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May 28 2024

SC Court of Appeals

Exhibit B.

LEGAL

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 RONALD COOK

RECEIVED
May 28 2024
SC Court of Appeals

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.

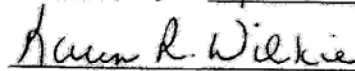
 L.S.
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 7-14-2023

Exhibit G.)

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 THOMPKINS
)	
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, James Thompkins, who being first duly sworn, deposes and says:

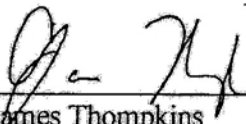
- I am an employee of the South Carolina Department of Corrections (hereinafter referred to as "SCDC").
- I am a Captain at McCormick Correctional Institution (hereinafter referred to as "MCCI").
- I recall an incident that occurred on April 8, 2016 at MCCI. On that date, I was a First Responder and 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.

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

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Exhibit 27

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:

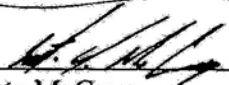
1. I am an employee of the South Carolina Department of Corrections (hereinafter referred to as "SCDC").
2. I am a Sergeant at McCormick Correctional Institution (hereinafter referred to as "MCCI").
3. I recall an incident that occurred on April 8, 2016 at MCCI. On that date, I was a First Responder, 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 18 day of April, 2017.

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

State of South Carolina
County of McCormick
Bryan Thomas R. Murray #10356018
Plaintiff

-VS-

South Carolina Department of Corrections
Defendant

In the Court of Common Pleas
Case No. _____

DECLARATION IN
SUPPORT OF INTERVENTION
AND OF A TEMPORARILY
RESTRAINING ORDER

I, Bryan Thomas R. Murray, am the Plaintiff in the above
entitled case. In support of my motion of intervention and
of a temporarily restraining order. In reference to rules of
C.S. Proc. Rule 59. (D) S.C.A. R.P. Plaintiff declare a declaration
which states how Plaintiff tried to notify the defendants that
I am entitled for a ninety (90) days plus extended additional
90 days; see Exhibit A.) In. No. PREZ-0145-18 attached
which have notice to the defendants per P.D.A. within the South
Carolina Department of Corrections from a long history of
immediate, and or pre-punitive injury, and or less damages
claims of disabilities, if the Court fails to grant this motion
the Plaintiff is and will likely still sustain pre-punitive injury
as to this case...

Executed at _____ on this _____ day of _____ 2018
105722041000011111
Printed. 3.8.2018

Signature: Bryan Thomas R. Murray
Name: Bryan Thomas R. Murray
Date: March 8, 2018

State of South Carolina
County of McCormick

Brystan Thomas K. Murray #356248
Preliminary Plaintiff

-VS-

South Carolina Department of Corrections
Defendants et al

In the Court of Common Pleas
ORDER TO
CAUSE FOR A

INJUNCTION
A TEMPORARY
PRELIMINARY
ORDER

CASE NO. _____

Rules C.V. Proc. Rule: 65,
and or Rule: 4 section (b)...

Upon the complaint, the supporting affidavits of Plaintiff's
and the memorandum of law submitted herewith, it is
ORDERED that defendants; South Carolina Department of Corrections,
show Cause in room _____ of the McCormick County Court
of Common Pleas; address: McCormick Co. Clerk of Court; 133 S. Maple
St. Room 102, McCormick, S.C. 29835, of _____, 2018, at
_____ o'clock, why a preliminary injunction should not issue
pursuant to, 34 C.F.R. 41(b) of 34 C.F.R. concerning the defendants, their suc-
cessors in office, Agents and employees and all other persons acting
in concert and Quasi-Partial with them, from the complaint's statement
of facts: Plaintiff's 1st, 4th, 5th, 8th, 11th U.S.C.A. and or in a retaliatory
act to cover the permanent injunction. See: attached statement of facts....

