTS REQUEST FOR ANNUAL REVIEW HEARING

ie: (IMPLIED PETITION), Notice Of Motion.

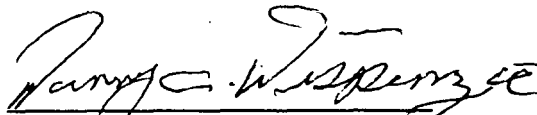
The one source of information the Court relies upon is the States expert, to which by it's very nature is prone to being a puppet for the Attorney Generals office, afraid to displease their boss, with all to gain such as monetary rewards, advancement.

Where an independent expert has nothing to gain and can not be told what the results of the evaluation should be.

Prayer For Relief

Wherefore, Respondent move this Court for the appointment of an independent expert evaluation.

Submitted By,



Danny C. Dispenza
7901 Farrow Rd.
Bldg. 3, 3rd floor
Columbia, SC 29203

Feb. 13, 2012

STATE OF SOUTH CAROLINA)
RICHLAND COUNTY)
In the Matter Of Care)
And Treatment Of)
Danny C. Dispenza)
Respondent)

COURT OF COMMON PLEAS

c/a: 2006-CP-40-4139

AFFIDAVIT OF SERVICE

I, Danny C. Dispenza, states under the penalties of perjury that on this below referenced date did serve a true copy of the foregoing, "Respondent's Motion For SCRCF, Rule 59 Rehearing Of Denial Of Respondent Request For Annual Review Hearing", RESPONDENT'S MOTION TO DENY PLAINTIFF' PURPOSED "ORDER DENYING RESPONDENT'S MOTION FOR APPOINTMENT OF DEFENSE EXPERT and Notice Of Motion",,by depositing said into the United States Mail at the SVPTP mail service, postage paid for by Respondent, preaddressed as follows, on 2/13/12,
15) D.D

SC attorney Generals Office
Att: Alvin Wilson
PO Box 11549
Columbia, SC 29211

Clerk, CP, Richland County
1701 Main St.
Columbia, SC 29201

Danny C. Dispenza
Danny C. Dispenza
7901 Farrow Rd.
Bldg. 3, 3d floor
Columbia, SC 29203

Sworn To Before Me This

14th Day of February 2012

Shirley Lindsay
Notary Public For South Carolina

My Commission Expires 3/8/20

EXHIBIT D

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2006CP4004139

State of South Carolina

Danny C Dispenza

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):** Affirmed; Reversed; Remanded; Other _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order: _____

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 27 February 2012 to attorneys of record or to parties (when appearing pro se) as follows:

R Westmoreland Clarkson
James G. Bogle Jr.
Lloyd V Flores Jr.

Charlie J Johnson Jr
Joshua Koger Jr.
Danny C Dispenza

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court Jeanette W. McBride

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
IN THE MATTER OF THE CARE)
AND TREATMENT OF)
DANNY C. DISPENZA)
)


IN THE COURT OF COMMON PLEAS

CASE NO. 2006-CP-40-4139

ORDER DENYING PETITIONER'S RULE
59 MOTION FOR REHEARING

This matter comes before me on Mr. Dispensa's motion for rehearing pursuant to Rule 59, SCRCP, on the order of this Court dated August 30, 2011. After fully considering the position of the parties, the Court remains satisfied with the legal correctness and essential justice of its order. Therefore, the motion is denied without a hearing, *pursuant to Rule 59(b)*

IT IS SO ORDERED.


The Honorable Alison Renee Lee
Presiding Judge for the Fifth Judicial
Circuit Court of Common Pleas

February 23, 2012
Columbia, South Carolina

RICHLAND COUNTY
FILED
2012 FEB 27 PM 3:06
JEANETTE W. MORRIS
C.S.P.

EXHIBIT E

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Court Judge

Case No: 2006-CP-40-4139

APPELLATE CASE NO. 2012-209428

State Of South
Carolina.....Respondent,

v.

Danny C.
Dispenza.....Appellant.

