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IN THE UNITED STATES COURT OF APPEAL  
FOR THE FOURTH CIRCUIT

APPEAL FROM HORRY COUNTY  
COURT OF COMMON PLEAS

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

**RECEIVED**

**Jan 19 2024**

**SC Court of Appeals**

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

Motion to Construed

Jamie Goss. Petition  
Mark Fart. Defendant

Jamie Goss  
PO Box 2039 Ridgeland SC

Rule 30 Depositions by Oral Examination - Bryan P. Stirling

## Introduction

In the midst of the global Covid-19 pandemic, concerns regarding prison overcrowding and the shortage of staff have become more pronounced. This article aims to explore various aspects of how the South Carolina Department of Corrections (SCDC), under the leadership of Bryan P. Stirling, has handled these challenges. Specifically, we will delve into the reasons for not releasing prisoners during the pandemic, failure to adhere to CDC guidelines, the impact on inmates and staff, and measures taken to address the situation.

## Why hasn't the SCDC released anyone during Covid-19 due to a staff shortage and prison overcrowding?

1. Lack of resources: The SCDC has faced various challenges in managing the prison population during the pandemic due to limited resources and a shortage of staff.

2. Ensuring public safety: One consideration behind the decision to not release inmates is the need to prioritize public safety. Releasing individuals without proper screening and assessment protocols could pose risks to the community.

3. Alternative measures: Instead of releasing prisoners, the SCDC has explored alternative strategies, such as implementing strict hygiene measures, isolating infected individuals, and limiting movement within facilities.

4. Legislative limitations: Release decisions are often subject to legislative provisions and guidelines, limiting the authority of the SCDC to make unilateral decisions.

## Why hasn't the SCDC followed CDC guidelines during Covid-19, particularly regarding one-man cells?

1. Overcrowding challenges: Due to prison overcrowding, it may not be feasible to implement one-man cells as recommended by the CDC. Limited infrastructure and space constraints pose barriers to immediate implementation.

2. Retrofitting requirements: Converting existing cells to single occupancy units requires extensive modifications and investments, which might not be immediately feasible for the SCDC due to budgetary and logistical constraints.

## Has the SCDC petitioned legislation or lawmakers for a Covid-19 bill?

1. Advocacy efforts: The SCDC, under Bryan P. Stirling's leadership, has actively engaged with legislators to address the challenges posed by Covid-19 in the prison system. They have advocated for legislation that would provide support, resources, and flexibility to mitigate the effects of the pandemic.

2. Collaborative approach: By connecting with lawmakers and stakeholders, the SCDC aims to collectively develop legislation that considers all relevant perspectives and prioritizes the safety and well-being of inmates, staff, and the community at large.

## What steps have been taken during the state of emergency to address the aftermath of Covid-19?

1. Rehabilitation programs: In response to the challenges presented by the pandemic, the SCDC has focused on expanding and enhancing rehabilitation programs aimed at facilitating successful reintegration into society post-incarceration.

2. Mental health support: Recognizing the impact of isolation and heightened anxiety during Covid-19, the SCDC has prioritized mental health support, ensuring access to counseling services and resources for both inmates and staff.

3. Collaborative partnerships: The SCDC has forged partnerships with external organizations and agencies to provide additional support and resources to ease the re-entry process and minimize the negative consequences of the pandemic on individuals post-release.

## What training measures have been put in place during Covid-19 due to staff shortages?

1. Cross-training initiatives: To address staff shortages, the SCDC has implemented cross-training programs, enabling personnel from different departments to acquire additional skills to fill critical gaps.
2. Recruitment and retention efforts: Bryan P. Stirling has prioritized recruitment and retention strategies to attract and retain the best talent. This includes offering competitive compensation packages, professional development opportunities, and creating a positive work environment.
3. Collaborative partnerships: The SCDC has collaborated with academic institutions and external organizations to develop specialized training programs tailored to the unique challenges presented by Covid-19.

#### ## Violation of Article 12, Section 2, and Title 24 - Staff Shortages

1. Investigation required: The origins of the staff shortages must be thoroughly investigated to determine if any violation of Article 12, Section 2, and Title 24 have occurred. Compliance with these regulations is essential in ensuring workplace safety and adequate staffing levels.
2. Accountability and transparency: The SCDC, under Bryan P. Stirling's leadership, must take responsibility for any violation found and transparently communicate steps taken to rectify the situation and prevent future occurrences.

#### ## Staffing ratios during Covid-19 in dorms and wings

1. Direct supervision: The SCDC must adhere to appropriate staffing ratios to ensure the safety and security of both staff and inmates during the pandemic. The specific number of officers required in a dorm or on each wing should be determined based on best practices and risk assessment.
2. Balancing safety and resources: While it is ideal to have a sufficient number of officers, it is also crucial to consider resource limitations and ensure effective utilization of available personnel. Striking the right balance can help maintain order and promote a safe environment.