PRELIMINARY STATEMENT

This action is brought against the SCOC alleging Gross Negligence And Neglect of A Vulnerable adult Where SCOC Officials and employees (1) Failed to Provide me Protective Custody after I informed mental health MS. Goodwin 6/22/2016, after A Documentation of (1): ORIGINAL COPY of an officers incident report, THAT WAS LOANED IN on 6/22/2016. At Perry Correctional Institution by mental health MS. Goodwin. THAT I FEARED FOR MY LIFE AND SAFETY AFTER BEING THREATENED, AND BEATEN BRUTALLY THREW PHYSICALLY INJURED BY SCOC EMPLOYEES. (2) THEY USED UNNECESSARY MK-4 NOTED AS OTHER TEAR GAS. TO INCLUDE UNNECESSARY AMOUNT OF EXCESSIVE PHYSICAL FORCE AGAINST ME WHILE I WAS SECURED IN RESTRAINTS (3) THEY FAILED TO PROVIDE ME ADEQUATELY BUT INTENTIONALLY DELAYED ME DELIBERATE MEDICAL ATTENTION AFTER HAVING USED MK-4 PEPPER SPRAY, AND OTHER PHYSICAL FORCE AGAINST ME. (4) THEY FAILED TO PROVIDE SAFETY MEASURES TO PREVENT UNAUTHORIZED TOUCHINGS TO INMATE WHICH EXCEEDED TO AN EXCESSIVE FORCE HISTORY WHICH IS NOT RULED FAVORABLES BUT WAS USED IN A MALICIOUSLY INTENT ACT WHICH ONE (1) INMATE LITS RESULTED TO UNLAWFUL INJURY'S TO BELURE HIS GROSS NEGLIGENCE CLAIMS. (5) THEY UNNECESSARILY DESTROYED MY AUTHORIZED PERSONAL PROPERTY THROUGH PHYSICALLY INTENTIONAL THREW THREE INSTITUTIONS (5) TO INCLUDE A WHEELIE BOARD FRAME SET. (6) THEY FAILED TO COMPLY WITH MEDICAL INSTRUCTIONS REGARDING MY HEALTH - AFTER CARE WHEN I WAS RELEASED FROM THE HOSPITAL. AND (7) THEY FAILED TO PROVIDE ME PROMPT MENTAL HEALTH ASSESSMENTS, TREATMENT, AND COUNSELING TO INCLUDE RELEASE FROM RELL FOLLOWING. THE TRAUMATIC KNOWS THAT I SUFFERED DURING THE TIME OF THIS USE OF FORCE... TO INCLUDE RETALIATION, AND HARMONIZED THROUGHOUT THE TIME OF THIS INCIDENT AND AFTER... WHICH MEET THE STANDARDS FOR A GROSS NEGLIGENCE CLAIMS... ANSWER...

LEGAL

Statement of Facts

- 1). ON APRIL 8, 2016, AT McORMACK CORRECTIONAL INSTITUTION ("McORMACK") I WAS ASSIGNED TO THE F-2 HOUSING UNIT. DUE TO MY MENTAL HEALTH ILLNESSES CLASSIFICATION, ON THE MORNING OF APRIL 8, 2016, I INMATE BRUNSTUNOUS MURRAY #356248, WAS SCHEDULED TO FOLLOW UP WITH AN APPOINTMENT CONCERNING DENTURES WITH #166 FOLLOW-UP DENTAL APPOINTMENT AT APPROX 6:50 A.M. WHICH WAS SPANNED OFF BY WILLIAM F. WARE'S "DENTIST" WHO RESCHEDULED INMATE'S ORDER TO REPORT TO "DENTAL" TO BE APPROXIMATELY AT 8:00 AM HRS. - 8:15 AM.
- 2). THE McORMACK CORRECTIONAL INSTITUTION TO INCLUDE VARIOUS "SCDC" INSTITUTIONS HIGHERS A NUMBER OF UNTRAINED PUBLIC EMPLOYEES WHO ARE VERY AGGRESSIVE AND ASSAULTIVE, WHO HAVE HIGH INTENTS OF PREMEDITATED VIOLENCE TOWARDS VIOLENCE, AND WHO ARE GENERALLY DISRUPTIVE TO THE OPERATIONS AT THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS....
- 3). ON THE DATE OF APRIL 8, 2016, I INMATE BRUNSTUNOUS MURRAY #356248, WAS LET OUT OF HOUSING UNIT DORM F-2, TO ATTEND A DENTAL APPOINTMENT AT 8:00 AM HRS. THE OFFICER OVER THE DORM STATED PRECISELY TO INMATE, (A) TO TAKE THE SIDE WALK TOWARDS THE CHAPEL, (B), AS I INMATE BRUNSTUNOUS MURRAY WAS NEARLY HOUSING UNIT F-3 WHEN (C), I NOTICED LT. GREGORY RICE, LT. RONALD COOK, LT. JAMES THOMPSON, AND SGT. JEREMY MURPHY ENTERING ABOUT THE CAFETERIA, (D). AS I WAS NEARING THE CHAPEL, I (E) SAW OFFICERS LT. GREGORY RICE, LT. RONALD COOK, LT. JAMES THOMPSON, AND SGT. JEREMY MURPHY RUNNING TOWARDS ME.... (F). I THEN OBEYED ORDERS BEFORE ANY DIRECTIVES WAS GIVEN TO 1). (G) GET DOWN ON BOTH OF MY KNEES AND PLACE BOTH OF MY ARMS BEHIND MY BACK....
- 4). THE RESTRAINTS WERE PLACED ON BY OFFICER LT. GREGORY RICE, OF. LT. GREGORY RICE THEN FORCEFULLY PUSHED INMATE ON THE GROUND INAPPROPRIATELY, FACE FIRST, THEN (B) WENT ABOUT TO DUNEBANK, AND KICKED THE PLAZA, (C). THE PLAINTIFF WAS PUNCHED SEVERALLY NUMEROUS TIMES IN THE FRONT AND BACK OF HIS HEAD NUMEROUS TIMES, WHICH COULD HAVE CAUSED ABOUT AN CONCUSSION..

