

The South Carolina Court of Appeals

John E. Wilson, Jr., #295493, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2012-212866

RECEIVED

JUN 17 2013

ORDER

S.C. SUPREME COURT

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

Paul E. Short, Jr.

J.

Paul W. Thomas

J.

Daniel G. Pieper

J.

Columbia, South Carolina

FILED

5-17-13 AS

cc:

John E. Wilson, Jr., 00295493

Steven Barry Johnson

Christopher D. Florian



Appeal Court
ORDER

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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May 17, 2013

John E. Wilson, Jr., 00295493
Lee Correctional Institution
990 Wisacky Highway
Bishopville SC 29010

Re: John E. Wilson, Jr., #295493 v. SCDC
Appellate Case No. 2012-212866

Dear Counsel:

Enclosed is a copy of an order regarding your motion in the above case. The remittitur will be sent as provided by Rule 221(b), SCACR.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Steven Barry Johnson
Christopher D. Florian

Common Pleas
ORDER

STATE OF SOUTH CAROLINA
COUNTY OF LEE

) IN THE COURT OF COMMON PLEAS
) IN THE THIRD JUDICIAL CIRCUIT
) C.A. NO.: 2011-CP-31-00069

John E. Wilson, Jr., # 295493,

Plaintiff,

v.

South Carolina Department
of Corrections;

Defendant.

ORDER
RECEIVED

JUN 17 2013

S.C. SUPREME COURT

This matter is before the Court on Defendants' Motion for Summary Judgment. A hearing on the motion was held in the Lee County Court of Common Pleas on June 29, 2012. John E. Wilson, Jr., # 295493 (hereinafter referred "Plaintiff"), a *pro se* litigant, appeared on behalf of himself. Steven B. Johnson appeared on behalf of Defendants South Carolina Department of Corrections (hereinafter referred "Defendants"). After hearing oral arguments and reviewing the briefs submitted on behalf of both the Plaintiff and Defendants, for the reasons state herein below, the Defendants' Motion for Summary Judgment is granted. All other motions currently pending, if any, are denied and this case is dismissed with prejudice.

FACTS

Plaintiff is currently incarcerated at Lee Correctional Institution. He filed this lawsuit with the Richland County Court of Common Pleas on or about April 9, 2010. The case was transferred to the Lee County Court of Common Pleas on or about March 23, 2011. A Motion to Dismiss or in the alternative, Motion for Summary Judgment was filed by the Defendants on or about February 2, 2012.

At all times relevant to the Plaintiff's Complaint, Plaintiff was incarcerated at Lee Correctional Institution. Plaintiff's first cause of action alleges Plaintiff suffered injuries to his head, neck and back as a result of a slip and fall injury while on his way to the shower on October 9, 2008. Plaintiff alleges he suffered injuries to his head, neck and back and emotional distress as a result of the fall. Also, Plaintiff alleges Defendants did not provide adequate medical treatment after Plaintiff's alleged injuries. Finally, Plaintiff claims Defendants did not follow its own grievance policies and procedures. The Plaintiff has filed this action pursuant to the South Carolina Tort Claims Act, § 15-78-10, et seq. Defendants deny the claims asserted by Plaintiff and move for summary judgment.

ANALYSIS

I. THE PLAINTIFF IS PRECLUDED FROM PREVAILING IN THIS ACTION UNDER THE SOUTH CAROLINA TORT CLAIMS ACT.

The South Carolina Tort Claims Act provides the exclusive remedy for any tort committed by an employee of a governmental entity in the State of South Carolina. S.C. Code Ann. § 15-78-70(a). A governmental entity includes political subdivisions and agencies thereof. See S.C. Code Ann. §§ 15-78-30(a), (c), (d), (h) (defining "agency," "employee," "governmental entity," and "political subdivision"). However, employees of a governmental entity who commit a tort while acting within the scope of their official duties are not liable, except in cases involving acts against their official duties or those constituting actual fraud, actual malice, intent to harm, or crimes involving moral turpitude. Id. and S.C. Code Ann. § 15-78-70(b). Thus, the governmental employee cannot be sued directly unless one of the aforementioned exceptions applies. See id. The Act states that its provisions "must be liberally construed" in favor of limiting liability. S.C. Code Ann. § 15-78-20(f).

Here, Defendants, although not specifically named, were employees of SCDC, a governmental entity under the Tort Claims Act. Thus, for an action to be properly brought against them, Plaintiff must allege Defendants' conduct "was not within the scope of [their] official duties or that it constituted fraud, actual malice, intent to harm, or a crime involving moral turpitude." S.C. Code Ann. § 15-78-70(b). Plaintiff fails to allege any of these grounds by specific reference thereto or by alleging facts tending to support an action on one or more of these grounds. While the Plaintiff alleges that Defendants generally were responsible for his alleged plight, he makes no showing whatsoever that they performed outside the scope of their official duties, that they committed any acts of fraud, were malicious towards him or intended to harm him, or engaged in crimes of moral turpitude. Under the terms of the Tort Claims Act, these individuals clearly have no personal liability to the Plaintiff.

Also, regarding any liability which the Plaintiff would assert against the South Carolina Department of Corrections as an entity, the Department is similarly protected. Pursuant to the South Carolina Tort Claims Act, a governmental entity is not liable to a prisoner or an inmate except in circumstances of gross negligence. Gross negligence is the intentional conscious failure to do something which is incumbent upon one to do or the doing of a thing intentionally that one ought not to do. Etheridge v. Richland School District 1, 341 S.C. 307, 310, 534 S.E.2d 275, 277 (S.C. 2000). Plaintiff has failed to allege or meet his burden in showing any South Carolina Department of Corrections' employee acted with gross negligence. Accordingly, there is no intentional or conscious failure to do something necessary, nor was anything intentionally done which should not have been done by the Department or its employees. It cannot be said that prison officials failed to exercise slight care at any time during the Plaintiff's alleged wrongs.

Also, regarding any acts performed by individuals in responding to or processing Plaintiff's

grievances, the Department is protected. Any acts performed by individuals in considering grievances are clearly quasi-judicial in nature. See S.C. Code Ann. § 15-78-60(1) (a governmental entity is not liable for a loss resulting from "...quasi-judicial action."). The Tort Claims Act specifically provides that no liability exists when the exercise of discretion or judgment by the governmental entity or employee for the performance or failure to perform any act or service which is in the discretion or judgment of the governmental entity or employee. S.C. Code Ann. § 15-78-60(5).

Moreover, even if any Departmental regulations were not followed, the Department of Corrections has no liability to the Plaintiff for the failure to properly enforce any of its regulations or written policies. S.C. Code Ann. § 15-78-60(4) (a governmental entity is not liable for a loss resulting from failure to enforce or comply with any regulation or written policy). In this action, the Plaintiff makes numerous references in his Complaint to allege failures to follow departmental regulations and policies. Based on § 15-78-60(4), there is no liability for such acts or omissions, even if they occurred.

Finally, Plaintiff has not adequately shown he suffered any damages. Plaintiff was able to walk on his own unassisted after being evaluated by medical staff after his injury. See Defendants Memorandum In Support of Motion For Summary Judgment, Exhibit "B", Dr. Drago Aff. and attached medical notes. Plaintiff has not provided any evidence quantifying his damages suffered. "Even though *pro se* litigants are held to less stringent pleading standards than attorneys the court is not required to 'accept as true legal conclusions or unwarranted factual inferences.'" Morgan v. Church's Fried Chicken, 829 F.2d 10, 12 (6th Cir. 1987).

In summary, SCDC nor any named employee in Plaintiff's Complaint has any liability to the Plaintiff pursuant to the South Carolina Tort Claims Act inasmuch as they are protected by the

exceptions to the Tort Claims Act, as enumerated above. The Plaintiff was not treated with any gross negligence whatsoever. Therefore, SCDC nor any named employee in Plaintiff's Complaint has any liability to the Plaintiff and this case must be dismissed as Plaintiff has failed to meet his burden of gross negligence.

II. PLAINTIFF'S CAUSE OF ACTION REGARDING ALLEGED INADEQUATE MEDICAL TREATMENT FAILS.

Plaintiff alleges he was provided with inadequate medical treatment by Defendants or that the medical treatment amounted to medical malpractice. According to Rule 56(e) of the South Carolina Rules of Civil Procedure, in responding to a Motion for Summary Judgment, a Plaintiff may not "rest upon the mere allegations or denials of his pleadings, but his response ... must set forth specific facts showing that there is a genuine issue for trial." The South Carolina Court of Appeals has further stated that "[t]he party seeking summary judgment has the initial responsibility of demonstrating the absence of a genuine issue of material fact ... [t]his initial responsibility 'may be discharged by showing - that is, pointing out to the [in trial] court - that there is an absence of evidence to support the non-moving party's case.'" Richardson v. State - Record Co., Inc., 330 S.C. 562, 566, 499 S.E.2d 822, 824 (Ct. App. 1998) (quoting Celotex Corp. v. Catrett, 477 U.S. 317 (1986)).

In order to satisfy the burden of proof in a medical malpractice case, the South Carolina Supreme Court has previously held:

The plaintiff uses expert testimony to establish both the required standard of care and the defendant's failure to conform to that standard, unless the subject matter lies within the ambit of common knowledge and experience, so that no special learning is needed to evaluate the conduct of the defendant.

Pederson v. Gould, 288 S.C. 141, 142, 341 S.E.2d 633, 634 (1986); see also David v. McLeod Regional Medical Center, 367 S.C. 242, 248, 626 S.E.2d 1, 4 (2006).

The principle that experts are generally required in medical malpractice has been affirmed numerous times by South Carolina courts. Additionally, the Court of Appeals clarified the issue, stating “on a defendant’s motion for summary judgment, there will usually be no genuine issue of material fact unless the plaintiff presents expert testimony on a standard of care and its breach by the defendant.” Jernigan v. King, 312 S.C. 331, 334, 440 S.E.2d 379, 381 (Ct. App. 1993). This is in accord with the Supreme Court’s view that in South Carolina, “medical malpractice actions require a greater showing than generic allegations and conjecture.” David, 367 S.C. at 249, 626 S.E.2d at 4. Thus, “summary judgment is completely appropriate when a properly supported motion sets forth facts that remain undisputed or are contested in a deficient manner.” Id., 367 S.C. at 250, 626 S.E.2d at 5.

