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JAN 30 2024

SC Court of Appeals

Attachments to initial brief and Designation
of matter, 13.14.7

1. Filing fee errors wrong from August back to March
2. Affidavits of defendants.
3. Medical incident report.

New Case

CASE NO. 2018CP3574

STATE OF SOUTH CAROLINA
COUNTY OF MCCORMICK
IN THE COURT OF COMMON PLEAS

STATE OF SOUTH CAROLINA
SCDC
DEFENDANT(S)

Bryantavious Murray
PLAINTIFF(S)

CHECK ALL THAT APPLY:

RE: INMATE FILING OF CIVIL SUITS:

() THE PLAINTIFF, AN INMATE WITH THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, (HAS/HAS NOT) COMPLIED WITH SECTION 24-27-100.

() THE CLERK OF COURT IS HEREBY ORDERED (TO FILE/NOT TO FILE) THE WITHIN ACTION.

THE SCDC SHALL DEDUCT THE FILING FEE FROM THE PRISONER'S TRUST ACCOUNT PURSUANT TO SECTION 24-27-100 AND SHALL FORWARD THE FUNDS TO THE CLERK OF COURT FOR MCCORMICK COUNTY, SOUTH CAROLINA. *This includes service fees.*

Dated at McCormick, SC, this 28th date of August, 2018.

[Signature]
Chief Administrative Judge

Attorney(s) for Plaintiff

Attorney(s) for Defendant

[Signature]
Clerk of Court
[Signature]

Enclosed &
mailed to
Judge W. H. H. H.
3/16/18

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF SOUTH CAROLINA

Bryantavious Murray, #356248,)
)
Plaintiff,)
)
vs.)
)
Geoffrey Rice, Rank Lt.; Jeremey)
McCary, Rank Sgt.; Ronald Cook, Rank)
Lt.; and James Tompkins, Rank Lt., each)
being sued in their individual capacity,)
)
Defendants.)
)
_____)

C/A No.: 1:17-220-RBH-SVH

AFFIDAVIT OF GEOFFREY RICE

PERSONALLY APPEARED BEFORE ME, Geoffrey Rice, who being first duly sworn, deposes and says:


1. I am an employee of the South Carolina Department of Corrections (hereinafter referred to as "SCDC").
2. I am a Lieutenant at McCosmick Correctional Institution (hereinafter referred to as "MCCI").
3. I recall an incident that occurred on April 8, 2016 at MCCI. On that date, I was a First Responder, who are officers who respond to emergency situations in the prison. I heard a call on the radio for First Responders needed in Unit F-4 and immediately proceeded to that Unit. As I was approaching Unit F-4, I saw the Plaintiff standing outside the Unit waving a knife and stating that he was not going anywhere and would kill anyone who tried to make him. Plaintiff was cursing and belligerent. As I and the other First Responders were approaching the Plaintiff, he threw the knife on the top of the building, but continued to curse and us. The Plaintiff also resisted when we approached him and it took all of us to restrain him and place him in handcuffs. While we were trying to restrain him, the Plaintiff was yelling "tat-tat-tat," which is a gang call for the Bloods.

Essentially, he was asking other Bloods to come and help him. Thankfully, no other individuals came to assist the Plaintiff against the officers.

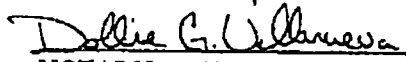
4. We were able to place the Plaintiff in handcuffs, but even after he was placed in handcuffs he continued to resist. After the Plaintiff was placed in handcuffs, he was taken to the Restricted Housing Unit and was subsequently seen by medical personnel. The Plaintiff appeared to be very intoxicated.

5. I did not strike the Plaintiff and did not observe any of the officers strike him, but we were
required to use force because he continued to resist. At no time did I observe any officer use
excessive force or improper force on the Plaintiff. We used the minimal amount of force necessary
to control and restrain the Plaintiff.

6. I acted appropriately in my dealings with the Plaintiff. At no time did I violate any clearly established constitutional rights of the Plaintiff of which I am aware.


Geoffrey Rice

Sworn to and Subscribed before me
this 20 day of April, 2017.


Dottie G. Williams L.S.
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 7-26-2024

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF SOUTH CAROLINA

Bryantavious Murray, #356248,

Plaintiff,

vs.

Geoffrey Rice, Rank Lt.; Jeremy
McCary, Rank Sgt.; Ronald Cook, Rank
Lt.; and James Tompkins, Rank Lt., each
being sued in their individual capacity,

Defendants.