#### ## Termination of wardens at Lee County: December 2023 incident

1. Incident investigation: The decision to terminate wardens at Lee County in December 2023 must have been a result of a thorough investigation into the mini-riot that occurred, leading to one fatality. The termination reflects accountability and the need for effective leadership.
2. Preventive measures: The incident should have triggered a comprehensive review of security protocols and a renewed commitment to preventing future incidents. Bryan P. Stirling should have implemented preventative measures to ensure the safety of both staff and inmates.

#### ## Inmate pay according to Article 12, Section 2, and Title 24

1. Compliance with legislation: The SCDC needs to assess the extent to which it is adhering to Article 12, Section 2, and Title 24. Inmates should receive fair compensation for their labor as mandated by the legislation.
2. Ensuring fairness: Bryan P. Stirling should prioritize equitable treatment of inmates and address any potential discrepancies in wages, ensuring compliance with the established standards.

#### ## Changes in food service and cell cleanliness during Covid-19

1. Hygiene protocols: The SCDC should have implemented heightened hygiene protocols, ensuring regular cleaning and disinfection of cells. Changes to food service delivery including single-serving portions and improved sanitation practices could have mitigated the risk of Covid-19 transmission.

2. Transparent communication: Bryan P. Stirling should have transparently communicated changes and improvements made to food service and cell cleanliness, assuring inmates and their families of the measures taken to address concerns.

### ## Wasteful spending and restoration efforts

1. Spend analysis: The SCDC should conduct an analysis of previous expenditures to identify areas of wasteful spending and explore ways to reallocate funds towards constructive initiatives, such as rehabilitation programs.

2. Restorative justice approach: Bryan P. Stirling should prioritize the restoration of individuals' lives within the prison system by providing resources for education, job training, and mental health support. This approach can contribute to successful reintegration and reduce recidivism rates.

### ## Addressing poor airflow and ensuring capacity during Covid-19

1. Ventilation upgrades: To address the poor airflow and overcrowding concerns during Covid-19, Bryan P. Stirling should prioritize infrastructure improvements. Investment in modern ventilation systems can help mitigate the spread of airborne diseases within the correctional facilities.

2. Collaborative partnerships: The SCDC should collaborate with engineering and architectural experts to

## # JERRY ADGER AND OFFICERS OF THE PAROLE BOARD: DENIAL OF RELEASE DURING COVID-19

### ## Introduction

The unprecedented Covid-19 pandemic has brought about numerous challenges and concerns worldwide. Among these challenges lies the safety and security of inmates within correctional facilities. In this article, we aim to address the actions and decisions of Jerry Adger and the officers of the Parole Board, specifically regarding the denial of release during the Covid-19 crisis. We will also explore the measures taken by the department to ensure the safety of inmates, the number of individuals released on Compassion Release, and the amendment of related policies for extraordinary circumstances.

### ## Denial of Release during Covid-19: A Misunderstanding of Responsibility

One of the main questions that arise from individuals like myself, who were denied release during the Covid-19 pandemic, is the logic behind such decisions. During a state of emergency declared by the Governor through executive order, it is expected that measures would be taken to mitigate risks, especially within correctional facilities. However, my release was denied, and I seek answers as to why.

### ## Safety and Security Measures for Inmates during Covid-19: What has been Done?

It is crucial to understand the actions taken by Jerry Adger and the officers of the Parole Board to ensure the safety and security of inmates amidst the Covid-19 pandemic. This information will help shed light on the decision-making process behind my denial of release. Transparency

is essential to address concerns and evaluate the efficacy of implemented protocols.

### ## Compassion Release: Statistics and Amendments

A crucial aspect to consider is the number of individuals released on Compassion Release from 2007 to 2024. Understanding the historical data can provide insights into the department's approach and effectiveness. Additionally, it is vital to question why Compassion Release was not amended to accommodate the unique circumstances presented by Covid-19 and its extraordinary impact on correctional facilities.

### ## Communication Efforts and Responses: Advocacy for Inmates' Rights

As an inmate representative, I took the initiative to communicate with officials regarding sick and incompetent inmates who were unaware of their rights. However, the response I received was disheartening. It is important to address the lack of support for inmates and understand the reasoning behind such a response, particularly in cases resulting in the unfortunate passing of individuals who required assistance.

### ## Exploring the Role of WARDEN LAVERN Cohen: Actions during Covid-19

Another key individual in this discussion is Warden Lavern Cohen. As a figure of authority within the Ridgeland Facility, it is crucial to analyze what steps were taken during the Covid-19 crisis to release inmates based on CDC guidelines. Furthermore, understanding the staffing shortages faced during this period will provide insights into the challenges and limitations faced by the facility.

### ## Impact of Covid-19: Infections and Fatalities

To gain a comprehensive understanding of the situation, it is necessary to examine the number of Covid-19 cases and deaths within the Ridgeland Facility during the pandemic. This data will help evaluate the effectiveness of safety measures implemented, as well as the overall impact of the virus on the inmate population and staff.

### ## Failure to Transfer High-Risk Inmates: Questioning Decision-making

During Covid-19, high-risk inmates should have been prioritized and transferred to safer locations. However, I was not moved despite being deemed high risk. This decision raises concerns about the judgment of those responsible for inmate safety, and I seek clarification to understand the reasoning behind this decision.