At the time of this Planned Use of Force, an officer with the name of Sgt. Jeremy McCarty intentionally and deliberately used excessive force on the Plaintiff by using some bodily injury in results of battery he intentionally (D) kicked, and went about punching the Plaintiff numerous times about the body to be (3) three hits exact. The Plaintiff intended to be some what of that of an concussion but in visualization to see... (E). To include sometime during this Planned or unplanned use of force the Plaintiff was punched about the body to include face by Correctional officer who goes by the name of Lt. Ronald Cook to be about (2) times with the mind of that to be some what of maliciously intent moves that constituted the amount of an planned use of excessive force. (F). At durish are around this Planned use of excessive force the Plaintiff was to include some what of abusively slumped, by an officer who goes by the name of Lt. James Shannon who at the time intentionally in plain awareness used battery on the Plaintiff to not be in the amount of Scott's use of force policy's 1500.40. (Camera/Audio) to include the amount of handcuffs that were used as battery on the Plaintiff and direct in counter hits of right elbows on the Plaintiff... (G). The Plaintiff was then intentionally walked to operations by an officer by the name of Sgt. Jeremy McCarty who did (H) with every intents used battery on Plaintiff by going about to punch the Plaintiff in the face twice which was a known now factor of a premeditated cross weapon assault/battery excessive force claim.... To include the amount of blows on Plaintiff (2), with one being in the back of his head, and two one (1) directly to the front of his skull....

5). Once the Plaintiff was inside of operations, it was under color of state law for the Major Frank Musier to intentionally grab the Plaintiff and turn the Plaintiff up against the operations side. To include that of some what favorably used the Plaintiff was intentionally hooked by camera control both date to Allu Wade (B). He was met and hit with battery contact of blow once (1) intentionally to the right brow, by an officer known by the name of Capt. Michael Joseph Stevens, who was (C). Also present at the beginning planned amount of excessive (H) Dpt have Lashini a cold knife that he used to deprive the Plaintiff with purpose of the operations.....

6). The Plaintiff was then escorted out of operations back door Sally Port by officers by the name of Officer MAJOR Frank MUBIER, and Officer UNIT MANAGER Joseph Stevens. (B). Shortly after by the name of LT. Stanley TERRY, and A unknown officer took Plaintiff to lock-up 'AMU Sally Port. Where the Plaintiff was seen by mental health MS. MADDOX. Plaintiff was then examined by P/N Nurse E. COURSON prior to her medical incident report. Written on April 8, 2016 she examined Plaintiff to be at 10:30 AM hrs. which is indifferent to the fact as to the use of force being done at 9:00 AM hrs was enough for Deliberate indifference^(a) Correctional officers or Public official to delay prisoner to serious medical needs to Plaintiff.

