

PCI 1838-12, PCI 0927-12, & PCI 1245-12
Received 7/19/13
RMB

PCI 1838-12, PCI 0927-12, & PCI 1245-12

Memorandum

To: APPELLANT
From: Clerk's Office, Administrative Law Court
Re: Filing Fee

The number of administrative appeals an inmate may file in a calendar year before they are required to file a filing fee has been changed pursuant to Proviso 55.3 of the FY 07-08 Appropriations Act. The Proviso reads in part:

"No filing fee shall be required in administrative appeals by inmates from final decisions of the Department of Corrections or the Department of Probation, Pardon and Parole. **However, if an inmate files three administrative appeals during a calendar year, then each subsequent filing during that year must be accompanied by a twenty-five dollar filing fee.**" (Emphasis added)

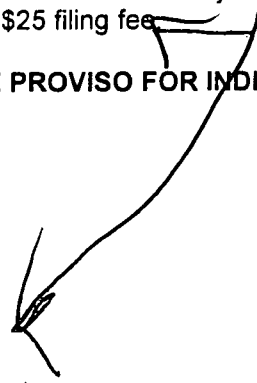
The Proviso became effective July 1, 2007. However, the Administrative Law Court will not implement the Proviso until January 1, 2008. After that time, the ALC will return any fourth and subsequent filing by an individual that is not accompanied by the \$25 filing fee.

PLEASE NOTE: THERE ARE NO PROVISIONS MADE IN THE PROVISO FOR INDIGENT INMATES OR IN FORMA PAUPERIS PETITIONS.

13C 065

13C 0174

13C 0401



STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

T. Terrell Bryan,)
)
Appellant,)
)
vs.)
)
South Carolina Department of Corrections,)
)
Respondent.)

NOTICE OF APPEAL

DOCKET NO. -ALJ-04-
GRIEVANCE NO.: PC-1838-10

Notice is hereby given that T. Terrell Bryan does hereby appeal the final decision of the South Carolina Department of Corrections dated 7/05/13 and received on 7/11/13, a copy of which is attached. A general statement of the grounds for appeal is (See S.C. Code Ann. § 1-23-380(A)(6)):

Lindsey is placing my life in danger by sleeping on post, this incites Ilms to want to harm others. This is my dad time appealing this case, 1st on appeal. Note: 40 Ilms filed grievances on Lindsey sleeping

T. Terrell Bryan
Appellant's Name
*254280, SM 201A, MCC-1
300 Redemption Way
Mailing Address

Without prejudice,
MMA, all rights reserved,
Signed
7/15/13
Dated

McCormick, SC 29609
City, State, Zip Code

CERTIFICATE OF SERVICE

I hereby certify that I, T. Bryan (your name), on the 15 day of 7, 2013, in McCormick (city), South Carolina, served a copy of the foregoing Notice of Appeal on all parties to this matter by depositing the same in the United States Mail, postage paid, or in the mail room of the undersigned's institution and addressed as follows:

Name of person/Agency served: General Counsel
Address: 4444 Broad River Rd.
City, State, Zip Code: Columbia, SC 29210

T. Terrell Bryan
Print your name:

Without prejudice,
MMA, all rights reserved,
Sign your name:

Instructions for filing an appeal of the final agency decision from the South Carolina Department of Corrections:

- 1) You must complete the **Notice of Appeal** on the reverse side of these instructions and mail it to the Administrative Law Court at the following address:

**Clerk's Office
South Carolina Administrative Law Court
1205 Pendleton Street, Suite 224
Columbia, SC 29201**

A copy of the Notice of Appeal must also be forwarded to the Office of General Counsel at the Department of Corrections.

- 2) **In order for your case to be processed by the ALC, a copy of the final decision from the Department of Corrections must be attached to the Notice of Appeal.**

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM

STEP 1

INMATE NAME: T. Terrell Bryan
SCDC NUMBER: 254538
INSTITUTION: PCI
HOUSING UNIT: 923 115 JUL 06 2012 (P)
WORK ASSIGNMENT: N/A

Office Use Only
Grievance No. PCI-1838-12
Code: General _____
Policy _____
Disc. Hear. _____
Class _____
Date Received JUL 06 2012
IGC Initials SM

STATE GRIEVANCE (include documentation, and date of incident; if SCDC Policy, indicate which policy)

on 7/05/12 at about 2:00 until about 2:50 Sgt. Lindsey was at the wing desk sleeping. This is a serious breach of security.
Emergency Grievance.