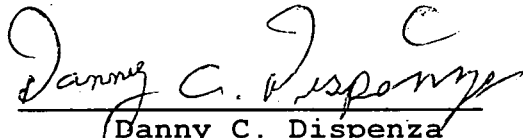
MOTION FOR LEAVE OF COURT IN FORMA PAUPERIS

I, Danny C. Dispenza, Motions For Leave Of Court To Proceed Informa Pauperis, I certify that I can not proceed without leave of court. That I do receive approximately \$18.00 a week rehabilitation money that must be used to compliment food, and release funds. That I do not own any real property or a bank account.

It can be further shown that this appeal is taken, from a civil commitment pursuant to a criminal proceeding. ie: SCC Ann. 4448-30,

Wherefore, Appellant moves for leave on appeal Indigent.

Dec. 14⁰⁰, 2012


Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922

RECEIVED
DATE 12/19/2012

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Court Judge

Case No: 2006-CP-40-4139

APPELLATE CASE NO. 2012-209428

State Of South
Carolina.....Respondent,

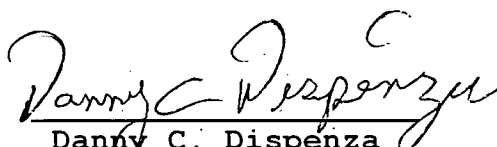
v.

Danny C.
Dispenza.....Appellant.

PROOF OF SERVICE

I, Danny C. Dispenza, certify that I have served the Notice Of Appeal on Alan Wilson by depositing a copy of it in the United States; postage prepaid by Appeal, on, Dec. 14⁰⁰, 2012, addressed to Alan Wilson, PO Box 11549, Columbia, C 29211, at his office on Dec. 13, 2012

Dec. 14⁰⁰, 2012


Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922
Appellant, prose

cc/ SC Court Of Appeals



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

April 16, 2012

Danny C. Dispenza
Bldg 3, 3d Floor
7901 Farrow Rd.
Columbia, SC 29203

Re: In the Matter of Dispenza, Danny
2012209428

Dear Mr. Dispenza:

The following Order has been endorsed on your Motion for Leave of Court in Forma Pauperis in the above entitled case on appeal.

"Granted.

s/ Jasper M. Cureton, A.J.

April 16, 2012."

Please be advised it will be necessary for you to provide this court with a copy of Judge Lee's order filed on February 6, 2012 within ten (10) days of the date of this order.

Very truly yours,

V. Claire Allen, Deputy
CLERK

JAK/dw

cc: Chief Appellate Defender Robert M. Dudek
~~Senior Assistant Deputy Attorney General Deborah R. J. Shupe~~

RECEIVED
S. C. ATTORNEY GENERAL.
DATE 4-16-12 *ap*

EXHIBIT G

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Court Judge

Case No: 2006-CP-40-4139

State Of South Carolina.....Respondent,

v.

Danny C. Dispenza.....Appellant.

PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF RECORD

Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C. 29203
803-889-2922

Other Counsel of Record
Alan Wilson
SC Attorney General
PO Box 11549
Columbia, SC 29211

SC Attorney General
RECEIVED

RECEIVED

MAR 20 2012

ATTORNEY GENERAL'S
OFFICE

MAR 20 2012

Referred to Flora

Answered 9

PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF RECORD

Now Comes, Appellant Pro-Se to move this Court to order Appellant Defense pay for a copy thereof transcript of record, ie: Alison Renee Lee, Circuit Court Judge

Appellant can not proceed to file an appeal with out a transcript.

Appellant is indigent and can not afford to pay the cost.

Notice Of Motion

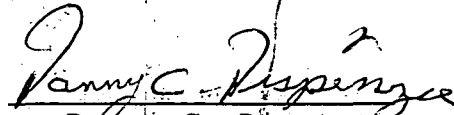
To Plaintiff State, Alan Wilson, SC Attorney Generals Office, Please take notice of this the foregoing Motion, Appellant moves for the requested relief.

Prayer For Relief

Wherefore, Appellant moves this Court to order Appellant Defense pay for a transcript of record.

Approximate cost, under \$100.00.

Submitted By,



Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922

DD
3/15/12
18

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Courtt Judge

Case No: 2006-CP-40-4139

State Of South
Carolina.....Respondent,

v.

Danny C.
Dispenza.....Appellant.