7). Prior to Plaintiff's TAN SEDC uniforms, they were cut off by officer LT. Stanley TERRY, and intentionally misprinted noted that they (B). had blood all over them (C). There were put inside of Contraband's evidence to Reference Jeffrey Scott's investigation. Prior to Scott's letter cells it should have not exceeded the amount of (11) years to be on camera video audio... See

8). Also as a result to the above. The Plaintiff was taken by emergency transportation to Self Memorial Hospital in Greenwood S.C. by officers LT. Stanley TERRY, and Sgt Annequetta Erdeman by vehicle # tracking # 2666, followed by Unit manager Eddie Callahan, tracking vehicle # 2655. Along with the Plaintiff's property lockers. The Plaintiff remained in Self Memorial health care for approximately (1) one day. During this time, the Plaintiff was (B). treated for approximately the amount of sixteen (16) stitches, and underwent surgery by Doctor Madrin for 19 mins after CT....

9). Additionally the Plaintiff suffered both mentally and physically to include Permanent Scarring, Permanent impairment, and Permanent disability.....

10). Additionally each and every defendant listed there in this complaint here in mentioned had a (17A) Constitutional duty to protect inmates from violence at the hands of other persons when they knew rationally that certain conditions within the Department of Corrections presented a substantial safety risk. To include that at all times relevant, the Defendants were not only on site at the facility, but also they were well aware that they had supervision to include TANK and had been individually been involved in a excessive use of force.....

- 11). Additionally they were also well aware that this created a highly numerous situation for all inmates to include the Plaintiff located in that area. Even though they had the opportunity and obligation, they consciously failed to take any steps to ensure the Plaintiff's safety. (B) Documents by Sgt. Jeremy Mercury later revealed on the date of April 18, 2017, there were around 50-60 inmates on the yard during that time... See exhibit: (D) Attachment...
- 12). Prior to April, 2016 ~~the~~ Plaintiff filed, and filed hand written "inmate request to staff member forms with the appropriate security administrators S. Marshall #016449, and Frank Musier; (2) written request notifying them of this issue, and the overall lack of inadequate security. Additionally all of the Plaintiff's request were either ignored or denied. These actions and/or inactions further exposed the Plaintiff to a substantial risk of harm in the future.... (B). Plaintiff even went about re-submitting to the appropriate staff members; S. Marshall #016449, and Frank Musier again on date of: 3/14/2017; and again has denied a response....
- 13). Additionally furthermore the Plaintiff is informed and believes that prior to the incident in question the investigation conducted by SCOC investigator Albert Jeffery Scott, revealed without evidence that repeatedly violent outbreaks occurred to be substantial at the McComick Correctional Institution. As well as the fact that the inappropriate security was not appropriate security personnel is dealing with the Plaintiff, and was in deed on site at the time this incident happened... or occurred....
- 14). Additionally upon the information and belief the Defendants were also each equally aware of the potential outbreaks of violence, and additionally intentionally deprived the Plaintiff, the Defendants even each consciously failed to take reasonable measures to abate the risk of harm done to the Plaintiff. So were fore the Plaintiff suffered serious injuries as a direct result thereof....
- 15). and or about the year of 2016, the Plaintiff was placed in the custody, and care of McComick Correctional Institution - which is part of the South Carolina Department of Corrections, at institutional level (MCCI) was run by a warden by the name of Warden Letho Curtledge. The Plaintiff had remained in the McComick Correctional Institution until on and about the date of April 8, 2016. After his release from self memorial was affirmed by Dr. Head to discharge the Plaintiff. He was immediately van vehicle transported, by transportation van vehicle #2666, by officers who go by the names of Stanley Terry, and Annetta Wideman. Both been considered as public officials, but government state employees under the Eleventh Amendment. Immunity followed by vehicle #2650, of which contained an SCOC Unit Manager

