

SOUTH CAROLINA COURT
OF APPEALS

STATE OF SOUTH CAROLINA
COURT OF APPEALS

JAMES GRAHAM

249255 APPELLANT

V

SC. DEPT OF CORRECTIONS
RESPONDENT.

DOCKET NO.: 13-ALJ-04-0332AP

GRIEVANCE NO.: ECI 0410-13

RULE 59(e) motion

DEAR HON. COURT

I AM THE APPELLANT IN THIS CASE JAMES GRAHAM
249255. YOU WILL FIND THAT I AM APPEALS THE ORDER
OF DISMISSAL OF SC. ADMIN LAW COURT. YOU WILL
FIND THAT I DID FILE THIS MOTION ON TIME, BUT I SENT
IT BACK TO THE ADMIN LAW COURT. YOU WILL FIND A
COPY OF DISMISSAL. AND A COPY OF THE RULE 59(e)
MOTION

James Graham
JAMES GRAHAM #249255

cc: file

RECEIVED

MAY 23 2013

SC Court of Appeals

SOUTH CAROLINA COURT
OF APPEALS

RECEIVED
MAY 23 2013

JAMES GRAHAM #249257
EVANS CORRECTIONAL INSTITUTION
6010 HWY 9 WEST F1A-195
BENNETTSVILLE S.C. 29512

SC Court of Appeals
Motions for Reconsideration
are Prohibited.
See ALC Rule 65.

MAY 15, 2013

Clerk's Office
South Carolina Administrative Law Court
1205 PENNINGTON STREET SUITE 224
COLUMBIA S.C. 29201

RE: JAMES GRAHAM V. SCDC Docket No: 13-ALJ-04-0333
AP, Rule 59(e) motion.

DEAR HON. CLERK

Please find enclosed Appellant 59(e) motion.
CERTIFICATE OF SERVICE and this cover letter with
this request to have clock date-stamp-filed and
a copy to be returned to appellant. Thank you
IN ADVANCE

FILED

MAY 16 2013

SC ADMIN. LAW COURT

cc: file

James Graham
James Graham #249257

sworn to and subscribed before me
this 16th day of May 2013

C. J. Hooper
(Notary Public of South Carolina)

My Commission Expires Feb 9th 2020

STATE OF South Carolina
ADMINISTRATIVE LAW COURT

STATE OF South Carolina
COUNTY OF RICHLAND
JAMES GRAHAM 249255
APPELLANT.

Docket NO.: 13-AW-04-0333 AP
GRIEVANCE NO.: ECI 0410-13

Rule 59(E) motion

V.
SC, DEPT. OF CORRECTIONS
RESPONDENT

**Motions for Reconsideration
are Prohibited.
See ALC Rule 65.**

Now Comes James GRAHAM #249255 APPELLANT Seeking
RELIEF PURSUANT to SCCLV.P. Rule 59(e); RULES 59 NEW TRIALS;
AMENDMENT OF JUDGMENT, (e) motion to ALTER OR AMEND
JUDGMENT.

1. APPELLANT ASSERTS That His COMPLAINT was SUBMITTED to this
HONORABLE COURT FROM A FINAL AGENCY DECISION; WHICH IS
South Carolina DEPARTMENT OF CORRECTIONS (S.C. DE. medical
DEPARTMENT AT EVANS CORRECTIONAL INSTITUTION FURTHER APPELLANT
PURSUANT to S.C. CODE OF LAW (2012 SUPP.) §1-23-380 JUDICIAL
REVIEW UPON EXHAUSTION OF ADMINISTRATIVE REMEDIES, S.(a)
IN VIOLATION OF CONSTITUTIONAL OR STATUTORY PROVISIONS;
APPLICANT Has the RIGHT to FILE OF SAID RIGHTS, the ORDER OF
THIS HONORABLE ALC. ADDRESSES DISCIPLINABLE, NOT CONSTITUTIONALLY
GUARANTEED RIGHTS OF PRISONER, the ORDER DOES NOT PROPERLY
ADDRESS APPELLANT'S COMPLAINT.

