

RECEIVED

JUN 24 2021

SC Court of Appeals

Theodore Bolick 384070  
Kirkland R<sup>3</sup> E B1-28  
4344 Broad River Rd  
Columbia, S.C. 29210

June 17, 2021

TO: Jenny Abbott Kitchings  
P.O. Box 11629  
Columbia, S.C. 29211

Dear Ms. Kitchings,

Please find enclosed a letter and documents I tried to have copied and mailed to you while I was a prisoner at J. Reuben Long Detention Center in Horry County. My documents were taken, but returned to me on the morning I was transferred to S.C.D.C. without being copied and missing Attachment E, (the Order vacating my sentence stamped filed May 20, 2021)

Ms. Kitchings, I give you my word as a man before God, and declare under the penalty of perjury that Judge Cothran on June 8, 2021 not only argued on behalf, and for the state, but also actually lied on behalf of the state stating that he rushed the state into

the hearing on April 15, 2021 in which he granted my Motion For Mistrial. He told this lie in response to my objections that the state had the opportunity to offer evidence and arguments in opposition to my Motion For Mistrial on April 15, 2021.

Further, on June 9, 2021 in open court Judge Cothran stated he communicated with the State, and considered partial transcripts ex-parte in justifying his granting of the States Motion To Reconsider. When I objected, and asked where is the fairness was in that, he stated he would see about getting me a copy of the transcripts.

Honorable Clerk, the ex-parte communication between the State and Judge Cothran was simply outrageous. The blatant lie told by a Judge on behalf of the State was outrageous. This certainly makes the hearing suspect. This behavior is manifested by the transcripts of June 8, and 9, 2021.

I am again asking, begging this Court to please consider granting me a hearing on my Petition for Writ of Habeas Corpus. Thank you!

P.S. Please return me copies of the attachments

2

Sincerely  
T. Bolick

10007  
10007  
10007

Theodore Bolick  
4150 J Reuben Long Ave  
Cowdoy, SC 29528

JUNE 11, 2021

Honorable Teddy Abbott Kitchings  
Clerk of Court  
P.O. Box 11629  
Columbia SC 29211

RECEIVED

JUN 24 2021

SC Court of Appeals

Re: State v. Bolick  
Appellate Case No. 2020-001497

Dear Ms. Kitchings:

Today I received a copy of the letter to you from Thomas Terrell III. As I am sure you are aware Mr Terrell III is lying to this Court as is manifested by Mr. Thomas Terrell III previous letters to this Court dated April 26, 2021 and May 14, 2021. (See Attachment A and B). These letters on their face contradict the statements made in Mr Terrell's letter to this Court dated June 11, 2021. (See Attachment C)

I am fairly sure this Court comprehends

that people lie for a reason, and Mr. Terrell lies with impunity and habitually.

Ms. Kitchings, on June 23 and 24, 2019 I was tried and convicted in Horry County Circuit on three separate indictments for three separate and distinct burglaries. These burglaries happened on three separate dates, at three separate locations, at three different type businesses. No single piece of tangible evidence was the same in either case, and there is no evidence of a chain of circumstances. However, all three charges were joined for trial. I was tried in my complete absence, and without counsel even though I had been appointed attorney Martin Spratt by the trial judge, Larry Hyma.

Thereafter, on April 22, 2020 I filed a Motion For Mistrial. Subsequently, I filed other pro se motions.

On September 16, 2020 Thomas Terrell III had me brought before Judge William Seals to have the sealed judgment opened and read. Both Mr Terrell and Judge Seals refused to allow me to be heard on my pro se Motion For Mistrial or any other motion, but instead had me summarily

sent to prison. Thereafter, I appealed.

This court upon receiving my appeal determined my case was not immediately appealable, that a determination must be made on my outstanding motions. Therefore, this court on February 5, 2021 remanded my case back to Circuit Court for the consideration of all outstanding motions, with this court to be given a status update every 30 days.

Eventually, on April 15, 2021 I was given an evidentiary hearing on my Motion For Mistrial. On April 19, 2021 Judge Cothraw caused to have entered an Order granting my Motion For Mistrial. (See Attachment D) Thereafter, Judge Cothraw signed an order dated May 4, 2021 and caused to have it entered on May 20, 2021 which vacated my sentences. (See Attachment E)

Thereafter, Mr Terrell began contacting Judge Cothraw ex-parte, and even submitted evidence ex-parte, (partial transcripts) for the court to consider. This ex-parte communication and consideration is plainly manifested at the court hearings on June 8, and 9, 2021.

