

**From:** [Heavenly Bites](#)  
**To:** [aqsecurities@scag.gov](mailto:aqsecurities@scag.gov); [4cca-filing@ca4.uscourts.gov](mailto:4cca-filing@ca4.uscourts.gov); [Supreme Court Filings](#); [Court Of Appeals Filings](#)  
**Subject:** EMERGENCY MOTION  
**Date:** Thursday, January 11, 2024 9:25:19 PM

---

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. **\*\*\***

IN THE UNITED STATES COURT OF APPEAL  
FOR THE FOURTH CIRCUIT

APPEAL FROM HORRY COUNTY  
COURT OF COMMON PLEAS

RECEIVED

Jan 11 2024

S.C. SUPREME COURT

HONORABLE Ferrell Cothran Circuit Judge  
HONORABLE William Seals Circuit Judge  
HONORABLE Bruce William Appeal Judge  
HONORABLE John Geather Appeal Judge  
HONORABLE Jenny A. Kitching Appeal Clerk  
HONORABLE Stephanie P. McDonald Appeals  
HONORABLE Lockemy James Appeal Court  
HONORABLE Brenda F. Shealy Appeal Clerk

SUPREME COURT CASE #2023-001660  
COURT OF APPEAL CASE #2021-001271

Motion Rule 27(e) Panel Assignments and Emergency Motion

RULE 47(b) Procedures when there no controlling law Local Rule 46(a). Legal Assistance to Indigents by Law Students

# This Emergency Motion: Compassion Release for Extraordinary Circumstances in South Carolina

## Introduction

This emergency motion is in reference to Compassion Release for Extraordinary Circumstances where South Carolina lacks controlling law. The current law in South Carolina only allows for Compassion Release, which has violated all my rights as a United States citizen. In this motion, I pray that the court construes the exceptional circumstances surrounding my imprisonment and takes necessary action. This case has already been in the Court of Common Pleas in Horry County, the Court of Appeals, and is now pending in the Supreme Court for a writ of certiorari.

## Request for Review

I would respectfully ask the court, according to Rule 34 Production of Documents and Things and Entry upon Land for Inspection and Other Purposes, to pull all records from the Court of Appeals and Supreme Court for review. This is crucial as all my documents have mysteriously gone missing while in prison, infringing upon my personal privacy rights as protected under

Roe v. Wade.

### ## Impact of COVID-19

The absence of controlling laws for COVID-19 in South Carolina has led to immense pain and suffering in my life and that of my family. Therefore, I present this motion in the Court of Common Pleas, written pursuant to 18 U.S.C. 3582(c)(1)(A)(I) and S.C Constitution Article 1 Section 15. Additionally, I refer to the case of United States of America v. Lincoln Warrington Defendant (March 4, 2021).

### ## Issues at Hand

I would like to bring before this honorable court the following issues:

1. **\*\*Staff Shortage and Overcrowding:\*\*** The SC Department of Correction Ridgeland Facility and other SCDC Facilities are currently facing a severe shortage of staff, resulting in an overcrowded inmate population. Moreover, there is a lack of clean air and cleaning supplies, exacerbating the already challenging situation.
2. **\*\*Life-Threatening Illness of Mother:\*\*** My mother is suffering from a life-threatening illness that necessitates her reliance on a Respiratory Breathing Machine. She is also the custodian of my two children, aged 14 and 15.
3. **\*\*Wife in Immigration Detention:\*\*** My wife is currently detained by immigration authorities and faces the possibility of deportation. She is the primary caregiver for our other two children, aged 15 and 16.

### ## Prayer for Release

Given the current circumstances, I fervently pray that this court grants me release. The onset of the COVID-19 pandemic in South Carolina, coupled with the already overcrowded and understaffed facilities, poses a significant risk to my well-being. The lack of appropriate laws addressing this situation has caused me immense pain and suffering, affecting my ability to breathe through my nose and resulting in the deterioration of my dental health and skin condition.

### ## Conclusion

In conclusion, I urge the court to consider my motion for Compassion Release for Extraordinary Circumstances. The absence of controlling laws for COVID-19 in South Carolina has amplified the challenges faced by inmates like myself, who are already dealing with staff shortages and overcrowded facilities. I trust that this honorable court will review my case with due diligence and compassion, taking into account the urgency of the situation and the well-being of not only myself but also my family members who rely on me 18 U.S.C & 3143