### ## Changes Implemented during Covid-19: Evaluating Current Measures

Lastly, it is imperative to assess the changes made during Covid-19 and the measures currently in place. This evaluation will highlight the progress made, address any shortcomings, and provide a basis for future improvements in inmate safety and security.

In conclusion, the actions, decisions, and policies of Jerry Adger, the officers of the Parole Board, and Warden Lavern Cohen during the Covid-19 pandemic raise several questions regarding inmate safety, release decisions, and the responsiveness of authorities. By thoroughly examining these aspects, we aim to shed light on the circumstances surrounding the denial of release, advocate for transparency, and ensure the well-being of inmates during these trying times.

# Desmond Young MD and Tideland Georgetown Memorial Hospital: Ensuring the Well-being and Legal Rights of Jamie Goss

## ## Introduction

In this article, we will discuss the medical information and legal concerns of Jacqueline Goss, as requested by Jamie Elston Jr. We will explore the address and contact details of Desmond Young MD at 4057 Highway 17 Bypass Murrells Inlet S.C. 29576 (phone number: 843-652-4800) and Tideland Georgetown Memorial Hospital located at 606 Black River Rd Georgetown SC 29440 (phone number: 843-527-7000). The objective is to obtain medical records and birth certificates to prove the custody of Jamie Goss' children and address his wife's unfortunate deportation situation.

## ## Medical Records and Birth Certificates

In Jamie Goss' case, it is of utmost importance to obtain medical records and birth certificates for his children. Goss's wife, Pilar Sofia Valenzuela, has custody of two children, Amaru Valenzuela, born in North Carolina, and Ivana Valenzuela, born in South Carolina. Obtaining the birth certificates of these children will provide substantial evidence to support Goss' claims. To facilitate this, court assistance is requested to procure Immigration records aligned with the birth certificates.

Additionally, Goss requires information regarding appointments with a breathing doctor and skin doctor on 2/16/23 and 3/2/23. Unfortunately, the specific names of these doctors are unknown, but Goss believes that SCDC records will provide the necessary information.

## ## Inspecting SCDC's Air Ventilation and Facilities

To ensure the well-being of inmates at the South Carolina Department of Corrections (SCDC), it is imperative to inspect various aspects of the facilities. Primarily, Goss requests an inspection of the air ventilation system, paying close attention to the presence of mold and overall air capacity in each cell and dorm.

Goss also emphasizes the need to inspect the toilets for proper flushing, especially regarding the potential contamination of food within the cells. Furthermore, it is essential to inspect the showers for mold and determine the appropriate cleaning chemicals for stainless steel maintenance. Goss urges the court to assess the existing policies and provisions related to inmate training in all areas.

Observing the steel beds and mattresses is crucial, as Goss raises concerns about the bed size and the potential risk of falling. Similarly, the inspection should involve evaluating the new locker bag system, taking into account personal privacy rights as established by *Roe v Wade*. The missing documents and pictures Goss had maintained for 17 years require special attention during this inspection.

## Assessment of Food and Nutrition One of the primary concerns voiced by Goss relates to the quality of food and the overall nutritional value provided at SCDC. Goss insists on a comprehensive evaluation of the meat in the kitchen, as well as the transportation of food to the dorms during the ongoing COVID-19 pandemic. Due to staff shortages, he requests that all food be sealed securely to prevent contamination. The inspection should cover the kitchen's cleanliness, adherence to sanitation protocols, and the suitability of food for consumption.

Additionally, Goss urges evaluation of SCDC's business plan to assess whether it ensures the safety and well-being of inmates during COVID-19. The court's understanding and intervention are sought to address the breach of contract resulting from inadequate resources in the law library. Goss prays that the court will consider applicable rules and regulations in

making a decision, such as: - Rule 2: One form of action rule

- Rule 28: Interpretation rule

- Rule 39: Trial by jury or by the court

- Rule 38: Right to a jury trial demand

- Rule 59: New altering or amending a judgment

- Rule 23.1: Derivative action

- Rule 78: Hearing motion submission on brief - Rule 75: Proceedings on Appeal from magistrate Judge to district court

- Rule 50: Judgment as a matter of law in Jury trials

- Rule 24: Intervention

- Rule 20: Permissive joinder

Goss prays for his release and kindly requests a copy of all documents filed with the court.

### ## Conclusion

In the case of Jacqueline Goss, Jamie Elston Jr. advocates for the well-being of his children and seeks to address the immigration concerns surrounding his wife. By acquiring medical records and birth certificates, Jamie Goss aims to provide the necessary evidence for custody claims.

Furthermore, Goss highlights the importance of inspecting various aspects of SCDC facilities, such as air ventilation, cell conditions, toilets, showers, beds, and personal belongings, to ensure proper standards and compliance with privacy regulations. Goss also draws attention to the quality of food provided, the nutritional value, and the safety measures implemented during COVID-19.

Ultimately, Goss places his trust in the court's understanding and pleas for a favorable resolution based on established rules and regulations. By adhering to the principles of justice, Goss hopes to secure his release and pave the way for a brighter future.

**\*\*THANK AND HAVE A BLESS DAY LOVE JAMIE GOSS\*\***