In the present case, the Plaintiff has specifically alleged that Defendants, through its agents, breached the appropriate standard of medical care, yet has failed to provide the court with expert testimony on the standard of care or its breach by the Defendants. Dr. Drago is a medical doctor who reviewed Plaintiff’s medical records. He has filed an affidavit in response to the allegations made within the Plaintiff’s Complaint and has confirmed that Defendants acted appropriately and provided medical treatment in accordance with the acceptable standard of care. The record before the Court shows that Plaintiff was afforded adequate and proper treatment. See Defendants’ Memorandum In Support of Motion For Summary Judgment, See Exhibit “B”, Dr. Drago, Aff. and attached medical records. Id. Treatment included precautionary immobilization, x-rays, MRIs and medication management. Id.

Additionally, the record shows Plaintiff was provided numerous medical examinations and medical attention almost weekly. Plaintiff alleges he was not provided with adequate medical care, yet the record shows Plaintiff has had ample consultations and services. Id. Plaintiff cannot simply

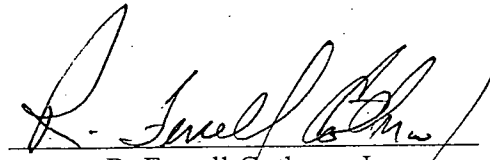
allege in a conclusory fashion that he did not receive adequate medical care or attention, provide no supporting evidence, and expect to survive summary judgment. Papasan v. Allain, 478 U.S. 265, 286, 106 S.Ct. 2932 (1986) (courts need not assume the truth of legal conclusions couched as factual allegations)).

Rather, Plaintiff's Complaint is that medical personnel refused to provide him with the care and treatment he personally desired. Such allegations are not sufficient to allow this lawsuit to proceed. Wright v. Collins, 766 F.2d 841, 849 (4th Cir. 1985) (Disagreements between an inmate and a physician over the inmate's proper medical care do not state a claim absent exceptional circumstances.)). Plaintiff's personal opinion notwithstanding, nothing in the evidence and exhibits before the Court give rise to a genuine issue of fact as to whether anyone was deliberately indifferent to Plaintiff's serious medical needs. See Scheckells v. Goord, 423 F. Supp.2d 342, 348 (S.D.N.Y. 2006) (citing O'Connor v. Pierson, 426 F.3d 187, 202 (2d Cir. 2005) ("Lay people are not qualified to determine...medical fitness, whether physical or mental; that is what...medical experts are for.")). While Plaintiff may not agree with the extent and nature of the medical care he received, he cannot simply allege in a conclusory fashion that he did not receive adequate medical care or attention, otherwise provide no supporting evidence other than his own subjective opinion, and expect to survive summary judgment, particularly when the Defendant has submitted documents and evidence from a medical professional which refutes his claims. See House v. New Castle County, 824 F.Supp. 477, 485 (D.Md. 1993).

Given the Plaintiff's failure to identify an expert in support of his allegations in this case, as well as failing to provide an affidavit setting forth how the Defendants' breached the standard of care, Plaintiff fails to state a claim for which relief can be granted.

THEREFORE, it is the ruling of this Court that all causes of action alleged as to the South Carolina Department of Corrections and any individual Defendants named therein, in their official and/or individual capacity, are hereby dismissed with prejudice, and the Defendants' Motion for Summary Judgment is **GRANTED**.

AND IT IS SO ORDERED!



R. Ferrell Cothran, Jr.
Circuit Court Judge,
Third Circuit of South Carolina

At Chambers,

Aug. 24, 2012

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Petition

CERTIORARI TO LEE COUNTY
The South Carolina Court of Appeal

John L. Wilson Jr.,

PETITIONER,

v.
South Carolina Department
of Correction¹⁰ (SCDC),

RESPONDENT,

PETITION FOR WRIT OF CERTIORARI

John L. Wilson Jr.
Petitioner



John L. Wilson Jr. #293493

LEE-C-I-SMU-SOUTH #131

910 Wiscoby Hwy

Bishopville, SC, 29010

Pro-Se Petitioner

INDEX

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ISSUE PRESENTED

Did the South Carolina Court of Appeals
Properly Denial Petitioner Appeal For an Jury Trial
in his Civil action For Lack of Material Fact's
and Principle of Law; As to render The Department
of Correction's (SCDC), An right to Summary
Judgement?

STATEMENT

- John L. Wilson Jr., # 295413 (Petitioner) is currently incarcerated at Lee Correctional Institution.
- He filed this lawsuit with the Richland County Court of Common Pleas on or about April 9th 2010.
- The case was transferred to Lee County Court of Common Pleas on or about March 23rd 2011.
- A motion to dismiss or in the alternative, Motion for Summary Judgment was filed by the Defendant^(s) (scdc) on or about February 2nd 2012.
- An Order by the Honorable B. Ferrell Cochran Jr., Circuit Court Judge for the Third Circuit of South Carolina on August 24th 2012; Granted Summary Judgment for the Defendant^(s) (scdc).
- On September 06th 2012; Petitioner timely Appeal the granting of Defendant^(s) (scdc) Motion for Summary Judgment in an §15-78-10 et seq; Grossly Negligence Act of the South Carolina Tort Claim Act, to the South Carolina Court of Appeal^(s).
- On May 17th 2013; Petitioner Appeal was Denied ("Case No.: 2012-212866") for lack of Material Fact or Principle of Law, with in the South Carolina Court of Appeal^(s).
- This Petition for Writ of Certiorari timely Follow^(s):

ARGUMENT

The South Carolina Court of Appeals' Error in denial of Petitioner Appeal As Petitioner held that Genuine Issue(s) of material fact existed as to whether (SCN) alleged Negligence was proximate cause of injuries suffered by Petitioner, Precluding Summary Judgment as an matter of law.

• Petitioner on October-9th 2008, was being escorted to the shower area in the "Special Management Unit" (SMU), by Officer Parlier.

• Petitioner slip and fall in the out coming sewage water injuring his neck, back, and head causing him mental anguish.

• Petitioner was escorted to medical on October-9th 2008; by security officer(s).

• X-Ray(s) was order on November-7th 2008, with an conclusion that narrowing is noted at the (L5/S1 Disc) space with slight rotational change(s) demonstrated.

• On October-29th 2008; Petitioner was given extensile medication till this date for pain and the injury(s) sustain.

• On November-13th 2009; Petitioner was then issued an Elastic Back Support for his back due to Forward Flexion Problem(s).

• Petitioner was then seen and X-Ray(s) ordered on or about November-21st 2009, showing around January-6th 2010; L5 spine X-Ray(s) demonstrated narrowing along with popping noise during Forward Flexion.

• On April 9th 2010; Petitioner filed his suit in an styled Complaint under the §15-78-10 et seq; South Carolina Tort Claim Act.

• Petitioner asserts^(s) under §15-78-60(25); to the South Carolina Court^(s) of Appeal that by §15-78-60(25), (Exception^(s) to Waiver of Immunity: "Responsibility or duty including but not limited to supervision, protection, control, confinement, or custody of any student, patient, prisoner, inmate or client of any governmental entity, except when the responsibility or duty is exercised in a grossly negligent manner.")

• Petitioner asserts^(s) that an genuine issue of material fact exists^(s) as (SCDC) Defendant^(s) know that an issue was stated to be at hand dealing with the shower & sewage system. (SEE: Attachment # (1), Dated: September-8th 2008).

• Petitioner asserts^(s) that on: October 9th 2008; Petitioner slip and fall into the sewage water as was escorted to the shower in restraints (hand cuff^(s)) behind his back by Officer Parther. (SEE: Attachment: # (2) Dated: October-16th 2008 Report)

• Petitioner asserts^(s) that Officer^(s) of (SCDC) Security Staff removed Petitioner after slipping and falling in sewage water and brought him to medical slumped in an wheelchair. (SEE: Attachment # (3) Dated: October-9th 2008, Medical Report)

• Petitioner asserts^(s) that Security Officers^(s) violated I^(s) own established policy by remaining Petitioner in relation^(s) to an spinal injury. (SEE: Attachment: # (4) (SCDC) HS-18.02, Emergency Care November-1st 2006 Policy)

• Petitioner asserts that after petitioner was removed by officer and transported to medical in an wheel chair, X-Ray was ordered day later. Report was received on October-29th 2008, showing injury was sustained to Petitioner (L5 & L3 Disc) to his Lower Spinal area. (SIX: Attachment: # (3) X-Ray Medical Report)

• Petitioner asserts that due to his slip & fall; there were no water safety mats to furtherly stop Petitioner fall. (SIX: Attachment: # (6) Dated: 10-14-08)

• Petitioner asserts even after his injury, Defendant still failed to fix the sewage system until it flooded the whole (SMU) running into rooms & main control area. (SIX: Attachment: # (7) Dated: 11/6/08 & filed by Fire Safety Lieutenant Crawford)

• Petitioner asserts that due to his injury Petitioner have to undergo extensive medication due to his slip & fall. (SIX: Attachment: # (8) Medication Administration Record)

• Petitioner asserts that till this date that he has too wear an back support sustained by his injury. (SIX: Attachment: # (9) Dated: 11/13/09 Equipment Issue)

• Petitioner asserts by an Expert Witness of Division of Medical and Professional Health Services, that Petitioner still show Reporting of injury from his slip and fall. (SIX: Attachment # (10) Physician's Transfer Note or Consultation)

• Petitioner asserts that Policy (15-18.02(22.1)) was active during Petitioner fall. Petitioner asserts that None of the Officer held license in medical to move Petitioner. Petitioner asserts that he still undergo treatment for his injury till this date. (SIX: Attachment: # (11) Defendant Answer to Interrogatory)

• Petitioner furtherly state^s that statement^s from Inmate^s whom scoped the event as Petitioner Fall and Officer^s conduct; was furnished to Petitioner for statement. (SEE Attachment: (12) Witness Statement)

• Petitioner state^s for the foregoing reason^s by way of his material fact^s, that the South Carolina Courts of Appeal Error in denial of his Rehearing for an Oral Trial.

