

CONCLUSION:

Wherefore, Based upon plaintiff affidavit and the record as a whole defendants motion For Summary Judgment should be reversed AND allowed to proceed to trial on the issues raised in the complaint.

Respectfully Submitted

Michael J. Yeadle

Evans Correctional Inst

610 Hwy 9 West

Bennettsville, SC. 29512

Certificate Of Service

I do hereby certify I've mailed a true and correct copy of the within "Brief" on this 25th day of April 2013 to:

Russell W Harter JR

14 Lavinia Ave

Greenville, SC. 29601