

SOUTH CAROLINA COURT OF APPEALS

APPELLATE CASE NO. 2020-001497

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MAY 17 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA,

Respondent

GENERAL PLEADING

v.

THEODORE J. BOLICK,

Appellant

NOW COMES: Appellant, pro se and in an abundance caution submits this general pleading seeking relief. In support of this pleading Appellant shows as follows:

#### BRIEF STATEMENT OF CASE

On July 23, and 24, 2019 Appellant was convicted in Horry County Circuit Court on three separate indictments, for three separate and unrelated burglaries, which occurred on three separate dates, with no evidence being the same in either case, and no evidence the

burglaries were a chain of circumstances. The Appellant was tried completely absentia, and without counsel in front of one jury. The Appellant was convicted of all three burglaries on July 24, 2019, and sentenced by Judge Hyman who sealed the sentence.

On or about April 19, 2020 Appellant filed a pro se Motion For Mistrial.

On or about June 6, 2020 Appellant filed a pro se Motion For New Trial.

Nearly five months after Appellant filed his Motion For Mistrial on September 16, 2020 Appellant was taken before Judge William Seals. Appellant was unrepresented by counsel. Judge Seals refused to allow Appellant to speak, and refused to hear Appellant's Motion For Mistrial, or the Motion For New Trial. Appellant was sentenced, and shoved from the courtroom at Judge Seals signal, and sent to prison.

Miraculously, on January 4, 2021 this court finally accepted Appellant's appeal.

On February 5, 2021 this Court remanded the cases back to Horry County Circuit Court for consideration on all outstanding motions.

On April 19, 2021 Judge Cothran caused

to have filed in the Horry County Clerk's office an Order granting Appellant's Motion For Mistrial.

On or About April 26, 2021 Appellant filed with this court a pro se writ of Habeas Corpus because Appellant was still being held in the S.C.D.C. Appellant named Warden James, and Thomas Terrell III as Respondents.

On May 6, 2021 Appellant was transported to the Ft Reuben Long Detention Center in Horry County where he is being held without a bond or release date.

The only authority the state has presented to the Appellant for his continued incarceration is a Motion For Reconsideration filed by Thomas Terrell III which contains the blatant lie that my Motion For Mistrial and Motion For New Trial were filed after I was sentenced. See attached.

Further, I was told by Ms Teal in Columbia the State had appealed my Motion For Mistrial. Now I am presented with a Motion For Reconsider. Question Honorable Sirs, how do you undeclare a mistrial. I don't think that's ever been done before.

## CONCLUSION

Please interview and grant me my liberty,  
the facts are compelling enough for  
this Court on my Writ of Habeas Corpus.

Respectfully Submitted  
This 9<sup>th</sup> day of May, 2021  
Theodore Balick pro se  
4150 J. Reuben Long Ave  
Conway, S.C. 29528

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )  
V. )  
THEODORE JERRY BOLICK )  
DEFENDANT )

IN THE COURT OF GENERAL SESSIONS  
15<sup>TH</sup> JUDICIAL CIRCUIT

NOTICE OF MOTION AND MOTION  
FOR RECONSIDERATION

Indictment no: 2016GS2604947, 953, 5081


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PLEASE TAKE NOTICE that the State of South Carolina, will move before the Court of General Sessions, on such date and time as the Court may provide, for reconsideration of the Court's grant of Defendant's Motion for a Mistrial.

Defendant Theodore Jerry Bolick was tried and convicted for three charges of Burglary, 2<sup>nd</sup> Degree (Violent) in his absence in July 2019. The Court sealed his sentence and issued a bench warrant for his arrest. He was arrested in North Carolina on his Bench Warrant and brought back to Horry County for the unsealing and imposition of his sentence. His sentence was unsealed and Defendant subsequently filed, amongst other things, a Motion for Mistrial. This Motion was heard by the Honorable R. Ferrell Cothran, Jr. who granted Defendant's motion.

The State moves this Court, specifically Judge Cothran, to reconsider his grant of Defendant's Motion for a Mistrial. The State can and will demonstrate good cause as grounds for this motion.

Respectfully Submitted,

  
Thomas Groom Terrell, III  
Assistant Solicitor  
Fifteenth Judicial Circuit of South Carolina

FILED  
HORRY COUNTY  
APR 28 P 2:03  
JERRY BOLICK  
GENERAL COURT  
HORRY COUNTY, SC

Theodore Bolick HC05062101424  
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