

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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OCT 18 2022

SC Court of Appeals

The State,

Respondent,

vs.

Kevin E. Herrriott,

Appellant.

APPELLATE CASE No. : 2019-000969

MOTION FOR LEAVE TO
HOLD CASE IN ABEYANCE

NOW COMES APPELLANT KEVIN E. HERRIOTT, HEREBY,
MOVES THIS HONORABLE COURT ASKING TO GRANT AN ORDER
TO HOLD CASE IN ABEYANCE UNTIL THE RENDERING OF
APPELLANT'S INITIAL BRIEF.

THE APPELLANT AVERS THAT HE IS ~~IN~~ A LOW
RESTRICTIVE HOUSING UNIT OF NO FAULT OF HIS OWN AND
HAS MINIMUM OF PROPERTY IN HIS CELL. THE APPELLANT

Behavior Assessment Unit (BAU)

BAU Appraisal Notice

TO: Herriott, Kevin T97826

FROM: Superintendent Divris / NCCI Gardner
Name / Facility

Date: 10/5/2022

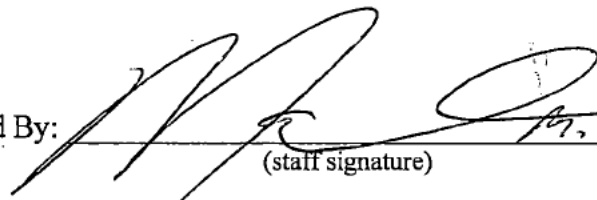
RE: Placement in the Behavior Assessment Unit (BAU)

Placement in the Behavior Assessment Unit (BAU) occurs when an inmate presents an unacceptable risk to the safety, security, or orderly operation of a correctional facility. On 10/4/2022 you were placed in the BAU due to:

Pending Investigation.

The purpose of placement in the BAU is to understand what contributed to this behavior and identified risk, and to make a placement decision that works to lower that risk. While in the BAU you will undergo an appraisal process so that the best decision can be made to address your identified needs and lower the above-mentioned risk. While the appraisal process is informed by the behavior that led to your placement in the BAU, which might include a disciplinary or investigative process, completion of the appraisal is not dependent on the resolution of such processes.

As part of the appraisal process, the Interdisciplinary Appraisal Team (IAT) will consider your individual strengths, needs, abilities, and preferences in the context of this behavior. This will include a review of your adjustment patterns, which may relate to engagement in programming, regular visits or communication with community supports, housing changes (between facilities/within the facility), recent incident reports, and recent or patterns of disciplinary reports (both formal and informal). The IAT may also review previously completed assessments (i.e., COMPAS, TCUD, etc.), current medical and mental health needs, substance use needs, and any other information that may help the IAT in making appropriate recommendations.

Delivered By:  ^{CPD}
(staff signature) Mr. Syms Date: 10/5/22 Time: 1:00pm

Acknowledgment of Receipt: _____ Date: _____ Time: _____
(inmate signature)

Kevin E. Herrisatt
T97826
NCCI - Gardner -
BAU # 2

October 13, 2022

SGT. Jefferson
Property Department

Re: Legal Access To Legal Property

Mr. Jefferson:

I spoke with you last week Thursday. I am still waiting on my legal property. I need three manilla envelopes that has no distinct marks on them which are plain. Inside is my transcript, reply briefs, and Respondent's briefs. Two briefs are red in color.

I also need one large manilla envelope that has the markings or postmark (white) that reads S.C. Attorney General Office. This manilla envelope (envelop) has three to four regular size manilla envelopes inside it with other legal papers. The Manilla envelope is tear open at the seams up top.

I have a twenty day dead-line to respond to the Courts and I have no legal property. Also in my bed roll was absent a deodorant stick and soap would you send some of those out my property that was packed on the 4th day of October, 2022.

All my legal supplies that I just requested was packed on October 4, 2022

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SC Court of Appeals

Appeal from Lee County
Honorable R. Ferrell Cothran, Jr., Circuit Court Judge
Appellate Case No.: 2019-000 969

The State,

Respondent,

v.

Kevin E. Herrriott

Appellant.

PROOF OF SERVICE

I, Kevin E. Herrriott, certify that I have served the foregoing instrument upon all Parties to include the Clerk of this Court.

10/14/2022

Date

1st Kevin E. Herrriott
Kevin E. Herrriott

Kevin E. Herriott, # T97826

NCCI - Gardner

Post Office Box 466

Gardner, MA 01440

BOSTON MA 020

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SC Court of Appeals

V. Clare Allen, Chief Deputy Clerk

Clerk's Office

S.C. Court of Appeals

1220 Senate Street

29201