• Petitioner state^s by: §15-78-30 et seq. by (SCDC) being the "Agency" (§15-78-30 (a)); that he sue the South Carolina department of Correction^s where 9th employee of a state acted Negligently in the performance of his Job; the tort claim act requires the Petitioner to sue the agency for which an employee works^s, rather than suing the employee directly. "Platacu v. Harrison" (SC App. 2003) 2003 WL 21373727 state they 78;...

• Petitioner state^s that (SCDC) know of the sewage malfunction as warranted in Attachment # (1), from: September-8th 2008; until Date: October-9th 2008; when Petitioner sustained his injury^s. Due too (SCDC) knowing the default, (SCDC) would be held liable. SEE: Delgado-Bronet v. Clark, 93% 3d 339 (1996) ("Before Prison official can be held liable for violating duty to ensure humane condition^s of imprisonment, He must both be aware of facts from which inference could be drawn that substantial risk of serious harm exist^s, And he must also draw inference.")

• As Petitioner formerly point^s to the Attachment # (1); from which (SCDC) know of the default and failed to fix the issue after it was incumbent upon one to do; Petitioner state^s that was the

Proximate Cause of his injury.

• Proximate cause requires proof of both causation in fact, and legal cause. "Causation" in fact is proved by establishing the injury would not have occurred "but for" the Defendant's negligence. "Whitaker v. Hooper Co., 306 S.C. 31, 410 S.2d. 251, 253 (1991) (quoting "Bramlette v. Charter Medical Columbia", 302 S.C. 68, 74, 393 S.2d. 914, 916 (1990)).

• Petitioner asserts by (SCDC) negligence; And its negligence in failing to fix the sewage issue once it was addressed to staff; that if the sewage system would have been fixed as addressed (1) one month and (2) one day before Petitioner slip and fall; Petitioner injury from his slip and fall would not have occurred.

• Legal cause is proved by establishing "foreseeability". The standard by which foreseeability is determined is that of looking to the natural and probable consequences of the complained of act. "Hougen v. Tide Craft, Inc., 270 S.C. 433, 462, 242, S.2d. 671, 673 (1978):

• Petitioner asserts it is enough that (SCDC) Defendant should have contemplated the probable happenings of some accident of this kind, inflicting bodily injury to Petitioner which ought to have been guarded against; and the door of the act cannot shelter himself behind the defense that the actual consequence was that rarely follows from that particular act. (SCDC) Defendant may be held liable for anything which, after the injury is complete, appears to have been a natural and probable consequence of

his act or omission". Furthermore, legal Cause is ordinarily a question of fact for the jury. Only when the evidence is susceptible to only one inference does it become a matter of law for the court. "Matthews v. Porter", 239 S.C. 620, 124 S.E. 2d 321 (1962).

• Petitioner asserts Even by Attachment # (2); officer that Escort Inmate to the shower in Restraint, have full knowledge on an daily base of the consequences that could take place.

• Petitioner set forth in Attachment # (3); that (SCDC) Defendant's being Security Officer, should not have transported Petitioner in an "wheelchair" to medical when it is well established that medical is to deal with spinal injury Inmate at all time.

• Petitioner state that (SCDC) Defendant's once had mole Petitioner; it Breach it's duty by going outside of their official duty to cause harm or to intentionally cause bodily injury. For that cause; if Defendant's would have not removed Petitioner, But had followed it's own Rule and regulation as set forth in Attachment # (4); Petitioner would not have sustained those injury's being the proximate cause of (SCDC) Petitioner to follow it own policy.

• In compliance with the Accord's Doctrine, an agency of the government must scrupulously observe Rules, Regulations or procedure's which it has established. When it fails to do so, it's action's can not stand and court's will strike it down. "Us. v. Morgan", 193 F. 3d. at 267.

• "Austin v. Hopper", 15 F. supp. 2d. 1210, 1244, 1246 (1998). As well as the record in this case, indicate that this important provision of the regulation was frequently ignored by correction's officer's.

• For that cause (SCDC) Defendant had breach
946 duty and by §15-78-30 (b) (on account of loss); Petitioner
had brought his suit for an "claim" against (SCDC) Defendant.
Under South Carolina law, a court Responsibility when
Presented with a motion for Summary Judgment is only
to determine whether a duty was owed to the Plaintiff
by the Defendant. "Miller v City of Camden", SC, 281, 523.2d. 401
(Sc. App. 1994).

Petitioner asserts that (SCDC) owe Petitioner
an Duty of Care as Petitioner is in the Controlled Custody of
(SCDC). Gross Negligence, as well allow governmental entity to
be held liable for loss resulting from 946 licensing power's or
Yonction's under exception to Sovereign Immunity, is the
Failure to exercise slight care, or the Intentional, Conscious
Failure to do something which it is incumbent upon one
to do, or the doing of a thing intentionally that one ought
not to do. "Palmer v South Carolina Dept. of Highway and
Public Transp", 323 SC. 227, 473, 523.2d. 890 (Sc. App. 1996).

• Petitioner asserts that under §15-78-30(c)
as Defendant's being "Employee" or in service of a governmental
entity in the scope of official duty; That (SCDC) are not given
immunity under §15-78-70 (b); ("Employee" conduct was not within
the scope of his official duties or that it constituted actual
fraud, actual malice, intent to harm, or a crime involving
moral turpitude.

• Petitioner further asserts that (SCDC)
did bring forth the intent to harm after throwing Not to make
an injured spinal inmate, and for that cause; If the court
determines in a negligence action that a duty exists, the
Jury's Yonction is to determine whether a breach of that
duty has occurred, resulting in Damage's. "Larkin v. Bilo Inc,
SC 523, 523.2d. 481 (Sc. App. 1994). With regard to Defendant (SCDC)

It is unarguable they have a duty to adequately supervise and control their institution¹⁰ and those housing unit¹⁰ within such. "Jackson", 301 S.C. at 127... Also "That duty being absolute, it is the plaintiff's right to have a jury determine whether that duty was breached." "Fall v. South Carolina Dept. of Juvenile Justice", 366 S.E.2d 336 (2002). "South Carolina Court¹⁰ held not exempted (S.C.D.) from this standard of liability." "Jackson v. South Carolina Dept. of Correction¹⁰", 301 S.C. 123, 390, S.E.2d 467 (S.C. App. 1989). "Prison Superintendent or Warden, with policy making authority can be held liable for operating prison with unsanitary and inhumane conditions." "Hitt v. Ferguson", 750 F. Supp. 1014, Aff.irmed, 930 F.2d 723 (1990).

Petitioner asserts¹⁰ By Attachment#(5), that by petitioner being maled by defendant¹⁰, that he sustained injury¹⁰ in that proximate act, creating and causing an loss by §15-78-30(E) ("means¹⁰ bodily injury, pain and suffering, and mental anguish). Due to the Occurrence of the Sequence of events¹⁰ which proximately flow from a single act of Negligence §15-78-30(G); of petitioner fall due to the constant flow of water from sewage and no safety mats¹⁰ to stop petitioner fall. SEE: Attachment#(6) & (7)... Petitioner due to (S.C.D.) defendant¹⁰ failure to protect & bring forth an adequate Resolution to Remedy the Sewage System, And for his¹⁰ failure to follow his¹⁰ own regulations¹⁰ to call medical after petitioner slip & fall; petitioner is unable to bend or move as he once had; And is till this date, warranted and ginkered to wear an Back Support for his loss and have to undergo medication. SEE: Attachment#(9) & (10)... Petitioner asserts¹⁰ that medical Policy¹⁰ was active during the time of petitioner slip and fall that (S.C.D.) defendant¹⁰ was to follow, Nor was Defendant¹⁰ an

medical licensed function to properly deal with petitioner spinal injury as (SCDC) defendant's place petitioner into an wheel chair as petitioner was to be motion onto an stretcher with an soft collar applied to his neck area to prevent further injury's. This is what security (Defendants) would not know and that is what Rule's and Regulation's is for to prevent issue's as this; And for that rule or policy not being followed; (SCDC) had breached it's duty. For that cause; petitioner is still dealing with pain & suffering of his injuries along with mental anguish; SEE: Attachment: (11).

• Lastly, petitioner asserts that Even if (SCDC) Defendant's did not know the policy as mandated; By their action's in moving petitioner after his slip & fall; Petitioner even during his suffering, constructively Requested many of time's Not to move or touch him due to the pain, and he further Requested many of time's for Defendant's to get medical. SEE: Attachment: (12), as witnessed by many inmates as those inmates had directed for the Defendant's Not to move petitioner, but to call for medical for aid. By the foregoing issue; and the many attachment's; Defendant's had constructive knowledge of the danger and the injury's that could be sustained by the conditions and their action's and in-action's in their care for petitioner.

• Petitioner asserts that "Summary Judgment is appropriate only when there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law. Fed. R. Civ. P., 36(c)..... Petitioner have shown & entered into Exhibits during his June-29th 2012; hearing for an finding of an material and genuine issue for an Requested Jury trial.

The Lee County Court of Common Pleas and the South Carolina Court¹⁵ of Appeal Directly; When it was provided with the same Attachment¹⁵ of Petitioner (36) thirty six remaining attachment¹⁵ and exhibits¹⁵ that was provided to the Lee County Court¹⁵ during Petitioner hearing.

• Petitioner cite¹⁵: "The fact and Inferences to be drawn from the fact¹⁵ must be viewed in the light most favorable to the Non-Movant party, and this party is entitled to have the credibility of his evidence as fore cast assumed, his version of all that is in dispute accepted, and all internal conflict¹⁵ in it resolved favorably to him." Miller v. Leathers, 93 Fed. 1083, 1087 (4th Cir. 1900).... The Court is not to weigh the evidence, but rather to determine if there is a genuine issue for trial. "Anderson v. Liberty Lobby, Inc.; 477 US 242, 249, 106, Sct. 2303 (1986)..... In determining whether any triable issue¹⁵ of fact exist¹⁵, as required to support summary judgment, Court must view evidence and all inferences which can be reasonably drawn there from in light most favorable to Non-Movant party. Further, where a party argues in support of his motion for summary judgment that the opposing party has not set forth specific fact¹⁵ showing that there is a genuine for trial, but has set forth¹⁵ to show the absence of a genuine issue of fact, he is not entitled to summary judgment." Garborough v. Rogers¹⁵, 52, 211, 52, 21, 424 (3c. 1911).