PROOF OF SERVICE

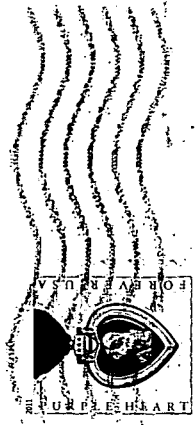
I, Danny C. Dispenza, certify that I have served a copy PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF RECORD", on Court Administration, 1015 Sumter St., Suite 200, Columbia, SC 29201, and Alan Wilson by depositing a copy of it in the United States, postage prepaid by Appellant, addressed to Alan Wilson, PO Box 11549, Columbia, SC 29211.

March 15⁰⁰, 2012
18

Danny C. Dispenza
Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922
Appellant, pro se

Donny C. Disperzo
Rt 3 38 Flor
7801 FAREWELL
Colum Bn, SC 29203

COLUMBIA SC 292
19 MAR 2012 PM 4 T



SC Attorney General
Mun Wilson
PO Box 11549
Colum Bn, SC 29211

Legisl

92111549

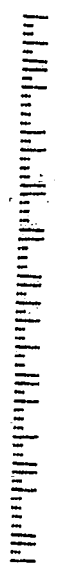


EXHIBIT F

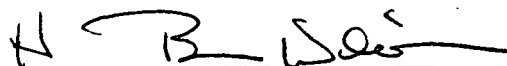
The South Carolina Court of Appeals

In the Matter of the Care and Treatment of Danny C.
Dispenza, Appellant.

Appellate Case No. 2012-209428

ORDER

Appellant's has filed a motion, requesting that the South Carolina Commission of Indigent Defense pay the cost of ordering the transcript. After consideration, Appellant's motion is denied.



FOR THE COURT

Columbia, South Carolina

cc:

Deborah R.J. Shupe ◊
Robert Michael Dudek
Danny Dispenza

FILED

7-19-12 DW

RECEIVED

S. C. ATTORNEY GENERAL

DATE 7-23-12 *dyf*

EXHIBIT H

The South Carolina Court of Appeals

In the Matter of the Care and Treatment of Danny C.
Dispenza, Appellant.

Appellate Case No. 2012-209428

The Honorable Alison Renee Lee
Richland County
Trial Court Case No. 2006CP4004139

ORDER

Appellant has failed to order the transcript as requested by Rule 207 of the South Carolina Appellate Court Rules and by the court's order of July 19, 2012. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY Jenny A. Kitching
CLERK

Columbia, South Carolina

cc:

Danny Dispenza

Robert Michael Dudek

~~Deborah R. J. Shupe~~

RECEIVED

FILED

8/14/12 AT

AUG 14 2012

dip

ATTORNEY GENERALS
OFFICE

EXHIBIT I

5THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Court Judge

Case No: 2006-CP-40-4139

State Of South
Carolina.....Respondent,

v.

Danny C.
Dispenza.....Appellant

APPELLANT'S MOTION PURSUANT TO SOUTH CAROLINA COURT OF APPEALS
RULE 221

FOR WITHDRAWAL OF JULY 19, 2012 ORDER OF DISMISSAL OF APPEAL

Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922

Other Counsel of Record
Alan Wilson
SC Attorney Geneal
PO Box 11549
Columbia, SC 29211

SC Attorney General
RECEIVED

AUG 23 2012

Referred to Y. Glass LVP
Answered _____

CONTENTS

COVER.....1

CONTENTS.....2

MOTION.....3-5

EXHIBITS...

PROOF OF SERVICE

APPELLANT'S MOTION PURSUANT TO SOUTH CAROLINA COURT OF APPEALS RULE 221 FOR WITHDRAWAL OF JULY 19, 2012 ORDER OF DISMISSAL OF APPEAL

to: Respondant State of South Carolina, Take Notice of this the following motion, Appellant will move for the requested relief within ten plus four days of service.

Now Comes, Appellant, Danny C. Dispenza to move this Court pursuant to SC Ct App. Rule 221 or an order to withdraw this Courts July 19, 2012 dismissal of cause claiming Appellant failed to order transcript of record.

1. On / about 3/15/2012 Appellant submitted to this court and SC Court Administration "PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF RECORD".

see hereto Appellant's Exhibit (A)

2. June 5, 2012 Appellant submitted to this Court and SC Court Administration a request for the status of the Petition For Indigent Defense Pay For Transcript Of Record.

see hereto Appellant's Exhibit (B)

3. July 17, 2012 Appellant submitted to this Court and SC Court Administration a second request for the status of the Petition For Indigent Defense Pay For Transcript Of Record.