ACTION REQUESTED: Sgt. Lindsey placed in an environment where he is not responsible for I/m safety.

SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT:

Capt. Duffie was told Lindsey was sleeping on 7/05/12 at dinner time. no corrective action.

[Signature] 7/05/12
Grievant Signature Date

ACTION TAKEN BY IGC:

Reviewed pertinent information. See Warden's Response for decision.

- I accept the action taken by the IGC and consider the matter closed.
- I do not accept the action taken and wish to appeal.

[Signature] 7/6/12
IGC Signature Date

NA
Grievant Signature Date

WARDEN'S DECISION AND REASON:


Inmate Bryan:

This is in response to PCI-1838-12. Your concerns were addressed with Lt. Bennett and A/W Mauney. Sgt. Lindsey denied the allegations; however, Lt. Bennett counseled Sgt. Lindsey on the proper procedures and actions for an officer on the wing.

Based on this information, your requested action is denied. If not satisfied with my response, see Step 5 below.


Warden Signature 8/02/12
Date

- I accept the Warden's decision and consider the matter closed.
 I do not accept the Warden's decision and wish to appeal.


Grievant Signature AUG 8 2012
Date


IGC Signature AUG 8 2012
Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1.
2. Complete each section in its entirety, writing only in the space provided for inmate use.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form to the Institutional Grievance Coordinator within fifteen (15) days of an alleged incident; policy grievances at any time. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, via the Institutional Grievance Coordinator.

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Melt

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM

STEP 2
RECEIVED

INMATE NAME: T. Terrell Bryan
SCDC NUMBER: 25463E
INSTITUTION: MCCT
HOUSING UNIT: A2B115
WORK ASSIGNMENT: N/A

AUG 31 2012

INMATE GRIEVANCE

AUG 13 2012

Office Use Only
Grievance No. PCI-838-12
Code: General UCIS
Policy _____
Disc. Hear. _____
Class. _____
Date Received AUG 21 2012
IGC Initials [Signature]

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):

I am appealing because Sgt. Lindsey is still in an environment where he could place inmates lives in danger by sleeping at his post. Lindsey also stated that he know all the inmates that gave grievances against him & he vow to get us back. Lindsey should be placed in an environment where he has not contact with inmates.

[Signature] 8/08/12
Grievant Signature Date

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

Your concern has been reviewed. Ms. McClendon, IGC discussed your concerns with Lieutenant Bennett and A/W Mauney. Sergeant Lindsey denied your allegations of staff misconduct. However, Lieutenant Bennett counseled Sergeant Lindsey on the proper decorum for an officer working the wing. It is noted, you are now housed at McC and this is no longer an issue that concerns you.

Therefore, your grievance is denied.

You may appeal this decision under the Administrative Procedures Act to the Administrative Law Court. In order to appeal, you must fill out the attached Notice of Appeal Form and submit it as instructed on the form within 30 days of receipt.

[Signature] 7/5/12
Signature Date

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

[Signature] 7/11/13
Grievant Signature Date

[Signature] 07-11-13
IGC Signature Date

(SEE REVERSE SIDE FOR INSTRUCTIONS)

INSTRUCTIONS FOR COMPLETING STEP 2 GRIEVANCE FORM

1. Complete form in its entirety, writing only in the space provided for inmate use.
2. State your specific reason for further appeal. Do not submit any new issues for review.
3. Submit this completed form with your original Step 1 attached, to the Institutional Grievance Coordinator within five (5) days of your receipt of the Warden's decision. Do not write in the space provided for the responsible official.
4. The decision rendered by the responsible official exhausts the appeal process of the SCDC Inmate Grievance Procedure.

S.C. Adm. Law Ct.
1205 Pendleton St., Ste. 224
Columbia, SC 29201

Re: Bryan v. SCOC, PCI 0927-12

Dear Clerk,

Per the enclosed step 1, step 2, & Notice of Appeal, I wish to appeal to your Court.

Please provide me a stamp file copy of this letter & the enclosures.