Officer of which of who goes by the name of an Eddie Latham. who also had full consent of the Plaintiff's Personal Property Bag of which was padded by a zip tie to be "Plastic" and locatable tracking number. The officer is also a SCOC employee. But is considered as an Public employee of prior to the Eleventh Amendment. to transport the Plaintiff on transportation runs, medical runs, and emergency shipments... The Plaintiff was later transferred to an institution which goes by the name of Perry Correctional Institution which is also under the South Carolina Department of Corrections. The Plaintiff has been housed, and incarcerated at numerous institutions since the date of April 8, 2016. to include Perry Correctional Institution; Broad River Correctional Institution; housed Greenwood dorm (Crisis); the Shaw Correctional Institution; Peber Correctional Institution; Lee Correctional Institution (2) twice sentenced prior back to Broad River Correctional Institution ("Crisis") for prior traumatization care, and prior said staff abuse to include Battery; the physical touching of a person's (B) Body Parts; that is in a inappropriate manner to not minimum restrain but to inflict bodily harm... The Plaintiff was (1) once released recently housed back at the Shaw Correctional Institution; that lead to (2) one more recent housed to be full name housed at (B) Greenwood; Crisis, Stabilization Unit Dorm; for several months. He is now currently incarcerated at an institution housed called; Correctional Institution; which is also located within the South Carolina Department of Corrections already...

16. Additionally upon information and belief, the McCormick Correctional Institution is classified as a level three (3) correctional institution denotes that the Plaintiff also has a history as of being a "Classification" in the housed known to the mental health case load and prior indictment conviction; which exposed him to a serious history of harm (B). Being that it has been intentionally documented by the South Carolina Department of Corrections training coordinator Yolanda Delgado who testified in deposition that "less than a handful" of correctional officers attended training sessions to improve the staff's knowledge and skills in dealing with mentally ill inmates. which is not inconsistent with the rest to as much staff discrimination, and higher level of staff abuse... (c). The McCormick Correctional maximum security facility is addition it has noted to have had and intensive amount and long history of a failure to provide the appropriate and adequately trained security personnel and supervisory staff to oversee to accept the responsibility and care over the inmate's housed at the McCormick Correctional Facility...

17). Then Additionally failing to provide the Adequate and/or proper number of trained Adequately security staff personal at numerous locations throughout the Agency's Facility... States that each and every allegation of fact in these Paragraphs above is herein re-instated, and re-alleged herein, as if herein re-instated verbatim, literally word for word. (B). That the 30 said listed defendant's was in need, and not acting under (1). the color of or a pretense of state laws, state customs, state practices, state usage, and/or state policies, (2). to be at all times mentioned herein as correctional officers who are state employees, and (3) or all known supervisors who had certain duties imposed upon their commissions under the Agency's both with regard to the Plaintiff's dignity. In Additionally and during the time of this incident of an excessive amount the use of force to cure which they did not. The Defendants were well aware of the Plaintiff's Constitutional rights to be free from cruel and unusual punishment per Policy, 1500-2-1, and 1500.40(1967 State v. Preamble...

18). Additionally in consciously ministerial duty was to be taken out. The Defendants cannot or dare nor bring forth any excuse that they pretended to intentionally follow and not deprive the Plaintiff because it is clearly established (B). That these policies have not been followed, and that all allegations mentioned above or herein (2) twice factual... (C). Also the defendants were consciously and deliberately indifferent to deny the Plaintiff to medical treatment on the Plaintiff. They so acted in order to apply a such small amount of force to restore order but refuse to inflict bodily harm on the Plaintiff which the Agency's policies and procedural guidelines do not allow. See: 1107, 1500.40@:5000.

19). In the facts following particulars:

(A). These listed 3000 employees in consciously intended to allow premeditated excessive (A) amount of and use of force to be used without the Adequate trained staff for an inmates safety to be in exact coexistence with 3000's policies and procedures to insure the safety of the Plaintiff. (B). to be in consciously and deliberately, and failing to provide the appropriate number of adequately trained staff members at various locations throughout the McComick Correctional Institution to such Adequately insure to a inmates safety... (C). in consciously and deliberately failing to provide the most not minimum amount of Adequate and appropriate amount of security officers personal in and at McComick Correctional Institution (2) to include the proper yard supervision... (D). in consciously and deliberately failing to properly monitor the Plaintiff so as much to not criticize... but there are much more intend to premeditatedly harm the Plaintiff... (E). in consciously