App Ex C⁰⁰

4. Aug. 16, 2012 Appellant received this Courts Rule 221 (b) order, in accordance with Rule 207, Appellant's failure to order transcript of record.

5. Fact: Appellant did not receive copy of this Courts ref: July 19, 2012 Order Of Dismissal.

Appellant a civilly committed person ie: SCC Ann. 44-48-10/170 to the control of the SCDMH.

The SCDMH maintains a computer file of each mailing to / from Appellant, to which there is no SCDMH record of Appellant receiving the referenced July 19, 2012 Order Of Dismissal Of Case. ie: pursuant to SC Ct App. Rule 207

6. The Court errored by not first making a ruling upon Appellants Motion For Appellant Defense To Pay For Transcript Of Record.

And, secondly, the Court refused to make a reply to Appellants two inquiries as to the status of the motion.

7. Appellant was granted leave of Court to proceed In Forma Pauperis,

It is a simple deduction to conclude that since Appellant could not pay for the appeal process, then he was just as indigent and unable to pay for a transcript.

8. Appellant complied with all court rules within a timely manner to which, it was the court that failed to make a timely ruling.

9. Appellant states a Memorandum in support of Reply and Motion to deny Respondents motion to dismiss case would serve of no useful purpose.

10. Should the Court deny this motion for withdrawal of order, the Court is therefore both discriminating against Appellant for #1. being poor and #2. paying for other patients trial transcripts and not Appellants.

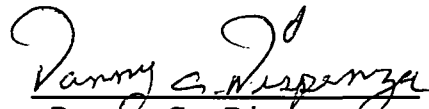
11. Should this Court deny this motion for withdrawal of order, the Court grants Appellant probable cause to seek appeal in both the SC Supreme Court and the U.S. Supreme Court in this matter.

Wherefore, Appellant Danny C. Dispenza, moves this Court as follows,

1. Order The Withdrawal Of the Courts July 19, 2012 and Aug. 14, 2012 orders of dismissal of case.
2. Order / find funding to pay for Appellants trial transcript.

Submitted by,

Aug. 21, 2012


Danny C. Dispenza
Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Courtt Judge

Case No: 2006-CP-40-4139

State Of South
Carolina.....Respondent,

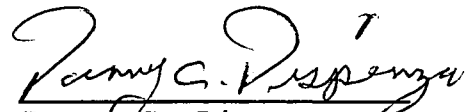
v.

Danny C.
Dispenza.....Appellant.

PROOF OF SERVICE

I, Danny C. Dispenza, certify that I have served a copy "APPELLANT'S MOTION PURSUANT TO SOUTH CAROLINA COURT OF APPEALS RULE 221 FOR WITHDRAWAL OF JULY 19, 2012 ORDER OF DISMISSAL OF APPEAL and Appellants Exhibits (A,B,C)", on Alan Wilson by depositing a copy of it in the United States, postage prepaid by Appellant1, addressed to Alan Wilson, PO Box 11549, Columbia, C 29211.

Aug. 21 , 2012


Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922

The Honorable Kenneth Richstad
Clerk, South Carolina Court Of Appeals
PO Box 11629
Columbia, SC 29211

RE; In The Matter Of Care Of
Danny C. Dispenza, Case No:
2006-CP-40-4139

Dear, Mr. Richstad,

Enclosed for filing is a Petition For Court Order Payment Of
Transcript.

Please, clock stamp and return Appellants copy in the provided
envelope.

Sincerely,

Danny C. Dispenza

Appellants Exhibit **A**

1-4

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Court Judge

Case No: 2006-CP-40-4139

State Of South Carolina.....Respondent,

v.

Danny C. Dispenza.....Appellant.

PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF RECORD

Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922

Other Counsel of Record
Alan Wilson
SC Attorney General
PO Box 11549
Columbia, SC 29211

Appellants Exhibit A 2-4

PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF RECORD

Now Comes, Appellant Pro-Se to move this Court to order Appellant Defense pay for a copy thereof transcript of record, ie: Alison Renee Lee, Circuit Court Judge

Appellant can not proceed to file an appeal with out a transcript.