Somehow, Mr Terrell through ex-parte communication, and by getting the court to consider evidence, (partial transcripts) ex-parte was able to convince the court, (Judge Cothran) to do something that is unprecedented in law. Mr Terrell through his devious and unlawful tactics has gotten Judge Cothran to declare a mistrial, and to vacate a sentence.

Ms. Kitchings, I have been studying the law almost 40 years, and never in the history of law has a Court been able to declare a mistrial and vacate a sentence to my knowledge, nor can I find such a case. To my limited knowledge a declaration of mistrial is final, it is not even appealable. I believe this is also true with a sentence. Once it has been vacated, I do not believe it can simply be reinstated, that would violate the Fifth Amendment's Due Process and Double Jeopardy Clause if I am not mistaken.

Honorable Clerk, on or about April 26, 2021 I petitioned this Honorable Court for a Writ of Habeas Corpus. With this

letter I am reiterating my argument for the need of this Honorable Court to issue this Writ. It is clear by this Court's records, and the official documents that I am submitting with this letter that something is seriously and strangely amiss here in Horry County, (pun intended).

Please, look to your records, look at my documents that are attached verify their authenticity, and then please explain to me how I still am being kept prisoner as a result of a trial that has been declared a mistrial, and a sentence that has been vacated.

In considering this please understand the completely outrageous circumstances in my case from the beginning until now. My trial absentia, without counsel even after having been appointed Martin Spratt as counsel. This Court having to remand my case back to Horry County for consideration of my lawfully filed outstanding motions. And so it is, a mistrial declared and granted, and a sentence vacated, only to have the same judge undeclare the mistrial and unvacate

the sentence 56 days later after ex-parte communication and consideration of evidence ex-parte is simply ludicrous and suspect to say the least. It becomes absolutely clear that something is definitely amiss in Horry County. This Court has given Horry County officials ample time and opportunity to deal with these cases in a fair and lawful manner. However, it is now apparent Horry County officials refuse to adhere or abide by the clearly established law in my cases. Therefore, I am again asking this Court to grant my petition for Writ of Habeas Corpus filed with this Court on or about April 26, 2021 for obvious reasons.

Desperate in Horry County  
Theodore Bolick  
4150 T. Reuben Long Ave  
Conway, S.C. 29528

State of South Carolina  
Office of the Solicitor  
Fifteenth Judicial Circuit



Scott R. Hixson  
Chief Deputy Solicitor

REPLY TO ...

P.O. BOX 1276  
CONWAY, SC 29528  
843-915-5460  
FAX: 843-915-6461

Alicia A. Richardson  
Deputy Solicitor

REPLY TO %

P.O. BOX 1688  
GEORGETOWN, SC 29442  
843-545-3169  
FAX: 843-545-3268

JIMMY A. RICHARDSON, II  
Solicitor

April 26, 2021

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
PO Box 11629  
Columbia, SC 29211

Re: State vs. Theodore Jerry Bolick  
Appellate Case No. 2020-001497

Dear Ms. Kitchings:

Defendant's motions were scheduled to be heard the morning of March 10, 2021, before the Honorable Judge John. On March 8, 2021, Judge John recused himself from hearing these matters based on allegation Defendant has levied against him. The motions were then rescheduled the following month during the April 12, 2021, term of General Sessions Court in Horry County.

Appellant was transported down and his motions were heard before the Honorable Judge Cothran on April 15, 2021. Judge Cothran granted the Motion for Mistrial and appointed counsel to Bolick. With the Court's permission, the State has filed a Motion to Reconsider. Judge Cothran returns to Horry County in June 2021. The Motion to Reconsider has been scheduled for a hearing before J. Cothran on June 8, 2021.