• Petitioner Proved beyond an Reasonable doubt, that he had shown forth material fact and principle of law. "Oliver v. Dept. of Hwy. & Public Transp", 422 S2. 2d. 128 (sc. 1992).... Petitioner assert¹⁵ There are triable issues of fact that show¹⁵ material fact¹⁵. "Clement v. Gomez", 298 7. 3d. 848 (9th Cir. 2002)..... Petitioner assert¹⁵

that (Sc.Dc) shall Not hold Sovereign Immunity to be immune from their action⁶⁾ and inaction⁶⁾, see: "McCall by Andrews v. Barton", 329 S.2d 741 (Sc. 1985). . . . And that in ruling on a motion for summary judgment, a trial court must give the opposing party the benefit of all reasonable doubts and favorable inferences that may be drawn from the evidence. "Stephens v. Stephens", 239 La. 328, 238 S.2d 71 (1977). Applying that principle, we hold that there remain in this case question⁶⁾ of material fact regarding the circumstances of the Dues of (Sc.Dc) and Petitioner slip and fall and the respective responsibilities of the parties. "Gar v. Barnard", 348 S.2d 733 (La. App. 1986). . . . Petitioner has shown evidence and Petitioner Attachment⁶⁾, with expert, created a factual question as to whether the damage and injury⁶⁾ was caused by (Sc.Dc) Defendant⁶⁾ negligence and that is the breach of duty as material fact⁶⁾. Furthermore, Summary Judgment should not be granted unless it appears, without dispute, that Petitioner had no evidence as material fact for jury trial. "Crast v. Walcox", 348 S.2d 894 (La. App. 1986).

• Petitioner have an Quarental Right by his (1st) First Constitutional Amendment, to petition the Government for redress of his claim. And as guaranteed through his (14th) Fourteenth Constitutional Amendment as Petitioner being a person born in the United States⁶⁾; he have an Constitutional Right not to be abridged of his life, liberty or property without due process without the equal protection of law; As he had been deprived of his liberty to be free from cruel and unusual punishment inflicted in the nature of (Sc.Dc) Defendant⁶⁾ Grossly Negligent act⁶⁾, Prohibited by the (8th) eighth Constitutional Amendment and the South Carolina Tort Claim Act §13-78-10 et. seq;

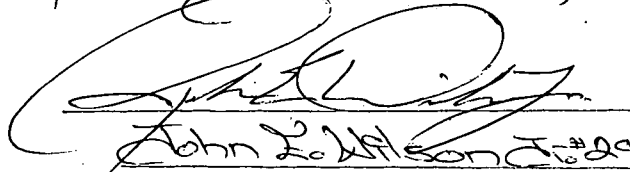
• Petitioner etc^o his Guarantee Constitutional Right, Guaranteed by his (7th) Seventh Amendment, As Material Fact^o Exist^o in his CIVIL Action to Warrant an Jury Trial as Petitioner make suit against (SCDC) Defendant^o in the Amount of \$250,000^o Dollar^o (Two Hundred and Fifty Thousand Dollar^o) For (SCDC) Defendant^o breach of duty, by going out side of the scope of their official Duty §15-78-60(25), Causing the proximate cause of Petitioner injury in resulting in his loss §15-78-30(e), As an intent to harm §15-78-70(b), as they (SCDC) constitute gross negligence, Recklessness, Willfulness or Wantonness Sustained by Defendant^o (SCDC) action^o and Inaction^o. And For that cause; (SCDC) Defendant^o; should Respond in damage^o provided by §15-78-10 and §15-78-120 et. seq., of the South Carolina Tort Claim Act in the amount Requested or by an deemed Verdict by the Jury.

• In suit^o at Common law, Where the value in controversy shall exceed \$20 dollar^o, the Right of Trial by Jury shall be preserved; and no Fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the Rules of the Common law; VII Amendment (7th) Amendment. SEE: "Baile v. South Carolina Dept. of Juvenile Justice", SC, 366, 52^o 2d. 336 (2002); That duty being absolute, it is the plaintiff's right to have a jury determine whether that duty was breached. quoting "Miller v. City of Camden", 451, 52^o 2d. 401 (sc. App. 1994) also "Anderson v. Liberty Lobby, Inc", 477 U.S. 242, 249, 106 Sct. 2305 (1986) also "Hedge Path v. American Tel. & Tel. Co.", 348 SC. 340, 539 52^o 2d. 327 (sc. App. 2001).

CONCLUSION

For the preceding reasons, Petitioner asks this
Court to grant his Petition for writ of Habeas Corpus.

Respectfully Submitted;



John L. Wilson ID # 298493

WV C-I-SMU-SOUTH # 131

990 Assembly Way

Bishopville, SC, 29010

Pro-Se Petitioner

Dated: 5/31/2013

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to H&H COUNTY

The South Carolina Court of Appeal

John L. Wilson Jr. #293493,

PETITIONER,

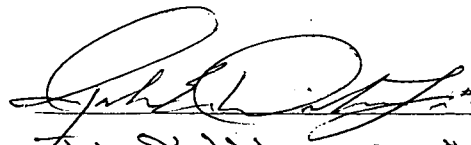
v.

South Carolina Department
of Correction (SCDC),

RESPONDENT,

CERTIFICATE OF SERVICE

I certify that a true copy of the petition for
 writ of certiorari and an copy of the Attachment¹⁰ as
 Exhibit¹⁰, in this case have been served on: Steven B.
 Johnson (I.D. #74913), 126 North Main Street, Post Office Box
 -380, Sumter, South Carolina, 29151; (803) 778-2471, (SCDC)
 Attorney. And to the: South Carolina Supreme Court,
 Post Office Box 11330, Columbia, South Carolina, 29211...

 #293493,
John L. Wilson Jr. #293493,
H&H-C-I-SMO-SCOTT #131
990 Wiscoby Hwy
Bishopville, SC, 29010

Dated: 5/31/2013

INMATE GRIEVANCE FORM

STEP 1
Jordan

1

INMATE NAME: Ra*Maat Ptah Atum
SCDC NUMBER: 231341
INSTITUTION: Lee
HOUSING UNIT: SMU 40
WORK ASSIGNMENT: _____

Office Use Only
Grievance No. LeeCT2788-08
Code: General IC
Policy _____
Disc. Hear. _____
Class. _____
Date Received 9/10/08
IGC Initials Chr

SEP 09 2008

STATE GRIEVANCE (include documentation, and date of incident; if SCDC Policy, indicate which policy) On within 9-8-8
the mat was taken at my door so dirty shower water could come in my cell and did.

ACTION REQUESTED: I want to be moved to another cell.

SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT: I had spoken to Lt. Jenkins on 9-8-8 about the mat being moved and it is known by them that the mat is there in front of my cell to stop shower water. She stated it was moved somewhere because of a problem at another cell and I could not get it now. I informed her to advise Capt. Cribbs that I want to move from this cell.

Ra*Maat Ptah Atum 9-8-8
Grievant Signature Date

ACTION TAKEN BY IGC: Returned Unprocessed. Based on the OMS system the name used on this grievance is not your committed name as required by Policy.

[Signature] 9/10/08
IGC Signature Date

Grievant Signature Date

- I accept the action taken by the IGC and consider the matter closed.
- I do not accept the action taken and wish to appeal.

IM BROUGHT TO MEDICAL BY SECURITY AFTER FALLING IN THE SHOWER. HE CLAIMS HE CAN NOT MOVE ANY EXTREMITY OR HIS NECK. IM STATES HE IS IN SEVERE PAIN AND REFUSES TO ALLOW NURSE TO TOUCH HIS NECK OR ARMS. HE IS SLUMPED IN A WHEELCHAIR AND REFUSES TO MOVE. OFFICERS ASSIST NURSE TO LIFT AND PLACE ONTO STRETCHER WHILE HOLDING C SPINE PRECAUTION. SOFT COLLAR APPLIED AND

PF7=> PAGE BACK PF8=> PAGE FORWARD PF12=>PRINT PAGE> 0010

4-0 1 Sess-1 167.7.50.33 SCDC1028 2/9
MDCI880D SCDC HEALTH SERVICES SYSTEM/NOTES 12/04/08
SCDC#: 295493 WILSON, JOHN - CURR LOC: LEE PRIDGENN

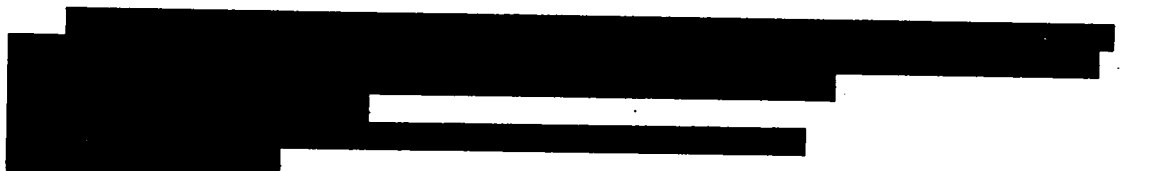
XRAY OF C-SPINE ORDERED.
IM REFUSED TO HAVE XRAY TAKEN STATES WE ARE HURTING HIM TOO BAD, IM ALSO REFUSED MOTRIN 800 FOR PAIN.
IM CONTINUED TO FORCEFULLY TIGHTEN HIS NECK MUSCLES WITH SHOULDERS PULLED UP TO HIS EARS. STRENGTH WAS SO GREAT I COULD NOT EVEN PALPATE HIS NECK. HE STILL REFUSED TO MOVE EITHER HIS ARMS OR LEGS AND STATES THAT HE WAS UNABLE TO MOVE THEM. REFLEXES WERE GROSSLY INTACT, PULSES GOOD, CR GOOD, STRENGTH EXCELLENT. IM IN NAD WAS LEFT IN SOFT NECK COLLAR AND ESCORTED BACK TO SMU FOR FAILURE TO ALLOW MEDICAL TREATMENT. IM ALSO HAD HIS HEAD FORCED TO THE LEFT ON ARRIVAL BUT WHEN HE LEFT HE WAS HOLDING HIS HEAD TO THE RIGHT.
SIGNED OFF ON 10/09/08 @ 12:19 BY JUDY R RABON, REGISTERED NURSE I NOTED
SIGNED OFF ON 10/10/08 @ 7:35 BY EDWARD L STAHL JR, UNCLASSIFIED