7/15/13

Thank you
T. Terrell Bryan
#254638, SMO-019, MCCI
386 Redemption Way
McCormick, SC 29849

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

T. Terrell Bryan

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

NOTICE OF APPEAL

DOCKET NO. ALJ-04-
GRIEVANCE NO.: PCI 0927-12

Notice is hereby given that T. Terrell Bryan does hereby appeal the final decision of the South Carolina Department of Corrections dated 7/29/13 and received on 7/11/13, a copy of which is attached. A general statement of the grounds for appeal is (See S.C. Code Ann. § 1-23-380(A)(6)):

SCOC is frustrating inmates access to the courts by not having a desk in the cells, where every other prison does. They can not substantiate a legitimate security concern.

T. Terrell Bryan

Appellant's Name

254155, SMD-BA, MCCI
386 Redemption Way

Mailing Address

without prejudice
MMA, all rights reserved,

Signed

7/15/13

Dated

McCormick, SC 29899

City, State, Zip Code

CERTIFICATE OF SERVICE

I hereby certify that I, T. Bryan (your name), on the 15 day of 7, 2013, in McCormick (city), South Carolina, served a copy of the foregoing Notice of Appeal on all parties to this matter by depositing the same in the United States Mail, postage paid, or in the mail room of the undersigned's institution and addressed as follows:

Name of person/Agency served: General Counsel

Address: 4444 Broad River Rd.

City, State, Zip Code: Columbia, SC 29899

T. Terrell Bryan

Print your name

without prejudice
MMA, all rights reserved,

Sign your name

(See reverse side for instructions)

Instructions for filing an appeal of the final agency decision from the South Carolina Department of Corrections:

- 1) You must complete the **Notice of Appeal** on the reverse side of these instructions and mail it to the Administrative Law Court at the following address:

**Clerk's Office
South Carolina Administrative Law Court
1205 Pendleton Street, Suite 224
Columbia, SC 29201**

A copy of the Notice of Appeal must also be forwarded to the Office of General Counsel at the Department of Corrections.

- 2) **In order for your case to be processed by the ALC, a copy of the final decision from the Department of Corrections must be attached to the Notice of Appeal.**

TT-1-20 4010-113

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 1**

INMATE NAME: T. Terrell Bryan
SCDC NUMBER: 254635
INSTITUTION: PC = APR 10 2012
HOUSING UNIT: CX15
WORK ASSIGNMENT: N/A

Office Use Only
Grievance No. 040927-12
Code: General IC/IS
Policy _____
Disc. Hear. _____
Class. _____
Date Received APR 10 2012
IGC Initials SM

STATE GRIEVANCE (include documentation, and date of incident; if SCDC Policy, indicate which policy)

I have alot of legal work to do & my medical records shows that I have a history of back problems. There is no desk in my cell, therefore I have to bend over sitting down & this is hurting my back. Per attached request to Capt. R. Abston, dated 3/23/12, Capt. Abston write back stating I can not have a desk in my cell at Perry. **NOTE**, every other level 3 prison have desks in their cells. A desk use to be in the cells at Perry years ago. There was valid reason to take the desk out.

ACTION REQUESTED:

A desk be placed in my cell or all cells, & to be informed of why the desks were taken out of the cells.

SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT:

I wrote Al Warden Mouney on 3/24/12, she write back denying me on 3/27/12.

NA 4/10/12
Grievant Signature Date

ACTION TAKEN BY IGC:

Reviewed pertinent information and documentation. See Warden's Response for decision.

- I accept the action taken by the IGC and consider the matter closed.
 I do not accept the action taken and wish to appeal.

NA 7/5/12
IGC Signature Date
NA _____
Grievant Signature Date


WARDEN'S DECISION AND REASON:

Inmate Bryan:


This is in response to PCI-0927-12. Your concerns have been reviewed. There are no circumstances under which a desk can be placed in a cell in SMU.


Based on this information, I consider this grievance **denied**.

If not satisfied with my response, see Step 5 below.


Warden Signature 7/16/12
Date

- I accept the Warden's decision and consider the matter closed.
 I do not accept the Warden's decision and wish to appeal.


Grievant Signature 8-8-12
Date


IGC Signature 8-8-12
Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1.
2. Complete each section in its entirety, writing only in the space provided for inmate use.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form to the Institutional Grievance Coordinator within fifteen (15) days of an alleged incident; policy grievances at any time. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, via the Institutional Grievance Coordinator.

