

THE SOUTH CAROLINA COURT OF APPEALS

T. Terrell Bryan,

Appellant,

v.

SCDC,

Respondent.

The Honorable Shirley C. Robinson
Administrative Law Court
Gric. No. PCI 0309-12
ALC Docket No. 13-ALJ-04-0174
Appellate Case No. 2013-000760

RECEIVED

JUN 25 2013

SC Court of Appeals

PETITION TO STAY

I hereby move the Ct. to stay any ruling in this case & states as follows:

1. Respondent alleges that "the basis of appellant's entire Complaint is he disagrees with SCDC's assertion that the items on the property Form are consistent with the items in Appellant's possession." **THE RESPONDENT IS CONFUSING THE CT.** In my step 1 I stated if my property is thrown away to replace it & in my step 2 I maintained the same position. In this Ct. I want this Ct. to order SCDC to replace my property.
2. When I first went to the yard around June of 2012 I did not have any t-shirts. I am in the process of getting a statement from I/M Mr. Marcus Corley #252481. Mr. Corley will state I did not have any t-shirts & that Friends gave me t-shirts.
3. **MOREOVER**, at the bottom of the property Inventory Form (19-2) I am to sign that I received all items back. When my property was taken on 1/26/12 & a 19-2 was done, when my property was to be given back to me I was to sign I received it, the section at the bottom of the 19-2 label "RECEIPT" that I received all items back. Respondent can not produce the 1/26/13 19-2 showing I signed receipt, because I was never given my property back.
4. Per attached EXHIBIT #4 - SCDC 19-67 Form, I was placed back on lock-up on 6/14/12, I don't believe I had 4 t-shirts then. Plus the t-shirts I lost were 2004 old, the ones I have now are clearly not 2004 old.
5. The Ct. should focus on the 19-2 showing what I came to Perry ~~with~~ with on 1/23/12, did I sign receipt on the 19-2 of the property taken on 1/26/12 when/if given back & the next time an inventory of my property was done, that's when I came back to lock-up

SICK Call
Terrell Bryan
MCCI

REQUEST

5/28/13
254638
SMU-319

Today I heard an ILM officer arguing, I felt a demon jump on me & I went slap off uncontrollably. I need to see a psychologist.

You have BEEN referred to
mental health

TAR

REQUEST

6/12/13
254638
SMU-319

Mental Health / Ms. Singletary
T. TERRELL BRYAN
MCCI

I need help dealing with my anger! If you can not help me please refer me to psychologist.

CC: Sick Call

on 6/14/12. My inventory of what I had when I left from Perry to McCormick is irrelevant, confusion intended by Respondent.

6. Per attached EXHIBIT #3, I am in the process of getting copies of all the 19-2 forms so I can file my reply brief.

7. WHEREFORE, I request that this Ct. stay this case until I receive all 19-2 forms, Respondent Counsel can contact property control for when I should receive them.

CERTIFICATE OF SERVICE

I certify I served a copy of this & EXHIBITS, on: Shanika K. Johnson; P.O. Box 21787; Columbia, SC 29221-1787.

6/18/13, SC
dated

Without prejudice,
X. P. T. B., all rights reserved,
T. Terrell Bryan
#254538, SNU-B19, MCCI
385 Redemption Way
McCormick, SC 29899

AFFIDAVIT

I being duly sworn hereby affirm under penalty of perjury, 28 USC § 1746 & 18 USC § 1621, that the above is true.

Sworn to before me this
17th day of June, 2013

Stephane Marshall (L.S.)

My Commission Expires: May 12, 2021

Without prejudice,
X. P. T. B., all rights reserved,
T. Terrell Bryan

NOTICE OF PLACEMENT IN PHD

Inmate Name: Byran, Terrence SCDC#: 254638 Custody: ST

Reason for Placement in PHD: Current Escape Risk Maintain the Integrity of an Investigation
 Protective Concerns Inmate is a threat to the physical safety of other inmates or staff
 Inmate's presence in the population would create a threat to the safety, security, and/or order of the institution

S/ [Signature] Date: 7/22/12 Time: 4:40 AM/PM

I certify that I was given a copy of this notice within 72 hours of my placement in PHD. I also certify that this notice is clear and readable and that I will appear before the Institutional Classification Committee within seven (7) calendar days of my placement in PHD.

Inmate/Witness Signature: [Signature] EXHIBIT #4 Date: 7/23/12 Time: 8:30 AM/PM

Serving Officer/Witness Signature: [Signature] Date: 7/23/12 Time: 2:31 AM/PM

SCDC 19-67 (Rev. August 1999) White: Institutional Record
Canary: Central Record
Pink: Inmate

NOTICE OF PLACEMENT IN PHD

Inmate Name: BYRAN, Terrence SCDC#: 254638 Custody: ST

Reason for Placement in PHD: Current Escape Risk Maintain the Integrity of an Investigation
 Protective Concerns Inmate is a threat to the physical safety of other inmates or staff
 Inmate's presence in the population would create a threat to the safety, security, and/or order of the institution

S/ [Signature] Date: 6/14/12 Time: 1:50 AM/PM

I certify that I was given a copy of this notice within 72 hours of my placement in PHD. I also certify that this notice is clear and readable and that I will appear before the Institutional Classification Committee within seven (7) calendar days of my placement in PHD.

Inmate/Witness Signature: [Signature] Date: 6/14/12 Time: 2:30 AM/PM

Serving Officer/Witness Signature: [Signature] Date: 6/14/12 Time: 2:30 AM/PM

SCDC 19-67 (Rev. August 1999) White: Institutional Record
Canary: Central Record
Pink: Inmate

REQUEST

Property Control
Tereci Bryan
MCCI

5/24/13
254/38
SMU-B19

EXHIB:
#3

Please provide me a copy of the August 10, 2012; 1/23/12 & 19-2 forms.

Mr. Bryan, you received copies of these and when they were conducted and there is responsibility to keep up with.

ap/ Y Wil

✓ PROPERTY CONTROL 6/14/13

on 1/26/12 the Form 19-2 did not come with carbon copies, Tereci was not issue a copy.

Please provide me a copy of the August 10, 2012; 1/23/12 & 1/26/12 I need this to prosecute my appeal in Bryan v. SCDC, 2013-000760.

cc: Shanika K. Johnson / SCDC's STAFF ATTORNEY

Mr. Bryan I have enclosed the 19-2 you requested for 8/10/12 and the two from 1/23 & 1/26 are in your complete file. I have requested to have them sent Perry CZ on 6-14-13. I will forward copies when I receive them.

ap/ Y Wil (this rec hand deliv. on 6-14-13)