C/A No.: 1:17-220-RBH-SVH

AFFIDAVIT OF RONALD COOK

PERSONALLY APPEARED BEFORE ME, Ronald Cook, who being first duly sworn, deposes
and says:


1. I am an employee of the South Carolina Department of Corrections (hereinafter referred to as "SCDC").
2. I am a Lieutenant at McCormick Correctional Institution (hereinafter referred to as "MCCI").
3. I recall an incident that occurred on April 8, 2016 at MCCI. On that date, I was a First Responder, who are officers who respond to emergency situations in the prison. I heard a call on the radio for First Responders needed in Unit F-4 and immediately proceeded to that Unit. As I was approaching Unit F-4, I saw the Plaintiff standing outside the Unit waving a knife and stating that he was not going anywhere and would kill anyone who tried to make him. Plaintiff was cursing and belligerent. As I and the other First Responders were approaching the Plaintiff, he threw the knife on the top of the building, but continued to curse and us. The Plaintiff also resisted when we approached him, and it took all of us to restrain him and place him in handcuffs. While we were trying to restrain him, the Plaintiff was yelling "tat-tat-tat," which is a gang call for the Bloods.

Essentially, he was asking other Bloods to come and help him. Thankfully, no other individuals came to assist the Plaintiff against the officers.

4. We were able to place the Plaintiff in handcuffs, but even after he was placed in handcuffs he continued to resist. After the Plaintiff was placed in handcuffs, he was taken to the Restricted Housing Unit and was subsequently seen by medical personnel. The Plaintiff appeared to be very intoxicated.

5. I did not strike the Plaintiff and did not observe any of the officers strike him, but we were required to use force because he continued to resist. At no time did I observe any officer use excessive force or improper force on the Plaintiff. We used the minimal amount of force necessary to control and restrain the Plaintiff.

6. I acted appropriately in my dealings with the Plaintiff. At no time did I violate any clearly established constitutional rights of the Plaintiff of which I am aware.


Ronald Cook

Sworn to and Subscribed before me
this 4th day of April, 2017.

Aaron R. Wilkie L.S.
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 7-16-2023

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF SOUTH CAROLINA

Bryantavious Murray, #356248,)	C/A No.: 1:17-220-RBH-SVH
)	
Plaintiff,)	
)	
vs.)	AFFIDAVIT OF JAMES THOMPCKINS
)	
Geoffrey Rice, Rank Lt.; Jeremy)	
McCary, Rank Sgt.; Ronald Cook, Rank)	
Lt.; and James Tompkins, Rank Lt., each)	
being sued in their individual capacity,)	
)	
Defendants.)	
)	

PERSONALLY APPEARED BEFORE ME, James Thompkins, who being first duly sworn, deposes and says:

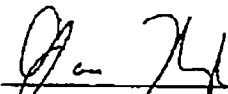
1. I am an employee of the South Carolina Department of Corrections (hereinafter referred to as "SCDC").
2. I am a Captain at McCormick Correctional Institution (hereinafter referred to as "MCCI").
3. I recall an incident that occurred on April 8, 2016 at MCCI. On that date, I was a First Responder and heard a call on the radio for First Responders needed in Unit F-4 and immediately proceeded to that Unit. As I was approaching Unit F-4, I saw the Plaintiff standing outside the Unit waving a knife and stating that he was not going anywhere and would kill anyone who tried to make him. Plaintiff was cursing and belligerent. As I and the other First Responders were approaching the Plaintiff, he threw the knife on the top of the building, but continued to curse at us. Plaintiff appeared to be bleeding when we approached him. The Plaintiff also resisted when we approached him, and it took all of us to restrain him and place him in handcuffs. While we were trying to restrain him, the Plaintiff was yelling "tat-tat-tat," which is a gang call for the Bloods. Essentially,

he was asking other Bloods to come and help him. Thankfully, no other individuals came to assist the Plaintiff against the officers.

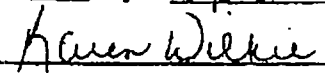
4. We were able to place the Plaintiff in handcuffs, but even after he was placed in handcuffs he continued to resist. After the Plaintiff was placed in handcuffs, he was taken to the Restricted Housing Unit and was subsequently seen by medical personnel. The Plaintiff appeared to be very intoxicated and was slurring his words.

5. I did not strike the Plaintiff and did not observe any of the officers strike him, but we were required to use force because he continued to resist. At no time did I observe any officer use excessive force or improper force on the Plaintiff. We used the minimal amount of force necessary to control and restrain the Plaintiff.

6. I acted appropriately in my dealings with the Plaintiff. At no time did I violate any clearly established constitutional rights of the Plaintiff of which I am aware.


James Thompkins

Sworn to and Subscribed before me
this 13 day of April, 2017.

