

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Crystal M. Rookard, Administrative Law Judge

Case Number: 21-ALJ-04-0181-IJ

RECEIVED  
SEP 15 2023  
SC Court of Appeals

South Carolina Department Of Corrections,

Respondent,

-versus-

Bennie Wicker, Jr., #122304

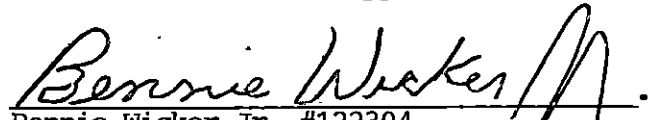
Appellant.

NOTICE OF APPEAL

Bennie Wicker, Jr., #122304 appeals the decision of the Honorable Crystal M. Rookard dated August 24, 2023. Appellant received the Order on September 7, 2023 and the Appellant on this 12th day of September 2023 am placing this Notice Of Intent In the U.S. Postal mail, mailing it to the SC Court Of Appeals Clerk Of Court.

( A copy of the Order Im appealing is attached to this Notice Of Appeal)

September 12, 2023

  
Bennie Wicker, Jr., #122304  
Evans Correctional Institution  
Dorm Cheraw Unit, B-side, Room 153  
610 Highway 9 West  
Bennettsville, South Carolina 29512  
(Pro Se Litigant)

Other Counsel Of Record:  
SCDC General Counsel Joseph Shakibanasaab  
SCDC Headquarters/Office Of General Counsel  
4444 BroadRiver Road/Post Office Box 21787  
Columbia, South Carolina 29221-1787

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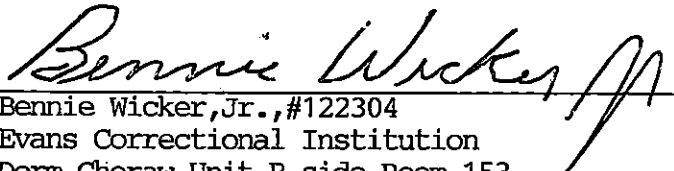
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PROOF OF SERVICE

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I, Bennie Wicker, Jr., #122304 certify that I have served the Notice Of Appeal on Respondent's Attorney Joseph Shakibanasab by depositing a copy of it in the U.S. Mail, postage pre-paid on September 12, 2023, addressed to SCDC's Attorney Of Record SCDC General Counsel Joseph Shakibanasab, SCDC Headquarters/Office Of General Counsel 4444 BroadRiver Road/PO Box 21787 Columbia, SC 29221-1787 and I also certify that I, have served a copy of the Exact Notice Of Appeal to and on the Clerk Of Court for the S.C. Administrative Law Court, by placing it in the U.S. postal mail, postage pre-paid on this day of September 12, 2023, addressing it as follows Clerk Of Court for SC Administrative Law Court Edgar A. Brown Building, Suite 224, 1205 Pendleton Street Columbia, South Carolina 29201.

Date: September 12, 2023

  
Bennie Wicker, Jr., #122304  
Evans Correctional Institution  
Dorm Cheraw Unit, B-side, Room 153  
610 Highway 9 West  
Bennettsville, South Carolina 29512  
(Pro Se Litigant)

September 12, 2023

Bennie Wicker, Jr., #122304  
Evans Correctional Institution  
Dorm Cheraw B-side, Room 153  
610 Highway 9 West  
Bennettsville, South Carolina

29512  
**RECEIVED**

SEP 15 2023

SC Court of Appeals

The Honorable Tanya A. Gee  
Clerk Of The S.C. Court Of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re; South Carolina Department Of Corrections, Respondent, -versus- Bennie Wicker, Jr.,  
#122304, Appellant, Case Number: 21-ALJ-04-0181-IJ

Dear Ms. Gee, Clerk Of SC Court Of Appeals,

Enclosed for filing is a Notice Of Appeal in the above case. Also enclosed are the following:

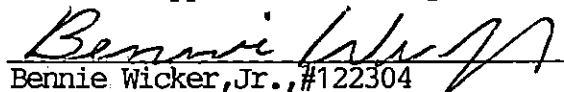
- (1). Proof Of Service of the Notice Of Appeal on the Respondent and a copy of the same on the Clerk Of Court for the SC Administrative Law Court.
- (2). A copy of the Order which is to be challenged on appeal. The Order is attached to the Notice Of Appeal.
- (3). An application to proceed in forma pauperas without paying filing fee. However, I have requested that The mailroom clerk request a check for \$100.00 be withdrawn and made out for you for the filing fee from my E.H. Cooper Trust Fund Account, I have attached the proof and affidavit to my motion to proceed without paying the filing fee until the check gets back to the institution and I forward it to you, also if the filing fee is more than the \$100.00, please let me know so I can make the arrangements with you and the court to pay the rest,

(4) As Extra copy of same

Note: Please be aware that I'm placing this Notice Of Appeal in the US Postal Mail on this day of September 12, 2023, certified mail, I don't know if its prison officials or a problem in the postal system, but for some reason I keep having problem with receiving my legal mail and the legal mail I sent out in some cases, like this one I'm appealing, it took me 7 days to get the Respondents Motion To Dismiss and I responded within 4 days of receiving it, which the Administrative Law Judge alleges she did not receive it, which I proved I sent the Objections, but she had already signed an Order granting Motion To Dismiss, it took me 14 days to receive her Order and I know its no way it should have taken 14 days for me to get mail from Columbia, SC.... I just want you to be aware of that in case you don't get this Notice of Appeal in a timely manner.

aw

September 12, 2023  
Date:

  
Bennie Wicker, Jr., #122304  
Evans Correctional Institution  
Dorm Cheraw B-side, Room 153  
610 Highway 9 West  
Bennettsville, South Carolina 29512

CC: SCDC General Counsel Joseph Shakibanasab  
SCDC Headquarters? Office Of General Counsel  
4444 Broadriver Road/PO Box 21787  
Columbia, SC 29221-1787

Bennie Wicker, Sr, #122304  
Evans Correctional Institution  
Dorm Cherokee Unit, B-side, Room 153  
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29512



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SEP 15 2023  
SC Court of Appeals



The Honorable Clerk of Court for SC Court of Appeals  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina

29211