

APPENDIX TO PETITION FOR WRIT OF CERTIORARI

1. Final Judgment of the Supreme Court of South Carolina issued January 23, 2025.

1a.

**The Supreme Court of South Carolina**

In the Matter of Patrick L. Booker, Respondent.

Appellate Case No. 2024-001505

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**ORDER**

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Respondent Patrick L. Booker has filed a motion to “vacate void judgment[,]” arising from his disruptive behavior during Court on September 11, 2024. The motion is denied.

On September 11, while Court was in session in Charleston, South Carolina, the Court welcomed students who were observing oral arguments. As is customary when the Court holds a term of court outside of Columbia and invites local schools to attend, the Court invited the students and members of the public to ask questions. The courtroom audience was

advised that questions must be general in nature and cannot be case specific. Respondent was present in the audience; he stood and began speaking to the Court about his grievances. Respondent, a former prison inmate, has filed many matters in this Court, on behalf of himself and others. Concerning respondent's efforts to represent other litigants, he purports to do so under the auspices of the title "certified paralegal." Respondent's filings with the Court became abusive, and as a result, this Court placed limits on his ability to burden the court system with abusive filings.<sup>1</sup>

Despite this background, the Court allowed Respondent to participate in the students' question and answer portion of the Court proceeding. Respondent immediately displayed an antagonistic behavior and attitude in demanding the Court explain its basis for placing limits on his ability to file pleadings and motions. Respondent's statements, thinly veiled as

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<sup>1</sup> Respondent was convicted in 2003 of four counts of armed robbery, one count of assault and battery of a high and aggravated nature, carjacking, possession of a weapon during a violent crime, and threatening the life of a public official. Respondent unsuccessfully challenged his convictions through multiple post-conviction relief actions. In 2010, this Court finally put an end to Respondent's meritless successive challenges by "prohibit[ing] [Respondent] from filing any further collateral actions challenging his 2003 convictions in the circuit court without first obtaining permission to do so from this Court." *Booker v. State*, S.C. Sup. Ct. Order dated April 7, 2010. Respondent's court filings have continued through the years, including his propensity for purporting to intervene on the behalf of others. For example, in 2022, respondent sought to intervene in the case of Herbet McDowell, Jr., a prison inmate. Respondent claimed his status was that of a "net of friend" or *guardian ad litem*. Then-chief Justice Beatty put an end to the matter by denying "all relief requested by Mr. Booker." See *McDowell v. State*, S.C. Sup. Ct. Order dated Sept. 23, 2022. The Court's efforts to prevent Respondent from filing meritless pleadings and engaging in the unauthorized practice of law have regrettably have had little or no effect. Respondent's unwillingness to respect the Court's written orders mirrors his unwillingness at the court proceeding on September 11 to comply with the Court's repeated requests to stop his disruptive behavior.

questions, were an attack on the Court's decisions in his cases,<sup>2</sup> as well as matters in which he sought to intervene as a "certified paralegal" in matters involving others. For example, Respondent stated he had filed a pro se petition as a "certified paralegal" in the case of an inmate sentenced to death, and asked the Court to review his petition in an expedited manner. Respondent also directed negative, personal comments to the Court.

The Court attempted to reduce the tension and upset to the students who were present by responding to respondent. Respondent was reminded the Court could not engage in *ex parte* communications or respond to questions concerning specific cases, and Respondent was informed the death-sentenced inmate was represented by counsel and only the inmate's counsel, not a third party, could speak for him in the pending legal action.

Respondent was loud and disruptive. Respondent interrupted the Court and shouted about due process, claiming every justice on the Court was a "felon in the sight of law," and stated removing him from the auditorium would violate his rights. The Court repeatedly asked Respondent to refrain from improper comments and disruptive behavior. Respondent was warned about the contempt powers of the Court. Eventually, the Respondent sat down and was quiet. The Court hoped the situation involving Respondent had been resolved, without the necessity of a contempt sanction.

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<sup>2</sup> See *Ex Parte Booker*, Op. No. 2024-MO-017 (S.C. Sup. Ct. Order filed July 3, 2024)

Nevertheless, the Court told respondent he could remain in the courtroom, but warned him that if he continued to be disruptive, the Court would have no choice but to hold him in contempt. The Court resumed taking questions from students. After approximately eighteen minutes, Respondent demanded to speak again, but the Court refused his request and allowed another audience member to ask a question. Respondent then interrupted the audience member, forcing the Court to stop, remind Respondent he was in a court proceeding, and asked Respondent again to be quiet. Respondent began to yell and refused to heed the Court's multiple warnings of contempt and requests to stop his abusive and disruptive behavior. When Respondent ignored the warnings and continued to yell and disrupt the proceedings, the Court held him in contempt, ordered him placed under arrest, and sentenced him to confinement for a period of six months.

As noted, Respondent now claims the Court's judgment is void, and he has filed a motion "to vacate void judgment." The judgment is not void. A court most certainly has authority to maintain order and decorum. Where, as here, an individual flagrantly disrupts court proceedings, the court has the right (and duty) to maintain courtroom order and integrity of the legal process. See *Codispoti v. Pennsylvania*, 418 U.S. 506, 513-14 (1974) ("Undoubtedly, where the necessity of circumstances warrants, a contemnor may be summarily tried for an act of contempt during trial and punished by a term of no more than six months."); *Int'l Union, United Mine Workers of Am. v. Bagwell*, 512 U.S. 821, 831 (1994) (stating "contempt authority is at its pinnacle...where contumacious conduct threatens a

court's immediate ability to conduct its proceedings, such as where ... a party disrupts the court"); *id.* At 832 ("In light of the court's substantial interest in rapidly coercing compliance and restoring order, and because the contempt's occurrence before the court reduces the need for extensive factfinding and the likelihood of an erroneous deprivation, summary proceedings have been tolerated."). The Court regrets Respondent's failure to heed the Court's repeated warnings, which necessitated the contempt of court finding and sanction. The motion to vacate the judgment is denied.

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C.J.

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J.

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J.

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J.

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J.

Columbia, South Carolina

January 23, 2025

cc:

Alan McCrory Wilson

Donald J. Zelenka

Patrick Lee Booker

2. Original Order/Judgment of the Supreme Court of South Carolina issued September 11, 2024.

2a.

# The Supreme Court of South Carolina

In the Matter of Patrick L. Booker, Respondent.

Appellate Case No. 2024-001505

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## ORDER

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We find Respondent Patrick L. Booker, despite repeated warnings, willfully disrupted and interfered with this Court's judicial proceedings on September 11, 2024. Accordingly, we find Respondent guilty of direct criminal contempt and sentence him to confinement for a period of six months.

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C.J.

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J.

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J.

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J.

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A. J.

Charleston, South Carolina

September 11, 2024

3. Order Denying Rehearing by the Supreme Court of South Carolina issued September 24.

3a.

## The Supreme Court of South Carolina

In the Matter of Patrick L. Booker, Respondent.

Appellate Case No. 2024-001505

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### ORDER

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Petitioner has filed a motion to reconsider the Court's holding of Petitioner in criminal contempt. The motion to reconsider is denied.

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C.J.

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J.

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J.

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J.

McCoy, A.J., not participating

Columbia, South Carolina

September 24, 2024