

The South Carolina Court of Appeals

Charles Gibbs

Appellant

v.

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JUL 24 2024

SC Court of Appeals

South Carolina Department Corrections

Respondent

Appellate Case No. 2024-000595
Designation of Matter to be
Included in Record on Appeal

Appellant proposes the following be included in the
Record on Appeal

- (1) Pie Billing Wage - Payroll
- (2) Division of Industries service of Pie inmate Agreement
- (3) Job Description
- (4) Two Copies of Prison Industries Accounting Earnings
and Deductions statement

I Certify that this designation contains no matter which
is IRRELEVANT to this Appeal

July 16, 2024

Charles Gibbs
Charles Gibbs
Pro. SE Appellant

ATTACHED 3/

The document at hand has been declared Contraband so Appellant is unable to furnish the Court with a copy. Appellant ask the Court to order Respondent (SEDC) to produce the Billing Wases as it pertain to Appellant.

My name is still clear
Enough to be seeing

Da 2

ATTACHED 3/
Front & Back

SCDC #	Name	SECIS Payroll No	Pay Period Begin Date	Hours Worked	PIE Billing Wage	Pay
335544	DEARING, DEMARCUS	10171872	5/17/2022	78.25	\$10.00	\$782.50
364628	Dennis, Chad	10165318		77.25	\$10.00	\$772.50
113793	Dickerson, Robert	10158357		79.75	\$10.00	\$797.50
252824	Dickman, Keith	10158358		77.25	\$10.00	\$772.50
362957	Dixon, Andrew	10098270		71.75	\$10.00	\$717.50
352325	Doolittle, Ryan	10165068		82.75	\$10.00	\$827.50
317950	Drummond, Donex	10170019		81.75	\$10.00	\$817.50
166218	Dubose, Thomas	10158359		81.75	\$10.00	\$817.50
273383	Edmonds, Carvin	10168393		82.00	\$10.00	\$820.00
377248	Eubanks, Michael	10087609		81.00	\$10.00	\$810.00
371385	Ferguson, Richard	10158361		81.25	\$10.00	\$812.50
238350	Frasier, Haskell	10165314		81.75	\$10.00	\$817.50
363527	Frazier, Marvin	10171871		65.75	\$10.00	\$657.50
361526	Furman, Raleigh	10165073		81.75	\$10.00	\$817.50
231663	Furtick, Frank	10170016		53.25	\$10.00	\$532.50
189709	Geiger, Eddie	10167749		82.50	\$10.00	\$825.00
228119	Gibbs, Charles	10158362		82.25	\$10.00	\$822.50
360192	Gist, Tristan Ryan	10044080		82.00	\$10.00	\$820.00
216638	Goad, Jonathan	10158937		82.25	\$10.00	\$822.50

SCDC #	Name	SECIS Payroll No	Pay Period Begin Date	5/17/2022		
152901	Green, Larry	10165071	Hours Worked	PIE Billing Wage	Pay	
			81.25	\$10.00	\$812.50	
364712	Hakeem, Jamal	10158939	Hours Worked	PIE Billing Wage	Pay	
			65.50	\$10.00	\$655.00	
327789	Harmon, Joseph	10158481	Hours Worked	PIE Billing Wage	Pay	
			77.75	\$10.00	\$777.50	
200988	Harrell, Eddie	10158364	Hours Worked	PIE Billing Wage	Pay	
			81.75	\$10.00	\$817.50	
99655	Harvey, Eddie James	10171780	Hours Worked	PIE Billing Wage	Pay	
			77.75	\$10.00	\$777.50	
286944	Hay, Phillip	10168394	Hours Worked	PIE Billing Wage	Pay	
			76.50	\$10.00	\$765.00	
349628	Hogan, John	10158946	Hours Worked	PIE Billing Wage	Pay	
			77.00	\$10.00	\$770.00	
297612	Howell, Michael	10168758	Hours Worked	PIE Billing Wage	Pay	
			81.00	\$10.00	\$810.00	
239670	Hutcherson, William	10158945	Hours Worked	PIE Billing Wage	Pay	
			80.75	\$10.00	\$807.50	
339555	Isaac, Kevin	10167742	Hours Worked	PIE Billing Wage	Pay	
			78.25	\$10.00	\$782.50	
280500	Jamison, Joey	10167741	Hours Worked	PIE Billing Wage	Pay	
			56.75	\$10.00	\$567.50	
376640	Johnson, Brandon K	10158366	Hours Worked	PIE Billing Wage	Pay	
			80.00	\$10.00	\$800.00	
363660	Johnson, John	10158406	Hours Worked	PIE Billing Wage	Pay	
			81.75	\$10.00	\$817.50	
379389	Johnson, Solomon Dale	10158369	Hours Worked	PIE Billing Wage	Pay	
			81.00	\$10.00	\$810.00	
365581	Larson, Michael	10158942	Hours Worked	PIE Billing Wage	Pay	
			81.50	\$10.00	\$815.00	
226199	Leach, Michael	10158370	Hours Worked	PIE Billing Wage	Pay	
			53.00	\$10.00	\$530.00	
374970	Lenning, Christopher	10168387	Hours Worked	PIE Billing Wage	Pay	
			72.25	\$10.00	\$722.50	
381314	Lewis, Justin	10168403	Hours Worked	PIE Billing Wage	Pay	
			82.00	\$10.00	\$820.00	
275503	Linbert, Rhames	10170020	Hours Worked	PIE Billing Wage	Pay	
			81.75	\$10.00	\$817.50	