LEGAL

and deliberately failing to protect the Plaintiff from an assault and battery cross negligence claim against officers employees of SOCC agencies... (I) in conscious and deliberately failing to properly supervise the employees so as to ensure the safety of the Plaintiff, and inmates housed at the maximum level institutional institution. (E). in conscious and deliberately failing to protect the Plaintiff from any and all serious harm... (H). in conscious and deliberately failing to provide any level of high nor minimum, to fit the amount of a minimum security facility adequately to ensure safety on the Plaintiff... (F). in conscious and deliberately not really clearly recognizing or acknowledging a clearly now though, but dangerous situation without (1st) first the thought to (1). Analyze the situation, and (2). How serious it appeared to the Plaintiff... (J). in conscious and deliberately failing to take any reasonable amount of action to prevent the inmate from being severely bodily injured... (K). in conscious and deliberately failing to properly investigate. By (1). clothing inspection, 2). to include camera, 3). any cover up, and all documented statements written by overall unit and use of force staff, 4). not following institutional head inmates policy's and procedures to follow the proper instructions to write all inmates listed mentioned, and wanted throughout SOCC agencies policy's, to include proper chain of command, that states any officers mentions within a use of force should do to copy's, 5). not properly supervising 1500.40, and (1st) first 1500.2-1. at wardens head by subordinates to not see that this did not meet an outside agency's institution by Agent Jeffrey Scott... and 6). not establishing a clear right, to personally cover up and falsely incriminate the Plaintiff to Agency's investigator Agent Jeffrey Scott to secure (2nd) second conviction. After the Plaintiff served a wrongfully 160 days, with due process reference, and while inadequately low paper work, which cause him excessive sanctions. (L) in conscious and deliberately claim failing to adhere to the SOCC agencies policies and procedures, per 1500.40, 1500.2-1, and 200-25. (M) Additionally (1) should be conscious and deliberately indifferent to the Plaintiff's health and safety (2) when in awareness. (N). intentionally being in conscious and deliberately indifferent to the Plaintiff's health and safety after having full knowledge of the dangerous conditions, and still failing to take the least reasonable amount of measures to prevent it from stopping or occurring on the Plaintiff... (O). in conscious and deliberately not attending the proper training academies... (P). in conscious and deliberately not supplying the appropriate on site rendered staff to have Agency's pocket camera to properly catch recordings of inmate use of force, (2) include norms, and building camera footage documentation to be available... (Q). failing to not hold within the 11th Amendment to be considered as public employees, nor public officers served to their appropriate duties to maintain good faith in their official jobs or duties. (R). failing to properly calculate the amount of hits used as battery on the Plaintiff, in incident reports done by officers, Lt. Ronald Cook, Lt. Jeffrey etc.

LEGAL

• Lt. James Thomkins, not to include Jerome Murray who's incident report wasn't
to be signed, signed, documented, Brief, nor available on the date of April 8, 2016 which expressed
the amount of due process and structured the case of a gross negligence assault and
battery (violence) done by Adult SOC Correctional Officers (SO) failing to properly produce
at Ohio hearings on 5/3/2016 for R. L. Turner. 1.) Statement written by Lt. James
Thomkins, and Mrs. Phyllis Courson, which were broken through the proper chain of
command to meet (1st) Lt. Bradford Lee, and (2nd) Co. 1 Partner ~~Carl~~ S.
Marshall; hearing took place at Ohio Correctional Institution, which showed a threat
of an big issue of an excessive use of force over up (T). Pursuant to properly men-
tion full for (USA) response was it need for (USA) response, and specifically what
of prior tended to cover-up or call for (USA) response bears that the plaintiff was
on the yard and around available staff personal which would be favorable
to the issue of what happened and how the plaintiff was treated. (U) ... not
properly mentioned that when the defendants came in contact with the plaintiff
did he pose as a threat, or that of so higher than a bear to get treated to
the harsh amount of cruel and unusual punishment, and the lack of camera audio/
video wasn't documented to show that the plaintiff did so betray the image
of a threat isn't so counted for which is the question (V). Pursuant to properly list
in the incident reports on 4-8-2016, by use of force officers the advantages that
would (USA) response is activated it is so recorded within the SOC agency's
that once (USA) response is called all cameras at headquarters level automatically be-
gan to record. (W) Failing to properly state did the plaintiff have a weapon during
the take down of plaintiff, or did he have a weapon, and the lack of Aleris video
camera is the question as to officers Plaintiff. (X) Failing to properly not mention
in use of force incident reports to the amount of blows and why did the plaintiff have
a confession, and had to receive for the amount of (16) stitches at self removal
Mentioned is another question. (Y) Pursuant to properly state in incident reports
who lashed Plaintiff up the McConnick Correctional Institution's side walk to copper-
ation; ~~and~~ and why was Plaintiff hit with wire (2) battery blows to the
face to mention blow; and the words mentioned documentation of lack of hits
and incident reports. (Z) and; in proximate result the defendants acts of conscious and deliberate indiffer-
ence, jointly, severally, and in combination thereof which deprived the plaintiff
to suffer; conscious pain, mental and physical pain and suffering, and loss
of his is and out most respect of dignity as a man.