Sincerely,

Thomas Groom Terrell, III  
Assistant Solicitor

Cc: Jonathan Hiller, Esquire

Theodore Jerry Bolick, 00384070  
Kershaw Correctional Institution

State of South Carolina  
Office of the Solicitor  
Fifteenth Judicial Circuit

Scott R. Hixson  
Chief Deputy Solicitor

REPLY TO

P.O. BOX 1276  
CONWAY, SC 29528  
843-915-5460  
FAX: 843-915-6461



Alicia A. Richardson  
Deputy Solicitor

REPLY TO

P.O. BOX 1688  
GEORGETOWN, SC 29442  
843-545-3169  
FAX: 843-545-3268

JIMMY A. RICHARDSON, II  
Solicitor

May 14, 2021

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
PO Box 11629  
Columbia, SC 29211

Re: State vs. Theodore Jerry Bolick  
Appellate Case No. 2020-001497

Dear Ms. Kitchings:

Appellant was transported down to Horry County and his motions were heard before the Honorable Judge Cothran on April 15, 2021. Judge Cothran granted the motions for a mistrial, a new trial, appointment of counsel, and reconsideration. With the Court's permission, the State has filed a Motion to Reconsider. Judge Cothran returns to Horry County in June 2021. The Motion to Reconsider has been scheduled for a hearing before J. Cothran on June 8, 2021.

Sincerely,

  
Thomas Groom Terrell, III  
Assistant Solicitor

Cc: Jonathan Hiller, Esquire

~~Theodore Jerry Bolick~~  
J. Reuben Long Detention Center

State of South Carolina  
Office of the Solicitor  
Fifteenth Judicial Circuit

Scott R. Hixson  
Chief Deputy Solicitor

REPLY TO

P.O. BOX 1276  
CONWAY, SC 29528  
843-915-5460  
FAX: 843-915-6461



Alicia A. Richardson  
Deputy Solicitor

REPLY TO

P.O. BOX 1688  
GEORGETOWN, SC 29442  
843-545-3169  
FAX: 843-545-3268

JIMMY A. RICHARDSON, II  
Solicitor

June 11, 2021

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
PO Box 11629  
Columbia, SC 29211

Re: State vs. Theodore Jerry Bolick  
Appellate Case No. 2020-001497

Dear Ms. Kitchings:

Defendant's Motion for Consideration or Reconsideration was granted and on April 15, 2021, Judge Cothran heard Defendant's arguments on his motions that were remanded to the General Sessions Court by the Court of Appeals. Judge Cothran ruled on those motions but gave the State ten days to review the issues and ask the Court to reconsider. The State's Motion to Reconsider filed subsequent to Judge Cothran's initial decisions in April was granted by Judge Cothran and additional arguments were heard on June 8, 2021.

Following additional oral arguments from both sides, consideration of a memorandum drafted in support of the State's position on the issues, a more detailed study of the case law, and a more complete understanding of the facts and circumstances of the case against Mr. Bolick, Judge Cothran ruled on June 9, 2021, to deny the Defendant's motions for mistrial and new trial. Needing then to rule on Defendant's remaining motions that had been remanded to the Circuit Court, Judge Cothran denied Defendant's motions for appointed counsel and transcripts believing those to be more appropriate for the appellate court to consider as they were being requested for the appellate process and not for General Sessions. Following oral arguments on June 8, 2021, before Judge Cothran was ready to rule on the issues, Defendant requested a bond which was denied. Defendant's final pending motion in General Sessions on these issues was a motion to

The mission of the Fifteenth Circuit Solicitor's Office is to uphold the public's trust in the pursuit of justice and enforcement of the law.

dismiss based on double jeopardy which Judge Cothran deemed moot in light of his other decisions.

It is the State's belief that with these motions now resolved by the Court of General Sessions, the matter can be returned to the Court of Appeals.

Sincerely,



Thomas Groom Terrell, III  
Assistant Solicitor

Theodore Jerry Bolick  
J. Reuben Long Detention Center

Theodore Bolick 384070  
Kirkland R<sup>3</sup>E B1-28  
4344 Broad River Rd  
Columbia, S.C. 29210

**RECEIVED**

JUN 24 2021

SC Court of Appeals

South Carolina Court of Appeal

Jenny Abbott Kitchings

P.O. Box 11629

Columbia, S.C. 29211



U.S. POSTAGE >> PITNEY BOWES



ZIP 29210 \$ 000.71<sup>0</sup>  
02 4W  
0000378357 JUN 23 2021

KCI MAILROOM

LEGAL  
MAIL  
ONLY

JUN 23 2021