** ENCOUNTER: 12 MENTAL HEALTH CLINIC 08/28/08 15:11 LEE COMP



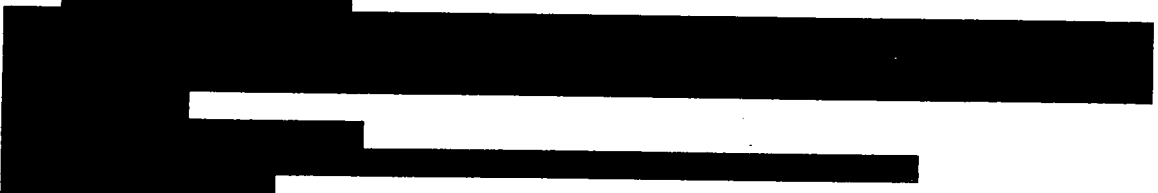
PF7=> PAGE BACK PF8=> PAGE FORWARD PF12=>PRINT PAGE> 0011

4-0 1 Sess-1 167.7.50.33 SCDC1028 2/9
MDCI880D SCDC HEALTH SERVICES SYSTEM/NOTES 12/04/08
SCDC#: 295493 WILSON, JOHN - CURR LOC: LEE PRIDGENN



SIGNED OFF ON 08/28/08 @ 15:16 BY PAUL N DENNIS, HUMAN SERVICES COORD I

** ENCOUNTER: 11 MENTAL HEALTH CLINIC 05/30/08 18:15 LEE COMP



SIGNED OFF ON 05/30/08 @ 18:23 BY PAUL N DENNIS, HUMAN SERVICES COORD I

PF7=> PAGE BACK PF8=> PAGE FORWARD PF12=>PRINT PAGE> 0012

4-0 1 Sess-1 167.7.50.33 SCDC1028 2/9
MDCI880D SCDC HEALTH SERVICES SYSTEM/NOTES 12/04/08
SCDC#: 295493 WILSON, JOHN - CURR LOC: LEE PRIDGENN

*** 2.1.1** If medical staff is on duty, they should be contacted immediately and *should respond to where the injured inmate is or have the inmate transported, if possible, to the medical area. An inmate should never be moved if there is reason to believe there is a spinal injury. The Control Room Officer should be contacted also, who will notify first responders to respond, if necessary.*

2.1.2 If no medical staff is on duty, and the inmate has life-threatening injuries, persons responding should call EMS (911 or the local emergency phone number) and then the medical staff at the covering institution.

2.1.3 If no medical staff is on duty and the inmate's injuries are not life threatening, persons responding to the situation will call the medical staff at the covering institution for further instructions.

2.2 **If there are no signs of life**, the body will not be moved from the scene. *Medical should respond to the area.* (NOTE: It is a violation of state law for the body to be moved without the authorization of the coroner.) However, *whether there is life or not*, if the inmate is found hanging, s/he should be immediately cut down.

2.2.1 If medical staff is on duty, they will be notified and the area secured. The medical staff will come to the scene and the procedures outlined in SCDC Policy/Procedure HS-18.04, "Inmate Death," will be followed.

2.2.2 If no medical staff is on duty, the persons discovering the body will secure the area, the medical staff at the covering institution will be notified, and the procedures outlined in SCDC Policy/Procedure HS-18.04, "Inmate Death," will be followed. If the inmate is not at his/her assigned (home) institution, an employee from the institution where the suicide occurred should notify the home institution.

2.3 **If an inmate is found hanging**, staff members *will contact First Responders to bring the rescue knife from the control room. First responders* arriving at the scene *will* cut the inmate down immediately using C-Spine stabilization (supporting the head), check for signs of life, and initiate appropriate action as described above. The rope **must** be cut at some point away from the knot so that the knot remains intact. The noose should be loosened without interfering with the knot. (NOTE: **It is a violation of state law for a body to be moved without the authorization of the coroner. This does not mean, however, that an inmate should be left hanging or that an employee will be prosecuted for trying to resuscitate an inmate.**) The scene should be secured and the steps outlined in SCDC Policy/Procedure HS-18.04, "Inmate Death," must be followed.

2.4 Responsibilities of the First Officer on the Scene:

2.4.1 Notify other staff members, i.e., call for help, etc.; and

2.4.2 Commence initial first aid, i.e., control bleeding, begin CPR, etc.

2.5 Responsibilities of the Second Officer on the Scene:

2.5.1 Notify medical staff and, if the injuries are immediately life threatening, notify the Control Room and provide information about the type of injury, how the injury occurred, and the inmate's condition. The Control Room will call EMS (911 or the local emergency number) and the Shift Supervisor;

THERAPY OF IMMEDIATE RELIEF. (SEE NURSING NOTES).

5. FOR ATYPICAL SYMPTOMS OF GERD SUCH AS COUGH, HOARSENESS, WHEEZING, ASTHMA WEIGHT LOSS, DYSPHAGIA, AND NON CARDIA CHEST PAIN, REFER TO MD/NP. INMATE TOLD THAT THIS ENCOUNTER WOULD BE DEFERRED TO THE MD SCREEN FOR REVIEW BY THE PHYSICIAN AND THE NEED FOR FOLLOWUP WOULD BE DETERMINED INCLUDING THE NEED FOR BACLOFEN FOR HIS CHRONIC BACK PAIN (SEE ENC # 19, # 17.). INMATE VERBALIZED UNDERSTANDING AND WAS ESCORTED BACK TO HIS CELL BY THE SMU OFFICERS.

M. PRATT LPN

SIGNED OFF ON 11/25/08 @ 2:41 BY MARCUS A PRATT, LICENSED PRACTICAL NURSE NOTED

BACLOFEN WILL BE NO BETTER THAN FLEXERIL AND NOT ORDERED

PAGE> 0003

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4-0	1 Sess-1	167.7.50.33	SCDC1028	2/9
MDCI880D	SCDC HEALTH SERVICES SYSTEM/NOTES			12/04/08
SCDC#: 295493	WILSON, JOHN -		CURR LOC: LEE	PRIDGENN

SIGNED OFF ON 11/25/08 @ 7:33 BY EDWARD L STAHL JR, UNCLASSIFIED

** ENCOUNTER: 22 NARRATIVE 11/22/08 2:22 LEE COMP
11-21-08 INMATE REFUSED SMU SICK CALL. INMATE REFUSED TO SIGN A REFUSAL OF MEDICAL ADVICE FORM. THIS WAS WITNESSED BY M. PRATT LPN AND OFC. MAJOR IN SMU.

SIGNED OFF ON 11/22/08 @ 2:24 BY MARCUS A PRATT, LICENSED PRACTICAL NURSE

SIGNED OFF ON 11/22/08 @ 7:34 BY JUDY R RABON, REGISTERED NURSE I NOTED

SIGNED OFF ON 11/24/08 @ 7:36 BY EDWARD L STAHL JR, UNCLASSIFIED



* ENCOUNTER: 21 X-RAY 11/07/08 13:18 LEE COMP
RECEIVED REPORT ON L/S SPINE DONE 10/29/08. CONCLUSION: NARROWING IS NOTED AT THE L4-5 DISC SPACE WITH SLIGHT ROTATIONAL CHANGES DEMONSTRATED. ONE MAY CONSIDER CT SCAN TO DETERMINE THE RELATIONSHIP OF THE FACET JOINTS AND THE SPINAL CANAL AS THE ROTATIONAL FACTOR COULD BE CAUSING SOME IMPINGEMENT POSSIBLY CLINICALLY. CT SCAN IS RECOMMENDED FOR FURTHER EVALUATION IF CLINICALLY INDICATED.

SIGNED OFF ON 11/07/08 @ 13:21 BY VIRGINIA R COLLINS, TECHNICAL MEDICAL ASSO

PAGE> 0004

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4-0	1 Sess-1	167.7.50.33	SCDC1028	2/9
MDCI880D	SCDC HEALTH SERVICES SYSTEM/NOTES			12/04/08
SCDC#: 295493	WILSON, JOHN -		CURR LOC: LEE	PRIDGENN

NOTED

PLEASE SCHEDULE FOR DR. STAHL CLINIC IN 2-3 WEEKS

SIGNED OFF ON 11/07/08 @ 14:28 BY EDWARD L STAHL JR, UNCLASSIFIED

APPT MADE

SIGNED OFF ON 11/09/08 @ 15:26 BY JUDY R RABON, REGISTERED NURSE I

** ENCOUNTER: 20 X-RAY 10/29/08 12:47 LEE COMP
XRAYED L/S SPINE.

SIGNED OFF ON 10/29/08 @ 12:47 BY VIRGINIA R COLLINS, TECHNICAL MEDICAL ASSO

** ENCOUNTER: 19 DOCTOR'S CLINIC 10/29/08 11:10 LEE COMP
S> 24 Y.O., PAST HX. IN 2006 OF BACK INJURY AT WORK, NO SURGERY--ON 10/09 SLIPPED IN SHOWER, BLACKED OUT, TAKEN TO MEDICAL BUT COULD NOT LIE FLAT OR STAND FOR XRAYS AND DID NOT TAKE THEM--CURRENTLY, LOW BACK PAIN, MAINLY IN AM, NO PAIN IN LEGS--HAS HX. IN THE PAST 2 YRS. OF OCCASIONAL BACK PAIN--NO HELP WITH IBUPROFEN--WILL TAKE XRAY TODAY SINCE PAIN IS BETTER

O> TEMP=098.1 PULSE= 64 RESP=16 BP=124/ 82 WEIGHT=150 PPD= 0
NO NEURO LOSS--DECREASED FLEXION--PAIN IN LOWER BACK IN MIDLINE--NO ATROPHY

- REQUEST TO STAFF -

#6 (6)

TO: Lt. Crawford

From: John E. Wilson Jr.

