

The State Of South Carolina
In The Court of Appeal

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Appeal from Horry County
Court Of Common Pleas

OCT 17 2023
SC Court of Appeals

- Honorable R. Ferrell Cothran Jr. Circuit Court Judge
- Honorable William H. Seals Jr. Circuit Court Judge
- Honorable Bruce H. Williams Chief Appeal Court Judge
- Honorable John D. Geathers Appeal Court Judge
- Honorable Jenny A. Kitchings Appeal Court Clerk's
- Honorable Stephanie P. McDonald Appeal Court Judge
- Honorable Lockemy E. James Appeal Court Judge
- Honorable Jerry D. Vinson Jr Appeal Court Judge

Appellate Case No. 2021-0012701

Jamie Goss Appellant

Mark Reynolds Farthing Respondent.

Jamie Goss
Ridgeland Correctional Institution
P.O. Box 2039
Ridgeland S.C 29936

Come now Defendant Jamie Goss Prose, Before
this Honorable Court ON a motion to Alter or Amend
or Make addition fact finding Pursuant to 59 (S.C.R.P.)
and 52b (S.C.R.P.) To reconsider the Petition
for rehearing and En banc in the Court of
Appeal, Rule 58 entry of Judgement
Motion 15 Amended and Supplemental
Statement Of Case

Petitioner file Pro se motion for compassionate
release under extraordinary circumstances
in the jurisdiction of Horry County Court of
Common Pleas. Presiding Honorable R. Ferrell
Cottrill Jr. denied aforementioned motion
consequently closing case. Petitioner appealed
drafting a motion to amend supplement fact finding
under provision of (S.C.R.P.) 59e and 52b and
Humbert v. State 345 S.C. 332. 548 S.E.2d June and
Marlar v. State 375 S.C. 407 653 S.E.2d 266 Nov 5, 2007
question of law and fact later denied by
Honorable William H. Seal. Petitioner appealed
drafting motion the Court of Appeal in waiting on
appeal Petitioner file motion to the court of appeal
for emergency extraordinary circumstance bond.
Honorable Chief Bruce William denied motion and
Follow motion for rehearing was denied. Petitioner
Appeal was dismissed by Honorable John Geathers.
Petitioner ~~the~~ appealed drafting a motion
for rehearing later denied by 3 Judge
panel by Honorable Jerry D. Vinson.

Honorable Stephanie P. McDonald, Honorable E.
Lockemy E. James Appeal Court Judge

Petition To Reconsideration motion for Rehearing and Motion for EN banc

Petition certifies that petition for Rehearing was made and finally ruled on by the Court of Appeal on Sept. 22 2023 which was received by Petition on Sept 27 2023 at Prison Mail Office.

The Petition will respectfully show this Honorable Court the following: Claims raised in Petition motion for rehearing reason as follow Motion Force Majeure Clause and Rule 5(b) Houston v. Lack 487 U.S. 266, 276 (1988). The ~~the~~ Enumeration in the Constitution of certain right shall not be construed to deny or discharge other retained by the people;

1. Was the Court of Appeal negligent in considering these exceptional circumstances pertaining to obstruction of mail by ~~a~~ third party as outlined in section 18 U.S. Code 1701?

2. Was the Court of Appeal unaware of the significant importance when the Horry County Clerk of Court sent a faxed document prior to the case being denied?
3. Was the force Majeure clause, which was submitted prior to the denial of the case overlooked by the court of appeal in accordance with Rule 5(b)?
4. The court of appeal may have failed to consider the troubling situation where a roommate constantly consumes excessive amount of drugs causing distress, five individuals desperately seek assistance during the night while smoke fills the air and drug are scattered everywhere. The police arrive in a chaotic manner, stepping on unsanitary substances and the bathroom is neglected without any cleaning or use of appropriate cleaning agent. Additionally, meals are taken in the bathroom 2 or three times a day resulting in unhygienic conditions?
5. Was the court of appeal unaware of the significant significance of my sudden and intense or distressing prolonged duress stress disorder resulting from Covid-19 during which I nearly lost my life in shower which continues to afflict me with difficulties?