LEGAL

10.) You may refer to documents, affidavits, or other materials that are referred to be attached at A., B., C., D., from Brunhauis Murad, Lee Ronald Cook, James Matthews, and Jeremy McCaskey. Attached to Complaint...

IV. Exhaustion of Legal Remedies Prison Litigation Reform Act. (F).

11. Plaintiff Brunhauis Murad used the Prisoner Grievance Procedure available at [Memphise inst. Perry inst. Kershaw inst. Leber inst. Lee Correctional inst. Broad Correctional inst.] to try and solve numerous problems. on the date 4-8-2016 - 1-10-2018 Plaintiff Brunhauis Murad presented the facts relating to this Complaint on 4-12-2017. Plaintiff Brunhauis Murad was sent a response saying that the Grievance has been denied and date filed appeal. on 4-25-2017, he appealed the denial of the Grievance.

V. Legal Claims.

11.) The Conditions, beatings, deliberate indifference, medical needs, sexual discriminations, violated Plaintiff Brunhauis Murad's rights and punished excessive force violation, and cruel and unusual punishment. A due process violation, under the 1st, 4th, 5th, 8th, and 14th Amendment to the United States Constitution...

12.) The Plaintiff has no plain, adequate or complete remedy at law to redress the wrongs described here. Plaintiff has been and will continue to be irreparably injured by the conduct of the defendants unless this Court grants the declaratory and injunctive relief which Plaintiff seeks...

* Duty of Care *

The Seco and its employees, through the Director thereof, owed me a duty of proper care and was so responsible for the in proper treatment of me during all times referred here to pursuant to section: 24-1-130; of S.C. Code.....

* Cause of Action *

(i) The Seco is liable to me and for pursuant to the law and cause of section 15-78-60 (25) of S.C. Code; of which where its employees, or while acting within the or their scope of their official duties; and capacities per the 11th Amendment as a Government Agent; employee, or other public official did intentionally subjected Plaintiff to great bodily injury to not include minor abuses, and harm, a false thought identity, pain and suffering, poor conditions of confinement, destruction of property item(s) to include not excessive sanctions, to include mental anguish by the thoughts of exercising their official duties, and improper care, to include improper restraints, inquires, and or the proper care, and on the proper care, and to add treatment was used in a cruel, negligent manner which approximately caused Plaintiff loss of Governmental Liberty, to add not Anxiousity, but Moved for Accidents to law under, 16-600-3. Press Negligence Result and for Battery Plaintiff...

It is further ordered that effective immediately, and pending the hearing and determination of this order to show cause, the defendants, South Carolina Department of Corrections et. al. and each of their officers, agents, employees, and all persons acting in concert or participation with them, are restrained from, touching, cutting, buffing, searching, to be that of 1,000 feet from Plaintiff, feeding, and or medication assistance, to include shots, and or liquids, and housing within the South Carolina Department of Corrections, and or prior release to the Plaintiff defendants from substitute monitoring, Plaintiff, and or keep the Board monitoring prior federal database... and or monitoring case. See attached exhibit A.) p. no. 0145-18. Or next page.

Order should be issued on defendants for first 90 days of case for record and or an extension of an additional 90 days plus days for an permanent restraint order of security per 11th amendment in the full country to insure Plaintiff's safety per 8th amendment.

It is further ordered that the order to show cause, and all other papers attach to this caption, be served on the addressed Plaintiff's by 1 1 1. 10/18.

JUNESS SIGNATURE

Dated: _____

Clerk of Court, United States District

Exhibit A