SCDC #: 295493

~~Unit: SMD North #46~~

Date: 10-14-08

Lt. Crawford!! Thair Has Been an Issue
Which took Place On Oct-9th-08.. I Fell into out-
Coming Water From Shower's... Will you please
Issue Safty mat's In + out of Shower's.. Also
more Black Grip Strip's?

- STAFF Respond's -

Inmate Wilson, SCDC# 295493 On October 27, 2008, mats were provided
for outside the showers. Please let me know if I could be of further
assistance.

Lt. Crawford/EHSO

10/27/08

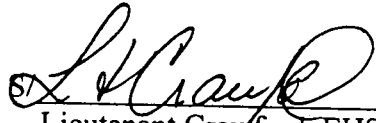
**RESPONSE TO REQUEST TO STAFF DATED
NOVEMBER 6, 2008**

Inmate WILSON, John E. SCDC# 295493

In response to the above inquiry, currently, a problem exists regarding the main water line and sewage. Maintenance is fully aware of the situation and as of the morning of November 7, 2008, this issue has been corrected. In the future, please bring to attention any problems you observe or need to be corrected to the SMU staff.

As stated in my reply dated November 4, 2008, please address any maintenance issues with the SMU staff or appropriate institutional maintenance personnel. In the future, if I receive any requests of staff regarding maintenance issues or unrelated issues that should be addressed to SMU staff, the request will be returned without a reply.

I appreciate the time to address your concerns.



Lieutenant Crawford, EHSO

CC: File

3. C. Department of Corrections
Lee CT
Signature List

Name/Title	Signature/Initial
Jeri Andrews, RN	<i>Jeri Andrews, RN</i> JA
Melody Brady, LPN	<i>Melody Brady, LPN</i> MB
Stephanie Brown, LPN	<i>Stephanie Brown, LPN</i> SB
Brenda Fazio, RN	<i>Brenda Fazio, RN</i> BF
Sherette Franklin, LPN	<i>Sherette Franklin, LPN</i> SF
Mary Frazier, LPN	<i>Mary Frazier, LPN</i> MF
Delores Johnson, RN	<i>Delores Johnson, RN</i> DJ
Sandra Jones, LPN	<i>Sandra Jones, LPN</i> SJ
Brian Lortner, RN	<i>Brian Lortner, RN</i> BL
Kathy McCaskill, LPN	<i>Kathy McCaskill, LPN</i> KM
Yvonne McDonald, RN, HCA	<i>Yvonne McDonald, RN, HCA</i> YM
Angela McKnight, LPN	<i>Angela McKnight, LPN</i> AM
Linda McRae-Bruce, RN	<i>Linda McRae-Bruce, RN</i> LM
Eloise Montgomery, RN	<i>Eloise D. Montgomery, RN</i> EM
Marcus Pratt, LPN	<i>Marcus Pratt, LPN</i> MP
Judy Rabon, RN	<i>Judy Rabon, RN</i> JR
Sheri Scott, LPN	<i>Sheri Scott, LPN</i> SS
Donna Singleton, RN	<i>Donna Singleton, RN</i> DS
Shelisse Thomas, LPN	<i>Shelisse Thomas, LPN</i> ST
Courtney Dixon, LPN	<i>Courtney Dixon, LPN</i> CD
Rosalya Holmes, RN	<i>Rosalya Holmes, RN</i> RH

Facility: LEE (551G)

Medication Administration Record

Month/Year: 03/20

Prescriptions		Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	
Order Date 11/27/09	BACLOFEN 10MG TAB #180	AM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Exp. Date 05/25/10	TAKE TWO TABLET(S) THREE TIMES A DAY	NOON	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
RX # 1179929		PM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Order Date 11/27/09	GABAPENTIN 300MG CAP #90	AM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Exp. Date 05/25/10	TAKE ONE CAPSULE(S) THREE TIMES A DAY	NOON	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
RX # 1179930		PM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Order Date 01/22/10	TRIAMCINOLONE OINT (80GM) 0.1% #1	K	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Exp. Date 07/20/10	APPLY TO AFFECTED AREA TWICE DAILY AS NEEDED (LIMIT 1 PER MONTH)	O	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
RX # 1201941		P	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Order Date 02/11/10	TRIPLE ANTIBIOTIC (1OZ) OINT #1	K	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Exp. Date 08/09/10	APPLY SMALL AMOUNT TO AREA (LIMIT 1 PER MONTH)	O	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
RX # 1210629		P	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show O - Other

DOB: 05/04/1984 HT: 5' 6" WT: 147 Allergies:

Unit: ASU0151B Pt. Name: WILSON, JOHN Registration #: 00295493 Diagnosis: NKD

Pill Line#: Physician: CTEP

Facility: LEE (551G)

Medication Administration Record

Month/Year: 01/201

Prescriptions		Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	
Order Date 11/27/09	BACLOFEN 10MG TAB #180	AM	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	
Exp. Date 05/25/10	TAKE TWO TABLET(S) THREE TIMES A DAY	NOON	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	
RX # 1179929		PM	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	
Order Date 11/27/09	GABAPENTIN 300MG CAP #90	AM	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	
Exp. Date 05/25/10	TAKE ONE CAPSULE(S) THREE TIMES A DAY	NOON	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	
RX # 1179930		PM	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	ST	
Order Date 1/11/10	Muscle Rub Cream																														
Exp. Date 2/8/10	APPLY TO AFFECTED AREA TWICE DAILY																														
RX # 1179929																															
Order Date 1/22/10	Triamcinolone																														
Exp. Date	APPLY BID PRO Oint																														
RX #																															
Order Date																															
Exp. Date																															
RX #																															
Order Date																															
Exp. Date																															
RX #																															

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show O

DOB: 05/04/1984 HT: 5' 6" WT: 145 Allergies: **NKDA** Diagnosis: **NKD**

Unit: ASU0151B Registration #: 00295493 Physician: **BLAKE**

Pill Line#: Pt. Name: **WILSON, JOHN**

Facility: LEE (551G)

Medication Administration Record

Month/Year: 11/200

Prescriptions		Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Order Date 05/24/09	BACLOFEN 10MG TAB #180	AM																												
Exp. Date 11/19/09	TAKE TWO TABLET(S) THREE TIMES A DAY	AM																												
RX # 1104476																														
Order Date 09/27/09	GABAPENTIN 300MG CAP #90	AM																												
Exp. Date 11/25/09	TAKE ONE CAPSULE(S) THREE TIMES A DAY	AM																												
RX # 1156133																														
Order Date 11/11/09	Muscle Rub																													
Exp. Date	apply to affected area BID.																													
RX #																														
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show O

DOB: 05/04/1984 HT: 5' 6" WT: 145 Allergies: Diagnosis: NKD

Unit: ASU0151B Registration #: 00295493 Physician: BLAKE

Pill Line#: Pt. Name: WILSON, JOHN

Facility: LEE (551G)

Medication Administration Record

Month/Year: 10/200

Prescriptions		Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Order Date 05/24/09	BACLOFEN 10MG TAB #180	AM	[Handwritten scribbles]																											
Exp. Date 11/19/09	TAKE TWO TABLET(S) THREE TIMES A DAY	NOON	[Handwritten scribbles]																											
RX # 1104476		PM	[Handwritten scribbles]																											
Order Date 11/27/09	Neurontin 300mg	AM	[Handwritten scribbles]																											
Exp. Date 11/26/09	1 cap TSD	NOON	[Handwritten scribbles]																											
RX #		PM	[Handwritten scribbles]																											
Order Date			[Empty grid]																											
Exp. Date			[Empty grid]																											
RX #			[Empty grid]																											
Order Date			[Empty grid]																											
Exp. Date			[Empty grid]																											
RX #			[Empty grid]																											
Order Date			[Empty grid]																											
Exp. Date			[Empty grid]																											
RX #			[Empty grid]																											
Order Date			[Empty grid]																											
Exp. Date			[Empty grid]																											
RX #			[Empty grid]																											

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show O

DOB: 05/04/1984 HT: 5' 6" WT: 145 Allergies: Diagnosis: NKD

Unit: 0000

Pill Line#: Pt. Name: WILSON, JOHN Registration #: 00295493 Physician: STAHL

Facility: LEE (551G)

Medication Administration Record

Month/Year: 09/200

Prescriptions		Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Order Date	BACLOFEN 10MG TAB #180																													
Exp. Date	TAKE TWO TABLET(S) THREE TIMES A DAY																													
RX #	1104476																													
Order Date	GABAPENTIN 300MG CAP #90																													
Exp. Date	TAKE ONE CAPSULE(S) THREE TIMES A DAY																													
RX #	1115949																													
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show O

DOB: 05/04/1984 HT: 5' 6" WT: 143 Allergies: Diagnosis: NKD

Unit: ASU0151B Registration #: 00295493 Physician: BLAKE

Pill Line#: Pt. Name: WILSON, JOHN

Facility: LEE (551G)

Medication Administration Record

Month/Year: 08/2009

Prescriptions	Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28		
Order Date: 05/24/09 Exp. Date: 11/19/09 RX #: 1104476	BACLOFEN 10MG TAB #180 TAKE TWO TABLET(S) THREE TIMES A DAY	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	
Order Date: 06/22/09 Exp. Date: 09/19/09 RX #: 1115949	GABAPENTIN 300MG CAP #90 TAKE ONE CAPSULE(S) THREE TIMES A DAY	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	
Order Date: _____ Exp. Date: _____ RX #: _____																															
Order Date: _____ Exp. Date: _____ RX #: _____																															
Order Date: _____ Exp. Date: _____ RX #: _____																															
Order Date: _____ Exp. Date: _____ RX #: _____																															
Order Date: _____ Exp. Date: _____ RX #: _____																															