6. Has the Court of Appeal neglected to consider Article 12 section 2 of the South Carolina Constitution, thus breaching my right to due process and denying me the freedom to comply with a court order a Guaranteed by the United States Constitution?

Argument

I was notified of a rejection of my appeal ON June 13 2023 with the order being signed by Honorable John Geather (please refer to Attachment 1) This order was officially filed in the court of Appeal on June 9 2023 granting me a 30 day window to further appeal this issue. As per the regulations outlined in Rule 5(b) of (SCCPA), this information stand,

Argument

In light of the exceptional circumstances it is imperative to apply the mail box rule as established in the case of Houston v. Lack 487 U.S 266 276 (1988) which allows for a five-day grace period. Regrettably, my case was dismissed by the Court of appeal

Rule 15 Amended and Supplemental Plead

The Grievance Regarding file Federal and 1983 Tort Claim dealing with pain and suffering during Covid-19: Violation of the U.S. and Constitution executive Order as Cruel and Unusual Punishment and Roe v. Wade. This Warden Cohen was put on point of this claim for \$600,000,000 for pain and suffering injury or damage

Introduction

The unprecedented global pandemic caused by the outbreak of Covid-19 has affected every aspect of our lives, from personal health to economic stability the impact has been profound. However, for individuals incarcerated within S.C.D.C the situation has been particularly dire. In this article we will explore the grievance regarding file Federal or 1983 tort claim deal with Covid-19, highlighting the violations of both the U.S. and S.C. Constitution, Executive Order as cruel and unusual punishment and even the landmark case of Roe v. Wade. We will examine the policies and procedures implemented by the the SCDC, emphasizing the gross negligence in safety, sanitation maintenance training and medical care under these extraordinary circumstances

Gross Negligence in Safety Measures

One of the fundamental responsibilities of any correctional facility is to ensure the safety

From Jun 2023 to July 13 2023, I still hadn't received any information concerned about the delay I contacted the Court Clerk over the phone. To my surprise they informed me that the case would be dismissed as of ~~July 13, 2023~~ July 13, 2023 due to my failure to provide the required documents. This unexpected turn of event caused me great distress especially considering the ongoing Covid-19 pandemic

Question of Law

Did the court of Appeal overlooked the United State guidelines for force Majeure clause about the important of the case as a whole

Concluding

In concluding this matter I pray that the court grant ~~me~~ these Motion's and entry of Judgment. Also I pray that the court Prepared Order for Release under these extraordinary circumstance, I pray in Jesus.

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Appellate Case No 2021-001271

Jamie Goss Appellant

Mark Reynolds Farthing Respondent

Proof of Service

I certify that I have served the Letter Motion on Mark Reynolds Farthing for Petition for Rehearing reconsideration and rehearing en banc by depositing a copy of this to Prison mail boxes Office on Oct. 2023 to Office of Attorney General, Post Office Box 11549 Columbia South Carolina 29211

Jamie Goss
R-C-I BA-37
P.O. Box 2039
Ridgeland S.C 29936

Part 2) Rule 15 Amended and Supplemental

The S.C. Pardon and Parole Board is abusing their Discretion and doing Discriminatory Practices by Electing not to have a Legislative act or Law which will govern their practices. The general Assembly of South Carolina Does not have such a law enacted or propose Legislation S.C. Code 24-21-610 that will create such an eligiblily Requirement S.C Const. Art 1 Sec 15 and S.C Code 24-13-230. This problem has damage my life with pain an suffering. I want 600,000,000 in this suit, I ~~am~~ have wrote them about this problem letting them know I suing them in this matter. So many people die in the matter and I pray to God everyday for people family for healing.

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of other inmates. However, the CDC has demonstrated a shocking level of gross negligence in this regard during the COVID-19 pandemic. The lack of proper safety measures, such as adequate personal protective equipment (PPE) for both staff and inmates, has put countless lives at risk. This failure to prioritize safety violates the basic right granted by the U.S. Constitution.

Lack of PPE

The CDC failure to provide essential PPE to inmates is a clear violation of their duty to protect and uphold their constitutional right. Without proper masks, gloves and other protective gear, inmates are left defenseless against the highly contagious virus. This gross negligence demonstrates a blatant disregard for their safety and well-being.

Inadequate Testing and Screening