COI 8/29/12

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2

0-1070

INMATE NAME: T. Terrell Brown
SCDC NUMBER: 254634
INSTITUTION: PCF MCEJ AUG 31 2012
HOUSING UNIT: 60 B115
WORK ASSIGNMENT: MP

RECEIVED
INMATE GRIEVANCE
AUG 10 2012

Office Use Only
Grievance No. PCI-092742
Code: General IC
Policy _____
Disc. Hear. _____
Class. _____
Date Received AUG 16 2012
IGC Initials on
6-27-13

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):
A desk use to be in the cells but was removed to hinder
Inmates on lock-up from doing legal work. As stated
in the "Warden's Decision & Reason" that "There are no
circumstances under which a desk can be placed in a cell
in SMU. My point exactly.

[Signature] [Signature]
Grievant Signature Date

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

Your concern has been reviewed. Due to the security concerns involved, inmates housed in SMU are not permitted to have desk in their cells.

Therefore, your grievance is denied.

You may appeal this decision under the Administrative Procedures Act to the Administrative Law Court. In order to appeal, you must fill out the attached Notice of Appeal Form and submit it as instructed on the form within 30 days of receipt.

[Signature] 7/5/12
Signature Date

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Grievant Signature Date IGC Signature P. Tallent 07-11-13 Date

(SEE REVERSE SIDE FOR INSTRUCTIONS)

INSTRUCTIONS FOR COMPLETING STEP 2 GRIEVANCE FORM

1. Complete form in its entirety, writing only in the space provided for inmate use.
2. State your specific reason for further appeal. Do not submit any new issues for review.
3. Submit this completed form with your original Step 1 attached, to the Institutional Grievance Coordinator within five (5) days of your receipt of the Warden's decision. Do not write in the space provided for the responsible official.
4. The decision rendered by the responsible official exhausts the appeal process of the SCDC Inmate Grievance Procedure.

S.C. Adm. Law Ct.
1205 Pendleton St. Ste-224
Columbia, SC 29201

Re: Bryan v. SCDC, PCI 1245-12

Dear Clerk,

Enclosed for your filing is a Notice of appeal, step 1 in a grievance.
Please return to me a stamped copy of ~~same~~ this letter & the
enclosures.

7/15/13

THANK YOU
T. Terrell Bryan
#254738, SMD-319, MCLT
386 Redemption Way
McLermick, SC 29499

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

T. Terrell Bryan,)
)
Appellant,)
)
vs.)
)
South Carolina Department of Corrections,)
)
Respondent.)

NOTICE OF APPEAL

DOCKET NO. ALJ-04-
GRIEVANCE NO.: PCI 1245-12

Notice is hereby given that T. Terrell Bryan does hereby appeal the final decision of the South Carolina Department of Corrections dated 7/25/13 and received on 7/11/13, a copy of which is attached. A general statement of the grounds for appeal is (See S.C. Code Ann. § 1-23-380(A)(6)):

SCOC has fail to state why night shift did not return my property & how was it due to staffing & security concerns.

T. Terrell Bryan
Appellant's Name
*254638 SMO BIA, MCI
386 Redemption Way
Mailing Address
McCormick SC 29499
City, State, Zip Code

Without prejudice,
MMA, all rights reserved,
Signed
7/15/13
Dated

CERTIFICATE OF SERVICE

I hereby certify that I, T. Bryan (your name), on the 15 day of 7, 2013, in McCormick (city), South Carolina, served a copy of the foregoing Notice of Appeal on all parties to this matter by depositing the same in the United States Mail, postage paid, or in the mail room of the undersigned's institution and addressed as follows:

Name of person/Agency served: General Counsel
Address: 4444 Broad River Rd.
City, State, Zip Code: Columbia, SC 29210

T. Terrell Bryan
Print your name:

Without prejudice,
MMA, all rights reserved,
Sign your name:

Instructions for filing an appeal of the final agency decision from the South Carolina Department of Corrections:

- 1) You must complete the **Notice of Appeal** on the reverse side of these instructions and mail it to the Administrative Law Court at the following address:

**Clerk's Office
South Carolina Administrative Law Court
1205 Pendleton Street, Suite 224
Columbia, SC 29201**

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- 2) **In order for your case to be processed by the ALC, a copy of the final decision from the Department of Corrections must be attached to the Notice of Appeal.**