Appellant is indigent and can not afford to pay the cost.

Notice Of Motion

To Plaintiff State, Alan Wilson, SC Attorney Generals Office, Please take notice of this the foregoing Motion, Appellant moves for the requested relief.

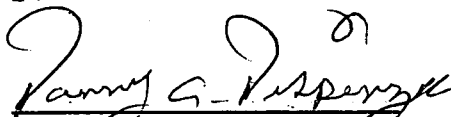
Prayer For Relief

Wherefore, Appellant moves this Court to order Appellant Defense pay for a transcript of record.

Approximate cost, under \$100.00.

Submitted By,

3/15/12



Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922

Appellants Exhibit

A 3-4

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Courtt Judge

Case No: 2006-CP-40-4139

State Of South
Carolina.....Respondent,

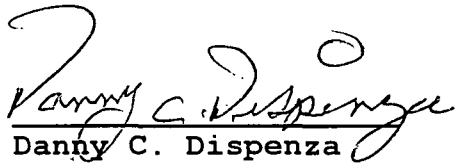
v.

Danny C.
Dispenza.....Appellant.

PROOF OF SERVICE

I, Danny C. Dispenza, certify that I have served a copy PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF RECORD", on Court Administration, 1015 Sumter St., Suite 200, Columbia, SC 29201, and Alan Wilson by depositing a copy of it in the United States, postage prepaid by Appellant, addressed to Alan Wilson, PO Box 11549, Columbia, SC 29211.

March 15, 2012


Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922
Appellant, pro se

Appellants Exhibit A

4-34

June 5, 2012

The Honorable Kenneth A Richstad
Clerk, South Carolina Court Of Appeals
PO Box 11629
Columbia, SC 29211

RE; In The Matter Of Care Of
Dannay C. Dispenza, Case No:
2006-CP-40-4139

Dear, Mr. Richstad,

On March 15, 2012 I submitted "PETITION FOR INDIGENT DEFENSE PAY FOR
TRANSCRIPT OF RECORD".

Please inform me of when I can anticipate a ruling in this matter.

Sincerely

Dannay C. Dispenza

Appellants Exhibit **B**

1-3

June 5, 2012

Clerk, SC COURT ADMINISTRATION
1015 Sumter St. ste. 200
Columbia, SC 29201-3739

Danny Dispenza
7091 Farrow Rd.
Bldg. 3, rm 307
Columbia, SC 29203

RE; In The SC Court Of Appeals

In Re: Dannay C. Dispenza,
c/a: 2006-CP-40-4139

To, Court Administration,

Please find enclosed for your records a request of Clerk of SC Court
Of Appeal for "PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF
RECORD".

Sincerely,

Danny C. Dispenza

Appellants Exhibit

B

2-3

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Courtt Judge

Case No: 2006-CP-40-4139

State Of South
Carolina.....Respondent,

v.

Danny C.
Dispenza.....Appellant.

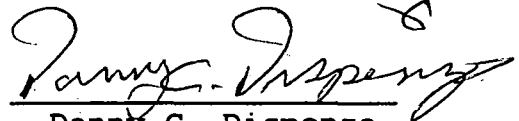
PROOF OF SERVICE

I, Danny C. Dispenza, certify that I have served a copy Request For
When a Ruling Will Be Made on "PETITION FOR INDIGENT DEFENSE PAY FOR
TRANSCRIPT OF RECORD", on The Honorable Kenneth A Richstad, Clerk, SC
Court Of Appeals, at PO Box 11629, Columbia, SC 29211,

and, Clerk, SC COURT ADMINISTRATION, 1015 Sumter St. ste. 200
Columbia, SC 29201-3739,

by depositing a copies of it in the United States, postage prepaid by
Appellant addressed as stated. on this the,

June 5, 2012



Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203
803-889-2922
Appellant, prose

Appellants Exhibit B

3-3

July 17, 2012

Clerk, SC COURT ADMINISTRATION
1015 Sumter St. Ste. 200
Columbia, SC 29201-3739

Danny Dispenza
7091 Farrow Rd.
Bldg. 3, rm 307
Columbia, SC 29203

RE; In The SC Court Of Appeals

In Re: Danny C. Dispenza,
c/a: 2006-CP-40-4139

To, Court Administration,

Please find enclosed for your records a request of Clerk of SC Court Of Appeal for information requesting when a ruling might be forth coming on "PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF RECORD".