Attached 4/
front & back

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DIVISION OF INDUSTRIES
SERVICE OR PIE INMATE AGREEMENT**

I, [REDACTED], South Carolina Department of Corrections (SCDC) Inmate # [REDACTED], agree to the terms and conditions regarding the disposition of wages I may receive in the private sector/ industry program and I understand that my participation in this program is voluntary.

As a voluntary participant, I understand the Agency Director will specify the deductions from my wages received under the private sector/ prison industry program in accordance with South Carolina Code Section 24-3-40:

1. State and Federal Income Taxes, including Social Security deductions;
2. Twenty percent (20%) contribution to:
 - a. Court ordered payments to a particular victims(s);
 - b. Court ordered restitution; or
 - c. Victim's Compensation Fund;
3. Thirty-five percent (35%) for child support OR Twenty five percent (25%) for room and board;
4. Ten percent (10%) to long term savings;
5. Remainder to Inmate E.H. Cooper Account.

If I am serving life in prison, I will be given the option of having my escrowed wages included in my estate or distributed to persons or entities of my choice.

These deductions from gross wages may not exceed 80% of gross wages.

I understand that I may be required to work up to an eight hour day at \$7.25 per hour as required by Industries and will be paid only for those hours worked. I further understand that I may have to work shift work and a reasonable amount of overtime.

As an Inmate of the SCDC, I am not considered an employee of the State of South Carolina and I am not eligible for State offered benefits.

I understand that I may be working in an area that will have a traditional work program as well as a private sector/ industry program. I understand that I will not receive payment for any work performed that falls under the traditional program. C.S.G. (Inmate-Initials)

I agree that my assignment to Industries will be for a minimum of one (1) year, provided I meet established production and quality standards, maintain a cooperative attitude and adhere to the conduct rules and all policies and procedures established by the SCDC. I understand that I may be terminated by the SCDC for security, safety or custody reasons, failure to meet established production and quality standards, failure to maintain a cooperative attitude or failure to adhere to the policies, procedures and conduct requirements of the SCDC.

I further understand that should I be transferred out of the private sector/ industry program inmate wage scale, if my pay was grandfathered in January of 1998, I understand that if I am placed for a job, it is mandatory. Furthermore, I understand that I will not be guaranteed the same job and

the SCDC is not obligated to keep my in a service or PIE job. Earned work credit will be based upon custody designation.

I understand and agree that I am not an employee of the private sector industry, N/A. I further agree that should I have any grievance or complaint relating to my participation with or termination from the Industries program that I will address my complaint with SCDC and NOT the private sector industry. I further understand that any legal actions/suit/claim [redacted] my participation in the industry program should be brought against SCDC and NOT the private sector industry.

I understand that SCDC makes all final determinations regarding hiring and firing of Private Sector/Prison Industry Program participants.

A condition to work in the private sector/ industry program as required by Industries is that I must provide proof of obtaining a high school diploma or GED, or I must be actively attending school working toward a GED. If for any reason I am dropped from school, I will be terminated from my job.