2. APPELLANT ASSERTS His RIGHT to medical CARE & TREATMENT Has
been ABRIDGED, VIOLATED, UNFULFILLED BY SCSL.

CERTIFICATE OF SERVICE
This is to certify that the undersigned has this date
served this order in the above entitled action upon all
parties to this cause by depositing a copy hereof,
in the United States mail, postage paid, or in the emergency
Mail Service addressed to the party(ies) or their attorney(s).

This 17 day of May 2013
by 11 HJ

FILED

MAY 16 2013

been abridged, violated, unfulfilled by SCDC. Appellant's owed a duty by the South Carolina Department of Corrections SCDC that was created as an administrative agency duties delegated by the State Government pursuant SC Code of Law § 24-1-30 Department of Corrections created; functions. SCDC is responsible for proper care, treatment, feeding, clothing and management of the prisoners confined pursuant to § 24-1-130 management and control of prison system.

3. Appellant filed a grievance due to the medical treatment being discontinued, Appellant has his prostheses taken from him. Appellant was prescribed cane which was taken and replaced with a walker, both was taken and now has nothing. Appellant medical conditions were being treated and diagnosed by specialist but were discontinued by P.A. Schaller, Appellant was previously informed that he would be receiving treatment for Hepatitis (C) but was also denied once P.A. Schaller was employed D.R. Place of Evans Correctional Institutions medical department.

4. Appellant has sought medical treatment had medical treatment stopped or disapproved caused to suffer, denied medical care which has resulted, in difficulties, pain & suffering and cruel and unusual punishment, these are constitutional violations of State, United States & Federal Constitutional Right, neither grievance concerns any disciplinary proceeding.

5. Appellant's Issues and Complaint Have Not been
addressed. Appellant sees to have the order of the
of the ALJ, Reversed and altered OR Amended.
Appellant is entitled to Relief for the foregoing
Evidence and Reason stated above.

5-15-13

James Graham

James Graham 249255

sworn to and subscribed before me
this 16th day of May 2013

C. J. Hayes
(Notary Public of South Carolina)

My Commission Expires Feb. 9th 2020

CERTIFICATE OF SERVICE

Comes Now James Graham #349255 Hereinafter
Appellant, who, submits that He Has this day served
His 54(e) motion upon the Administrative Court
(ALC) And South Carolina Department of Corrections
(SCDC) by placing the same in the United State
mail, postage prepaid and addressed as follows:

1 Clerk's Office 2 SCDC GENERAL COUNSEL
South Carolina Administrative P.O. Box 21787
Law Court 4444 Broad River Rd.
1505 Pendleton Street, Suite 224 Columbia SC. 29221-1787
Columbia SC. 29201.

James Graham
James Graham 249255

Sworn to and subscribed
before me this 16th day of May 2013
NOTARY C. J. Hooper
Expires Feb. 9th, 2020

James Graham 249255
EVANS CARR. INST
616 Hwy 49 West F-1+A-195
Bennettsville S.C. 29512

MAY 15-13

SCDC, GENERAL COUNSEL

Please find enclosed appellant's 59(e)
motion which was filed in ALC.

With kind regards,
IREWAIN

James Graham
James Graham 249255

sworn to and subscribed before me
this 16th day of May, 2013
Chris. Hooper
(Notary Public of South Carolina)
My Commission Expires Feb. 9th 2020

cc: file

James GRAHAM #49255
EVANS CORR. INST F-1-A-18
6015 Hwy 9 West
Brewerth'sville SC 29512

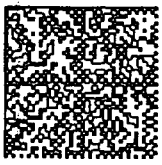
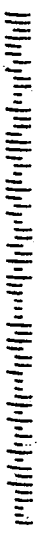
SOUTH CAROLINA OF APPEALS
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SCDC

JUN 22 2013

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