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show C

DOB: 05/04/1984 HT: 5' 6" WT: 143 Allergies: Diagnosis: NKD

Unit: ASU0151B Registration #: 00295493 Physician: BLAKE

Pill Line#: Pt. Name: WILSON, JOHN

Facility: LEE (551G)

Medication Administration Record

Month/Year: 07/2009

Prescriptions			Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Order Date 05/24/09	BACLOFEN 10MG TAB #180		AM																												
Exp. Date 11/19/09	TAKE TWO TABLET(S) THREE TIMES A DAY		NONE																												
RX # 1104476			PM																												
Order Date 06/22/09	GABAPENTIN (M) 300MG CAP #90		AM																												
Exp. Date 09/19/09	TAKE ONE CAPSULE(S) THREE TIMES A DAY		NONE																												
RX # 1115949			PM																												
Order Date 5/18/09	Ammonium lactate																														
Exp. Date 7/16/09	apply to dry areas																														
RX # 110188	of skin daily																														
Order Date																															
Exp. Date																															
RX #																															
Order Date																															
Exp. Date																															
RX #																															
Order Date																															
Exp. Date																															
RX #																															

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show O

DOB: 05/04/1984 HT: 5' 6" WT: 144 Allergies: NKDA Diagnosis: NKD

Unit: ASU0151B Registration #: 00295493 Physician: BLAKE

Pill Line#: Pt. Name: WILSON, JOHN

Facility: LEE (551G)

Medication Administration Record

Month/Year: 04/200

Prescriptions:		Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Order Date 03/05/09	BACLOFEN 10MG TAB #180	AM																												
Exp. Date 06/02/09	TAKE TWO TABLET(S) THREE TIMES A DAY	NOON																												
RX # 1072971		PM																												
Order Date 03/23/09	PHENAGESIC TAB #120	K																												
Exp. Date 06/20/09	TAKE TWO TABLET(S) FOUR TIMES A DAY -- LIMIT 120/MONTH	D																												
RX # 1079094		P																												
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														

Documentation Codes:	H - Hold	R - Refused	DC - Discontinued Order	S - Self Administered	NS - No Show	O
DOB: 05/04/1984	HT: 5' 6"	WT: 142	Allergies:	Diagnosis: NKD		
Unit: ASU0191B	Pt. Name: WILSON, JOHN			Physician: STAHL		
Pill Line#:	Registration #: 00295493					

Facility: LEE (551G)

Medication Administration Record

Month/Year: 05/2009

Prescriptions		Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Order Date 03/05/09	BACLOFEN 10MG TAB #180	AM																												
Exp. Date 06/02/09	TAKE TWO TABLET(S) THREE TIMES A DAY																													
RX # 1072971																														
Order Date 03/23/09	PHENAGESIC TAB #120	AM																												
Exp. Date 06/20/09	TAKE TWO TABLET(S) FOUR TIMES A DAY -- LIMIT 120/MONTH																													
RX # 1079094																														
Order Date 5-18-09	Ammonium Lactate																													
Exp. Date 7-17-09	12% Apply to dry Areas of skin daily																													
RX # 106723																														
Ord. Date 05/15/09	GABAPENTIN (M)* 300MG CAP #90	AM																												
Exp. Date 06/13/09	TAKE ONE CAPSULE(S) THREE TIMES A DAY FOR 30 DAYS																													
Rx # LEE 1100698	WILSON, JOHN 00295493																													
	E. STAHL (0)Refills																													
Order Date 5/26/09	Baclofen 10mg	AM																												
Exp. Date 8/26/09	it 3x a day																													
RX #																														
Order Date																														
Exp. Date																														
RX #																														
Order Date																														
Exp. Date																														
RX #																														

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show

DOB: 05/04/1984 HT: 5' 6" WT: 145 Allergies: Diagnosis: NKD

Unit: ASU0151B Registration #: 00295493 Physician: STAHL

Pill Line#: Pt. Name: WILSON, JOHN

Facility: LEE (551G)

Medication Administration Record

Month/Year: 03/2009

Prescriptions		Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Order Date 12/10/08	IBUPROFEN 400MG TAB #90																													
Exp. Date 03/09/09	TAKE ONE TABLET(S) THREE TIMES A DAY	K																												
RX # 1038661																														
Order Date 01/06/09	BACLOFEN 10MG TAB #180	AM																												
Exp. Date 03/06/09	TAKE TWO TABLET(S) THREE TIMES A DAY	AM																												
RX # 1048769	renewed 3/6/09	AM																												
Order Date 3/6/09	Baclofen 10mg	AM																												
Exp. Date 6/02/09	take (2) tab X3	AM																												
RX #		AM																												
Order Date 3/23/09	Phenytoin 2 tabs																													
Exp. Date 6-20-09	qid x 90 day																													
RX # 1079094																														

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show O

DOB: 05/04/1984 HT: 5' 6" WT: 142 Allergies: NKDA Diagnosis: NKD

Unit: ASU0191B Registration #: 00295493 Physician: STAHL

Pill Line#: Pt. Name: WILSON, JOHN

Facility: LEE (551G)

Medication Administration Record

Month/Year: 02/200

Prescriptions			Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Order Date 12/10/08	IBUPROFEN 400MG TAB #90																														
Exp. Date 03/09/09	TAKE ONE TABLET(S) THREE TIMES A DAY		K																												
RX # 1038661			O																												
			P																												
Order Date 01/06/09	BACLOFEN 10MG TAB #180																														
Exp. Date 03/06/09	TAKE TWO TABLET(S) THREE TIMES A DAY																														
RX # 1048769																															
Order Date																															
Exp. Date																															
RX #																															
Order Date																															
Exp. Date																															
RX #																															
Order Date																															
Exp. Date																															
RX #																															
Order Date																															
Exp. Date																															
RX #																															

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show O

DOB: 05/04/1984 HT: 5' 6" WT: 141 Allergies: NKDA Diagnosis: NKD

Unit: ASU0046Z Registration #: 00295493 Physician: STAHL

Pill Line#: Pt. Name: WILSON, JOHN

Facility: LEE (551G)

Medication Administration Record

Month/Year: 01/20

Prescriptions	Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Order Date 12/10/08 Exp. Date 03/09/09 RX # 1038661 IBUPROFEN 400MG TAB #90 TAKE ONE TABLET(S) THREE TIMES A DAY 12-13-08	K																												
Order Date 12/10/08 Exp. Date 03/09/09 RX # 1038664 BACLOFEN 10MG TAB #90 TAKE ONE TABLET(S) THREE TIMES A DAY AM NOON PM S	AM NOON PM																												
Ord. Date 01/06/09 Exp. Date 03/06/09 LEE RX # 1048769 WILSON, JOHN E. STAHL (1) Refills #180	AM NOON PM																												
Order Date Exp. Date RX #																													
Order Date Exp. Date RX #																													
Order Date Exp. Date RX #																													
Order Date Exp. Date RX #																													

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show
 DOB: 05/04/1984 HT: 5' 6" WT: 141 Allergies: Diagnosis: NKD
 Unit: ASU0046Z Pt. Name: WILSON, JOHN Registration #: 00295493 Physician: STAHL

Facility: LEE (551G)

Medication Administration Record

Month/Year: 12/2008

Prescriptions	Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	
Order Date: 10/29/08 Exp. Date: 12/27/08 RX #: 1021836 NAPROXEN 375MG TAB #60 TAKE 1 TABLET(S) TWICE DAILY WITH FOOD	X O P																													
Order Date: 12/10/08 Exp. Date: 03/10/09 RX #: 1038661 IBP 400 mg TID	K O P																													
Order Date: 12/10/08 Exp. Date: 03/10/09 RX #: 1038664 Ba Clofen one tablet TID	Am NOM PM																													
Order Date: _____ Exp. Date: _____ RX #: _____																														
Order Date: _____ Exp. Date: _____ RX #: _____																														
Order Date: _____ Exp. Date: _____ RX #: _____																														
Order Date: _____ Exp. Date: _____ RX #: _____																														

Documentation Codes: H - Hold R - Refused DC - Discontinued Order S - Self Administered NS - No Show

DOB: 05/04/1984 HT: 5' 6" WT: 148 Allergies: Diagnosis: NKD

Unit: ASU0046Z Registration #: 00295493 Physician: STAHL

Pill Line#: Pt. Name: WILSON, JOHN

Facility:

WELLS

Medication Administration Record

Month/Year *Oct*

Prescriptions
 Ord.Date 10/29/08 **CYCLOBENZAPRINE* 10MG TAB #42**
TAKE ONE TABLET(S) THREE TIMES A DAY FOR 14 DAYS (14 DAY LIMIT)
 Exp.Date 11/11/08
 LEE
 Rx # 1021837 **WILSON, JOHN** **E. STAHL**
 00295493 (0)Refills

Ord.Date 10/29/08 **NAPROXEN* 375MG TAB #60**
TAKE 1 TABLET(S) TWICE DAILY WITH FOOD
 Exp.Date 12/27/08
 LEE
 Rx # 1021836 **WILSON, JOHN** **E. STAHL**
 00295493 (1)Refills

Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
<i>AM</i>																												
<i>PM</i>																												
<i>PM</i>																												
<i>K</i>																												

ISSUED TO PATIENT

Order Date
 Exp. Date
 RX #
 Order Date
 Exp. Date
 RX #
 Order Date
 Exp. Date
 RX #
 Order Date
 Exp. Date
 RX #

Documentation Codes: **H** - Hold **R** - Refused **DC** - Discontinued Order **S** - Self Administered **NS** - No Show **O**

DOB: HT: WT: Allergies: Diagnosis:

Unit: Pt. Name: *Wilson, John* Registration #: *295193* Physician:

Facility:

Medication Administration Record

Month/Year:

∞
#

Prescriptions:	Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
Order Date																														
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RX #																														

Soap
 \$ 1 bar/week

Documentation Codes:	H - Hold	R - Refused	DC - Discontinued Order	S - Self Administered	NS - No Show	O -
DOB:	HT:	WT:	Allergies:	Diagnosis:		
Unit: ASU 602	Pt. Name: Wilson, John		Registration #: 295493	Physician:		

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Division of Medical and Professional Health Services

SMU

Physician's Transfer Note or Consultation

Consultation To: <u>Ortho Clinic</u>		Appointment Date:	
Transfer From: <u>Lee CI</u>		<u>1-6-10</u>	
Reason For Consultation With Pertinent History: <u>Request ortho eval for 4m c back pain</u> <u>1/10m. LS spine xray. narrowing L45, rotational changes,</u> <u>? impingement. Popping noise c forward flexion.</u>			
Diagnoses: <u>Chronic Back Pain</u>			
MEDICATIONS, Pertinent Diagnostic Findings:			
<u>Muscle Rub bid</u>			
<u>Neurontin 300mg tid</u>			
<u>Baclofen 10mg Ti tabs tid</u>			
ALLERGIES/REACTIONS:			
<u>NKOA</u>			
Date of Request: <u>4/21/07</u>	Referring Physician: <u>[Signature]</u>	Approved: <u>[Signature]</u>	Signature: <u>[Signature]</u>
SS#: <u>251-59</u>	Date of Birth: <u>5/</u>	Parole Date: <u>7-1-38</u>	Max Out Date: <u>7-1-38</u>

SCDC # 295493 NAME Wilson, John INST. Lee CI

render medical treatment and refused to be x-rayed at that time.