I understand that the criteria (as defined by SCDC Policy ADM-15.13, "Inmate Pay") for employment in a paid Industries private sector position requires that I have:

- No major disciplinaries for one (1) year.
- No administrative/informal disciplinaries for six (6) months.
- No class I or II escape less than 10 years. (Escape related offenses will be reviewed on a case by case basis).
- Must have Social Security card and verified number on file.
- Must have a high school diploma/GED or be actively enrolled in the Palmetto Unified School District and making adequate progress.

I certify that I have not been found guilty or admitted being guilty of a security violation in the last six (6) months. If during my employment I am found guilty of a security violation, or have not maintained any of the criteria as established above, I will be terminated from my job.

In witness thereof, I have voluntarily signed this agreement in the presence of an Agency representative.

[redacted]
Inmate Signature

3-23-22

Date

Melvin Jackson
Industries Plant/Production Manager

3-23-22

Date

Atkobod 5/

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INDUSTRIES

Nephron Pharmaceuticals

Job Description

SOC CODE TITLE: 53-7064 Hand Packers and Packagers

Location: Lee CI

Work Time: 6:00 am – 4:00 pm

Pay Rate: \$7.25 per hour

Summary:

The position is a hand pick and pack assembly operation that requires the employees to possess the aptitude to learn one or more of the following responsibilities:

Transporting pallets with a pallet jack

Box opening

Arranging and assembling components into a tray

Packaging the tray into box

Placing the tray onto a pallet

Palletizing the shipping container

Staging the pallet for loading onto a trailer

Duties and Responsibilities:

Capable of meeting work schedules and productivity levels. Understand production assembly and work instructions. Maintain safe and productive work environment.

Print Name [REDACTED] SCDC # [REDACTED]

Inmate Signature [REDACTED] Date 6-1-22

PI Manager Signature [Signature] Date 6-1-22

PACSTMT

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
PRISON INDUSTRIES ACCOUNTING
EARNINGS AND DEDUCTIONS STATEMENT
PAYROLL DATE 04/29/22

SCDC ID 00228119 GIBBS, CHARLES J.
LOCATION : 0551 LEE CORR INST
PLANT CODE : 355 CATERPILLAR - SERVICE
HOURS WORKED: 75.25 HOURLY RATE: 7.25

TRANSACTION DESCRIPTION	PAYEE	MEMO AMOUNT	DEPOSIT AMOUNT	WITHDRAWAL AMOUNT	BALANCE
BEGINNING BALANCE					158.60
GROSS PAY		545.57			
FEDERAL TAX		.56			
FICA		41.74			
STATE TAX		9.14			
OTHER CG DEDUCTIONS		.00			
NET PAY			494.13		652.73
COURT ORDER: SUPPORT	STATE DISBURSEMENT UNIT			190.95	461.78
PGM FEE: VICTM COMP	GOV OFFICE - VICTIM ASSISTANCE			54.56	407.22
VICTIM COMP-SCDC	SCDC /VICTIM ASSISTANCE WAGE R			54.56	352.66
CASH FOR INMATE	E. H. COOPER TRUST FUND			139.50	213.16

PACSTMT

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
PRISON INDUSTRIES ACCOUNTING
EARNINGS AND DEDUCTIONS STATEMENT
PAYROLL DATE 05/16/22

SCDC ID 00228119 GIBBS, CHARLES J.
LOCATION : 0551 LEE CORR INST
PLANT CODE : 353 CATERPILLAR - SERVICE
HOURS WORKED: 75.00 HOURLY RATE: 7.25

TRANSACTION DESCRIPTION	PAYEE	MEMO AMOUNT	DEPOSIT AMOUNT	WITHDRAWAL AMOUNT	BALANCE
BEGINNING BALANCE					213.16
GROSS PAY		543.75			
FEDERAL TAX		.38			
FICA		41.60			
STATE TAX		9.05			
OTHER CG DEDUCTIONS		.00			
NET PAY			492.72		705.88
COURT ORDER: SUPPORT	STATE DISBURSEMENT UNIT			190.31	515.57
PGM FEE: VICTM COMP	GOV OFFICE - VICTIM ASSISTANCE			54.38	461.19
VICTIM COMP-SCDC	SCDC /VICTIM ASSISTANCE WAGE R			54.38	406.81
CASH FOR INMATE	E. H. COOPER TRUST FUND			139.27	267.54

CHARLES Gibbs 228119
LEE C. I. Feb 2234
990 Wisacky Hwy
Bishopville S.C. 29010

LEE CLIMATE



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JUL 24 2024
SC Court of Appeals

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