4010-215
A-1-CU

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 1

INMATE NAME: T. Terrell Bryan
SCDC NUMBER: 254638
INSTITUTION: POI
HOUSING UNIT: CX14
WORK ASSIGNMENT: N/A

Office Use Only
Grievance No. PCI-1245-12
Code: General JPTIS
Policy _____
Disc. Hear. _____
Class: _____
Date Received MAY 08 2012
IGC Initials SM

STATE GRIEVANCE (include documentation, and date of incident; if SCDC Policy, indicate which policy)

on 4/16/12 until 4/22/12 I was stripped out on control cell. I was told by Lt. McCaulley that he will give my property back to me, this was Thursday 4/19/12. I did not get my property back. on 4/24/12 Lt. McCaulley at about 6:15 a.m. said he told night shift to give my property back.

ACTION REQUESTED: Compensatory damages of \$2,000.00 or the responsible party disciplined.

SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT:

I spoke to Lt. Church & Capt. Miller, ~~the~~ on 4/19/12, they both said no one told them anything about giving my property back.

LMB
Grievant Signature
4/24/12
Date

ACTION TAKEN BY IGC:

Reviewed pertinent information and documentation. See Warden's Response for decision.

SMC 7/5/12
IGC Signature Date

NA
Grievant Signature Date

I accept the action taken by the IGC and consider the matter closed.
 I do not accept the action taken and wish to appeal.

WARDEN'S DECISION AND REASON:

Inmate Bryan:

This is in response to PCI-1245-12. Your concerns were discussed with Captain Abston and pertinent information reviewed.

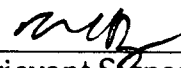
Once an inmate comes off Control Cell every effort is made to return the inmate's property in a timely manner; however, there are times when the return of an inmate's property is delayed due to staffing or security concerns.

Based on this information, I consider this grievance **resolved**.

If not satisfied with my response, see Step 5 below.


Warden Signature 7/6/12
Date

- I accept the Warden's decision and consider the matter closed.
- I do not accept the Warden's decision and wish to appeal.


Grievant Signature 8-8-12
Date


IGC Signature 8-8-12
Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1.
2. Complete each section in its entirety, writing only in the space provided for inmate use.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form to the Institutional Grievance Coordinator within fifteen (15) days of an alleged incident; policy grievances at any time. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, via the Institutional Grievance Coordinator.

CO 8/29/12 MCE

WE. 0-10-1

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM

STEP 2
RECEIVED

INMATE NAME: T. Terrell Bryan
SCDC NUMBER: 254638
INSTITUTION: MCE
HOUSING UNIT: 62515
WORK ASSIGNMENT: N/A

AUG 31 2012

INMATE GRIEVANCE

AUG 10 2012

Office Use Only
Grievance No. PCI-1245-12
Code: General IPIS
Policy _____
Disc. Hear. _____
Class. _____
Date Received AUG 16 2012
IGC Initials 6-27-13

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):

I was not given my property back until 2 days later. This does not show an effort to return my property. The stay I grievance does not state how or why it took two days to return my property.

[Signature] [Signature]
Grievant Signature Date

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

Your concern has been reviewed. Ms. McCleandon, IGC discussed your concerns with Captain Early. Captain Early informed her that every effort is made to ensure that the inmate receives his property back once he comes off Control Cell. However, there were times when the returning of the property was delayed due to staffing and security concerns.

Therefore, your grievance is denied.

You may appeal this decision under the Administrative Procedures Act to the Administrative Law Court. In order to appeal, you must fill out the attached Notice of Appeal Form and submit it as instructed on the form within 30 days of receipt.

[Signature] 7/5/13
Signature Date

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

[Signature] 7/11/13
Grievant Signature Date

P. Tallent 07-11-13
IGC Signature Date

(SEE REVERSE SIDE FOR INSTRUCTIONS)

INSTRUCTIONS FOR COMPLETING STEP 2 GRIEVANCE FORM

1. Complete form in its entirety, writing only in the space provided for inmate use.
2. State your specific reason for further appeal. Do not submit any new issues for review.
3. Submit this completed form with your original Step 1 attached, to the Institutional Grievance Coordinator within five (5) days of your receipt of the Warden's decision. Do not write in the space provided for the responsible official.
4. The decision rendered by the responsible official exhausts the appeal process of the SCDC Inmate Grievance Procedure.