Policy Active

12. Was Policy HS-18.02(2.2.1) active during Plaintiff slip & fall dated October 9th 2008, of his spinal injury(s) to his LS 4&5 disc?

ANSWER: Yes.

Officers Parther, Sheppard

13. Is Sgt. Lloyd, Ofc. Parther, & Ofc. Sheppard an medical licensed; personnel for SCDC to handle & care for (or on behalf of medical staff of an spinal injured inmate, governed by Policy HS-18.02(2.1.1)?

ANSWER: These Correctional Officers hold no medical licenses. However, each is trained in basic first aid and procedures for administering and calling for first aid.

Plaintiff still seeking medical attention

14. Is Plaintiff still seeking for medical attention from medical staff by request to staff or etc from October 9th 2008 till this date of his injuries as pain and suffering?

ANSWER: Yes.

15. Is Plaintiff being denied of medical treatment or medication as an result from his Oct 9th 08 injuries?

ANSWER: No.

16. Plaintiff request for all documents in possession of Defendants; (that is/will be used during trial), to be submitted to Plaintiff for inspection, if not produced; Defendant waives all rights of production during trial!!

ANSWER: Objection. Defendants object to the extent this Interrogatory calls for information protected by the work product doctrine, is overly broad and unduly burdensome, vague and not likely to lead to the discovery of

This date of October 9th 2008, I Robert Gibson state the following statement as true and accurate.

On October 9th 2008, I personally seen from my room 45 on this North wing of SMU, that a Big commotion was coming from the shower area. As I look out my door window I seen inmate John Wilson my next door vent mate, lying on the floor in sewage water.

Sgt. Lloyd, ofc. Parker, and ofc. Shepperd came and pick inmate John Wilson up as he yelled out "No, my back my back". The three officer then drop him in an wheel chair and took him up front. Nothing else from that point was witness.

I declare this statement is true under penalty and perjury and in the court of law.

Robert Gibson,
Robert Gibson Oct. 9, 2008

Affidavit

I, ~~Ra~~ Maat Puh Atum, #231341, who is at Lee C.I. SMU cell 40, on Oct. 9, 2008 had seen inmate John Wilson fall down in the dirty shower water ~~out~~ out of the shower after walking to with C/O Parker. John Wilson was ~~on~~ on his back in the dirty shower water with his eyes closed not moving. C/O Parker was told by some inmates to call Medical in excitement from the incident; C/O Parker stated he was as he was looking kind of confused and nervous seeing what happened, and left. C/O Parker came back a few minutes later, as John ~~was~~ was still lying on his back in the dirty shower water. C/O Shepard and Sgt. Lloyd came by, C/O Parker and inmates was telling them what occurred. Sgt. Lloyd stated go get the wheelchair we will take him to Medical. Inmates were yelling stating that only Medical supposed to touch him, as John Wilson was still lying on the floor in the dirty shower water about 20 minutes at that time. C/O Shepard brought the wheelchair back and Sgt. Lloyd yanked John Wilson out the floor into the Wheelchair as John Wilson started to yell in pain, he was yelling in pain as they wheelchaired him off to wherever they took him.

I declare by the penalty of perjury that my above statement is true and correct,

Affiant,

Ra Maat Puh Atum

Date: 11-18-8

#231341
 Lee C.I. SMU 40
 990 Wisacky Hwy
 Bishopville, SC 29610

October 9, 2008, while i was struggling to push the stagnant water from my cell that i received daily due to the shower's bad set-up sewage line." "I observed Officer S. Parker escorting inmate John Wilson to a shower." "I called officer S. Parker to bring me a mop & squeegee so i could properly remove the stagnant water from my cell, and i asked for chemical-cleaning supplies to sanitize my cell if any were available."

"I've been complaining to administration about the unsanitary condition of this cell concerning the stagnant water that floods into the cell since i've been assigned to this cell which was on March 5, 2008, though all my requests that i file as well as grievances aren't responded to." "Around the time i was struggling to push the stagnant water from my cell, as i called for officer S. Parker's assistance i saw inmate J. Wilson fall backwards into the stagnant water covering the floor." "Inmate J. Wilson, was handcuffed behind his back when he fell backwards into the stagnant water covering the floor in front of the shower area." "Inmate J. Wilson, hit his head so hard upon the floor that, after officer S. Parker called his name several times he failed to respond." "Inmate J. Wilson regained consciousness when officer S. Parker began slapping him repeatedly across his facial area."

"Officer, S. Parker, then ran to the control booth, and notified Sgt. Lloyd who then told officer Shepperd to get a wheel chair." "At this time officer, S. Parker began attempting to lift ~~inmate~~ Inmate J. Wilson into the wheel chair that officer Shepperd had returned with." "Inmate J. Wilson began screaming saying he was in pain, that his neck, back, and wrists were hurting, and that with the movement the handcuffs were tightening, more uncomfortably behind his back, inflicting more pain."

"I heard Inmate J. Wilson crying for medical attention."

"Sgt. Lloyd ordered his officer(s) Shepperd, and Parker, to lift Inmate J. Wilson into the wheel chair." "As these officers began to carelessly throw the injured inmate J. Wilson, ~~into~~ into the wheel chair, i heard an inmate in a nearby shower say: "He hit his head when he fell - don't move him"; that's when Sgt. Lloyd stated that: "Inmate J. Wilson, was faking" and, his officers carelessly threw inmate J. Wilson into the wheel chair, intentionally disregarding his cries of pain." "This is what i observed of the incident from my cell located on the North-side of Lee Corr Inst's A.S.U. in cell # 39. Which was directly across from the injury site."

"I observed this incident from my cell door's window."

"If it is necessary, i am willing to appear ~~in~~ in court to assist MR. J. Wilson to the best of my honest ability in this matter."

"Brandon Williams"

"Brandon Williams"

S.C.D.C. #283548.

To whom it may concern,

#12

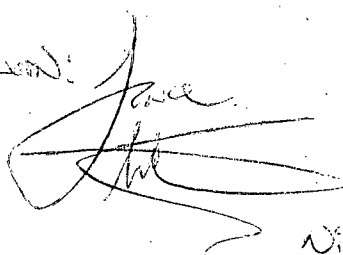
(1) 16

The following is a voluntary statement as to the actions that I
 Nicolas L. Trantham #275917 observed on October 9th, 2008 by the staff on
 Sma-North-LEE Correctional Institution.

While I was in the shower on October 9th, 2008 on Sma-North side, I
 observed ofc. Parker remove Inmate John E. Wilson #295493 from his cell for
 a shower. When Inmate Wilson was directly in front of my shower, he slipped
 in the standing water in front of the shower's. When he fell backwards, he
 hit his head solidly on the wet concrete. When ofc. Parker asked him if he was
 okay, Inmate Wilson was unresponsive. Ofc. Parker then attempted to pick him
 up by the arms & I told ofc. Parker that Inmate Wilson's head had struck pretty
 hard & that he should not move him until someone from medical arrived, just in
 case his back or neck were injured. Ofc. Parker responded, saying "I've got to
 get him out of the water." Ofc. Parker then attempted to lift Inmate Wilson up again
 without success. It was then that I noticed that everytime he moved Inmate
 Wilson, the handcuffs were getting tighter on his wrists. When I pointed this out to
 ofc. Parker, he shrugged his shoulders & stated, "I can't leave him in the water." Ofc.
 Parker then dragged Inmate Wilson by his arms for approximately five feet & propped him
 up against the wall. Inmate Wilson was still unresponsive when ofc. Parker left him
 lying there to go get help. When ofc. Parker returned, he was successful in
 turning Inmate Wilson. I noticed that Inmate Wilson was crying. Some what disoriented.
 I told him to lay still. Ofc. Shepard & Sgt. Royal came to assist ofc. Parker. Sgt. Royal
 had ofc. Shepard go get a wheel chair. Inmate Wilson told ofc. Parker that his back, neck,
 and wrists were hurting him. Ofc. Parker then attempted to lift Inmate Wilson once
 again. When he did so, Inmate Wilson screamed out in pain so ofc. Parker set
 him back down. Sgt. Royal stated, "He's Fighting." Sgt. Royal & ofc. Shepard then together
 switched Inmate Wilson up off of the floor & forced him into the wheel chair with Inmate
 Wilson screaming out in agony the whole time. They then proceeded to push him

off of the wings & into the hallway. I could hear his screams the way
into the hallway!

This is what I observed with my own eyes & witnessed first hand.
I will swear to this & testify in a court of law under the penalty of
Perjury.

Only
Signed: 

Nicholas L. Trantham
#275117 Jan-North-#491

Nov. 7th, 06

Dated

From: John Robinson, Inc # 298493
John Robinson, Inc # 131
990 West 1st St
Asheville, NC 28801

AMS

TO: South Carolina Supreme Court
Post Office Box - 11330
Columbia, South Carolina, 29211

LEGAL MAIL ONLY