 L.S.
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 7-14-23

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF SOUTH CAROLINA

Bryantavious Murray, #356248,)	C/A No.: 1:17-220-RBH-SVH
)	
Plaintiff,)	
)	
vs.)	AFFIDAVIT OF JEREMY McCARY
)	
Geoffrey Rice, Rank Lt.; Jeremey)	
McCary, Rank Sgt.; Ronald Cook, Rank)	
Lt.; and James Tompkins, Rank Lt., each)	
being sued in their individual capacity,)	
)	
Defendants.)	
)	

PERSONALLY APPEARED BEFORE ME, Jeremy McCary, who being first duly sworn, deposes and says:

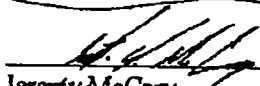
1. I am an employee of the South Carolina Department of Corrections (hereinafter referred to as "SCDC").
2. I am a Sergeant at McCormick Correctional Institution (hereinafter referred to as "MCCI").
3. I recall an incident that occurred on April 8, 2016 at MCCI. On that date, I was a First Responder, who are officers who respond to emergency situations in the prison. I heard a call on the radio for First Responders needed in Unit F-4 and immediately proceeded to that Unit. As I was approaching Unit F-4, I saw the Plaintiff coming out of the Unit. As I continued to approach, Plaintiff was standing outside the Unit waving a knife and stating that he was not going anywhere and would kill anyone who tried to make him. Plaintiff was cursing and belligerent. As I and the other First Responders were approaching the Plaintiff, he threw the knife on the top of the building, but continued to curse and us. Plaintiff appeared to be bleeding when we approached him. The Plaintiff also resisted when we approached him, and it took all of us to restrain him and place him in handcuffs. While we were trying to restrain him, the Plaintiff was yelling "tat-tat-tat," which is a

gang call for the Bloods. Essentially, he was asking other Bloods to come and help him. Thankfully, no other individuals came to assist the Plaintiff against the officers. It was a very dangerous situation because it was meal time and there were around 50-60 inmates on the Yard.

4. We were able to place the Plaintiff in handcuffs, but even after he was placed in handcuffs he continued to resist. After the Plaintiff was placed in handcuffs, he was taken to the Restricted Housing Unit and was subsequently seen by medical personnel. The Plaintiff appeared to be very intoxicated and was slurring his words.

5. I did not strike the Plaintiff and did not observe any of the officers strike him, but we were required to use force because he continued to resist. At no time did I observe any officer use excessive force or improper force on the Plaintiff. We used the minimal amount of force necessary to control and restrain the Plaintiff.

6. I acted appropriately in my dealings with the Plaintiff. At no time did I violate any clearly established constitutional rights of the Plaintiff of which I am aware.


Jeremy McCary

Sworn to and Subscribed before me
this 16 day of April, 2017.

Raven Wilkie L.S.
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 7-16-23

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Institution/Center: <i>McCormick</i>				Date of Report: <i>4.8.16</i>	
Reporting Official (Full Name): <i>Vera E. Courson (R)</i>				Time of Report: <i>1100</i>	
Employee ID #: <i>043323</i>				Date of Incident: <i>4.8.16</i>	
Location of Incident: <i>Rt 4</i>				Time of Incident: <i>Approx 1030</i>	
Inmate(s)/Resident:	SCDC #	Age:	Sex:	Race:	Employee(s)/Witnesses Involved:
1. <i>Murray, Chantavis</i>	<i>35248</i>	<i>M</i>	<i>B</i>		1.
2.					2.
3.					3.
4.					4.
5.					5.

On the above date and approximate time: *The above inmate was seen on Rt 4 after use of force. (Cannon 1 inch laceration) behind of left ear and several small lacerations above right brow with bruising noted. He also had some bruising to left cheek. He was alert and oriented x 3. During assessment he began vomiting and had decreased level of consciousness. He was easily aroused with verbal stimuli. He had an odor of alcohol.*

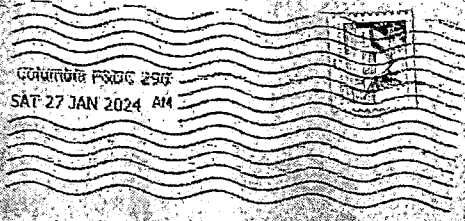
Signature: *Vera E. Courson* Title: *R*

Evidence:

Disposition of Evidence:

Supervisor's Comments:	STG Related - Refer to STG Committee <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Printed Name:	
Signature: Title: Date/Time:	This incident is DRUG related <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Major/Responsible Authority:	
Printed Name:	Responsible Authority Action Taken <input type="checkbox"/> Informal Resolution <input type="checkbox"/> Administrative Resolution <input type="checkbox"/> Refer to Disciplinary Hearing
Signature: Title: Date/Time:	

Bryant Davis K. Murray
2156 Creston Drive
Columbia, S.C. 29229



RECEIVED
JAN 30 2024
SC Court of Appeals

South Carolina Court of Appeals
1220 Senate Street
Columbia, S.C. 29229