Sincerely,

Danny C. Dispenza

Appellants Exhibit C

1-3

July 17, 2012

The Honorable Kenneth A Richstad
Clerk, South Carolina Court Of Appeals
PO Box 11629
Columbia, SC 29211

RE; In The Matter Of Care Of
Danny C. Dispenza, Case No:
2006-CP-40-4139

This is the second request for information, being
the first was made on June 5, 2012 with no reply

Dear, Mr. Richstad,

On March 15, 2012 I submitted "PETITION FOR INDIGENT DEFENSE PAY FOR
TRANSCRIPT OF RECORD".

Please inform me of when I can anticipate a ruling in this matter.

Sincerely

Danny C. Dispenza

Appellants Exhibit C

2-3

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

Alison Renee Lee, Circuit Court Judge

Case No: 2006-CP-40-4139

State Of South
Carolina.....Respondent,

v.

Danny C.
Dispenza.....Appellant.

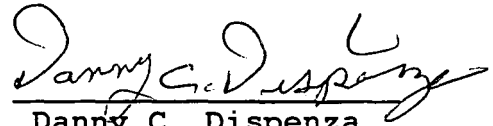
PROOF OF SERVICE

I, Danny C. Dispenza, certify that I have served a copy of the foregoing "(Second) Request For When a Ruling Will Be Made on "PETITION FOR INDIGENT DEFENSE PAY FOR TRANSCRIPT OF RECORD", on The Honorable Kenneth A Richstad, Clerk, SC Court Of Appeals, at PO Box 11629, Columbia, SC 29211,

and, Clerk, SC COURT ADMINISTRATION, 1015 Sumter St. Ste. 200
Columbia, SC 29201-3739,

by depositing a copies of it in the United States, postage prepaid by Appellant addressed as stated. on this the,

July 17, 2012



Danny C. Dispenza
Bldg. 3, 3d floor
7901 Farrow Rd.
Columbia, C 29203

803-889-2922
Appellant, pro-se

Appellants Exhibit

C
3-3

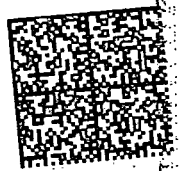
Danny C. Dispenza

2401 Phoenix Rd.

Building 3 3rd Floor

Columbin, SC 29203

Legal Mail



UNITED STATES POSTAGE
\$02.10⁰⁰
02 1R AUG 22 2012
0006555418
MAILED FROM ZIP CODE 29203

SC RTD General's Office

Alvin Wilson

PO Box 11544

Columbin, SC 29224

29224154949

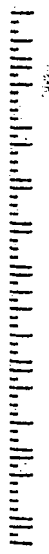


EXHIBIT J

The South Carolina Court of Appeals

In the Matter of the Care and Treatment of Danny C. Dispenza, Appellant.

Appellate Case No. 2012-209428

ORDER

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

Paul E. Short, Jr.

J.

U. Ke

J.

James E. ...

J.

Columbia, South Carolina

cc: Danny Dispenza

FILED

Dec. 4, 2012

RECEIVED
DATE 12/7/2012
(SIGNATURE) [Signature]

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal From Richland County
On "Writ of Certiorari"
The Honorable Alison Renee Lee, Circuit Court Judge
Appellate Case No. 2012-213621

IN THE MATTER OF THE CARE AND TREATMENT
OF DANNY C. DISPENZA,

Petitioner,

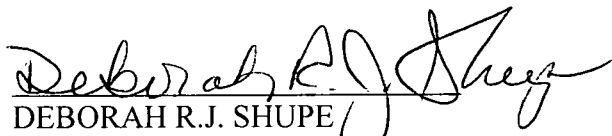
PROOF OF SERVICE

I, Deborah R.J. Shupe, certify I served the Return to "Writ of Certiorari" on
Petitioner by depositing a copy in the United States mail, postage prepaid, addressed to:

Danny C. Dispenza
Sexually Violent Predator Treatment Program
Bldg. 3, 3rd Floor
7901 Farrow Road
Columbia, SC 29203

I further certify that all parties required by Rule to be served have been served.

This 15th day of March 2013.


DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727