

The State of South Carolina  
In The Court of Appeals

Appeal from the Administrative Law  
Court  
[In The Supreme Court]

Rule 33 Notice of  
Appeal

John D. McLeod, Judge  
Docket No. 13-ALJ-04-0262-AP

Yahya Muqit

Appellant

v.

South Carolina Department of  
Corrections.

Respondent

Notice of Appeal

Yahya Muqit appeals the decision of the Honorable  
John D. McLeod, Judge dated April 4, 2013. Appellant  
received a copy of this decision on ~~April 15~~ April 15, 2013

MAY 1, 2013

General Counsel  
PO Box 21787  
Columbia, SC 29221-1787

Administrative Law Court  
1205 Perdue Town Street, Suite  
224 Columbia, SC 29201

Kenneth A. Richstad  
Clerk PO Box 11629  
Columbia, SC 29211

MAY 03 2013

RECEIVED

JUN 14 2013

SC Court of Appeals

The State of South Carolina  
IN the Court of Appeals  
[IN the Supreme Court]

Appeal from Administrative Law  
Court  
~~Appeal from Florence County  
Court of Common Pleas~~

~~RECEIVED~~

RECEIVED

JUN 14 2013

CASE No.

RECEIVED SC COURT OF APPEALS

JUN 14 2013

Yahya Muqit

SC Court of Appeals  
Appellant,

v.

South Carolina Department of Corrections

Respondent.

Proof of Service

I certify that I have served the Notice on Kenneth A Richstad and General Counsel, by depositing a copy of it in the United States mail, postage prepaid on May 3, 2013, addressed to General Counsel of Record P O Box 21787 Columbia SC 29221-1787.

May 3, 2013

General Counsel  
PO Box 21787  
Columbia SC 29221

Kenneth A Richstad  
Clerk PO Box 11629  
Columbia SC 29211

MAY 03 2013



**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INMATE GRIEVANCE FORM**

**STEP 1**

INMATE NAME: Yahya Mugit  
 SCDC NUMBER: 318455  
 INSTITUTION: Lieber  
 HOUSING UNIT: EA15  
 WORK ASSIGNMENT: \_\_\_\_\_

Office Use Only  
 Grievance No. LET 2373-12  
 Code: General \_\_\_\_\_  
 Policy \_\_\_\_\_  
 Disc. Hear. 354, H28 H 12/5  
 Class. \_\_\_\_\_  
 Date Received 12/18/2012  
 IGC Initials FB

DEC 14 2012

**STATE GRIEVANCE** (Include documentation, and date of incident; if SCDC Policy indicate which policy).  
 ON The date of 12-5-12 The DHO Blackwell erroneously violate the Disciplinary policy YOP 22.14  
 And Various other policies within SCDC. I was brought before A DHO Hearing 23 days from  
 The date of the offense of which I was Never formally charged. Then The officer  
 Identified me with A Order to Report Not A Picture Identification card my  
 Privileges were taken As A result The date of my Allegedly being charged was 11-13-12  
 See Incident Report of Celmore Echo ofc. Harkness Also Signed two charge  
 Papers And my SCDC # to the forms this is the same person that threatened  
 me by saying he going to get me because I didnt or dont stand for  
 count however it is widely known my medication knocks me out and  
 I cant stand for count and Attached Copy is Also presented for your  
 viewing my substitute Counsel Ms Lee Never informed me that I was a  
 under any charges Nor Asked for A Count number, to help properly secure  
 evidence to support proof or exedence to my innocence As a result I. O  
 As A Mental Health patient wasnt properly informed of what was going

**ACTION REQUESTED:** Charge overturned And Dismissed As it should have been  
 From the beginning. After Notice of me Not being charged was made  
 known or the fact that the charge paper write up clearly states an  
 o/r was used to identify the Allegedly Accessed Not Picture ID.

**SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT:**

DHO 12-5-12.

Today is 12-12-12 which is in the proper time frame to grieve  
 explained All this At DHO, too Blackwell

Yahya Mugit 12-12-12  
 Grievant Signature Date

**ACTION TAKEN BY IGC:**

"Due to time restraints for responses and current volume of grievances, see Warden's  
 response for decision."

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

B. Thomas 1-3-13  
 IGC Signature Date

Nh  
 Grievant Signature Date

**WARDEN'S DECISION AND REASON:**

Inmate Muquit;

This is in response to LCI-2373-12. You have appealed the results of your 12/12/12 Disciplinary Hearing where you were found guilty on the charge of 854 Exhibitionism and Public, case #28. The issues you stated do not warrant a reversal of the charge. Pertinent documentation has been reviewed and an investigation of the hearing was conducted. No technicalities, procedural errors, or misinterpretations of evidence were noted and the decision of the Disciplinary Hearing Officer was based on substantial evidence. Based on this information, your appeal is without merit and therefore denied.

If not satisfied with my response, see Step 5 below.

Joseph M. J. [Signature] 1/18/13  
Warden Signature Date

- I accept the Warden's decision and consider the matter closed.
- I do not accept the Warden's decision and wish to appeal.

Ushera Muquit 1-18-13  
Grievant Signature Date

[Signature] 1-18-13  
IGC Signature Date

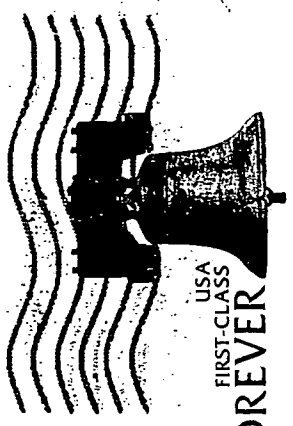
**INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM**

1. An informal resolution shall be attempted prior to the filing of Step 1.
2. Complete each section in its entirety, writing only in the space provided for inmate use.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form to the Institutional Grievance Coordinator within fifteen (15) days of an alleged incident; policy grievances at any time. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, via the Institutional Grievance Coordinator.

Vanya McDuff 318455 AAA  
PO Box 205  
Ridgeville, SC 29472

AA07

CHARLESTON SC 294  
06 MAY 2013 PM 2 T



**RECEIVED**  
General Counsel  
MAY - 6 2013 PO Box 21787

**RECEIVED**  
MAY 30 2013  
LIBERCI

MAIL ROOM COLU SC  
LIBERCI

NIXIE 292 4C 1 06.05/27/13

RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD

**FOR LEGAL USE ONLY**

BC: 29472020505 1754-13028-06-40

29472@0205  
29200/9999

