

September 10th, 2013

RECEIVED

THE HONORABLE DANIEL SHEAROUSE Courts CLERK
Post Office Box 11330
COLUMBIA South Carolina 29211

SEP 13 2013

S.C. SUPREME COURT

RE: Russell Leon DAVID Sr #240689
v. State of South Carolina Case 2013-001718

Dear Daniel E. Shearouse

Enclosed For Filing is a Designation of matter To
Be Included in The Record on Appeal. Also enclosed of The
Following:

- 1). Proof of Service of The Designation of matter to be included
in the Record on Appeal and 2 Two Copy's.
- 2). A Copy of Your Requires.
- 3). This Matter is To be Filed with The Supreme court because
(see Rule 203(d) for When an Appeal or Matter can be filed with
The Supreme Court.

Mrs. Shearouse,
Will you please send one copy of The matter
back with Your Stamp on it For My Fill as well as send
1 one Copy To The Assistant Attorney General J. Rutledge
Johnson For His Fils
I THANK You For Your Help in This Matter

Sep 10th, 2013

RECEIVED

SEP 13 2013

S.C. SUPREME COURT

Russell Leon David Sr.
Russell Leon DAVID Sr #240689
Lee Corr. Inst. DAR-1213
990 Wisacky Highway
Bishopville, S.C. 29010

IN THE STATE OF South Carolina
IN THE Court OF APPEALS
IN THE SUPREME COURT

RECEIVED

SEP 13 2013

APPEAL FROM LAURENS COUNTY
Court of Common Pleas
Eugene Griffith sr. Chief Administrative Judge
Eighth Judicial Circuit

S.C. SUPREME COURT

Case NO. 2013-001718

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON
APPEAL

RUSSELL LEON DAVID sr. #240689 Appellant
VS.

STATE OF SOUTH Carolina Respondent

THIS motion comes before this Court PROPOSES THE following
be included in THE RECORD ON APPEAL: EXPLANATION OF THE Rule 243(c)
Statute of Limitations Pursuant to Mr. DAVID sr. Post Conviction Relief
Being UNDER THE UNTIMELY Filed.

DEAT Sept 10th, 2013.

Russell Leon David sr.
RUSSELL LEON DAVID sr #240689
Lee C.I. Darlington So. 1213
990 Wisacky Highway
Bishopville, S.C. 29010

IN THE STATE OF South Carolina
IN THE Court of APPEALS IN THE
South Carolina Supreme Court

APPEAL From Laurens County
Court of Common Pleas
Eugene Griffith Jr. Chief Administrative Judge
Eighth 8th Judicial Circuit

RUSSELL Leon DAVID Sr. #240689 Appellant
VS.
STATE OF South Carolina Respondent

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON
THE OBJECTION OF THE Conditional
Order of Dismissal Order INPCR

This motion comes before This Court of Appeals by way of an Application for Post-Conviction Relief on March 22, 2013. The Respondent made its RETURN Requesting that the action be summarily dismissed on May 9th 2013. The Honorable Court issued a "Conditional order of Dismissed" provisionally dismissing the action on June 27th 2013. However, This Court finds that the current "Reply to Order of Dismissal Return Motion," Appellant argues he is entitled to evidentiary hearing on his right to review under Austin v. State.⁽¹⁾ The current Application is successive and barred under the Statutory of Time limits as prescribed by Rule 243c SCR CP. in order to properly challenge these convictions below the Applicant must have filed his application with the Statute of Limitations. Applicant now objects to why this Conditional Order shouldn't become final.

PROCEDURAL HISTORY

The Appellant is confined within the South Carolina Department of Corrections pursuant to Order of Commitment by the Laurens County Clerk of Court Appellant was

⁽¹⁾ 305 S.C. 453, 409 S.E. 2d 395 (1991).

Indicted by the February 1997 Term of The Laurens County Grand Jury For Conspiracy, Lynching, Strog Armed Robbery, Kidnapping, Grand Larceny of a Motor Vehicle, and Murder (1997-GS-30-0183) A Multicount indictment. The Appellate entered a plea of Guilty To The Conspiracy, Lynching, Strog Armed Robbery, Kidnapping and Larceny of a Motor Vehicle and wish to Challenge The Murder Charge in the indictment. (1) Mr DAVID sr. Pled Guilty to The Charges Above and not To The Charge of Murder if Mr David sr. had Sufficient information Explaining The Matters of his indictment as in Rule 1.4; (b) (5) under The P.C.R. Rule. Applicant is Entitled to A Full Adjudication on Merits of the Original Petition or "ONE Bite At The Apple" This "Bite" includes an Post-Conviction Application and the Right To Assistance of Counsel in That Appeal. Rule Civ. Proc. Rule 71.1 (g). There are Safeguards in place To Limit Frivolous Proceedings - Successive application in Rule 11. in Hiott v. State, The Supreme Court overruled The Court of Appeal holding that Sanctions ON A P.C.R. Applicant under Rule 11. for Filing Frivolous proceedings. Appellant Subsequently Filed AN Application for P.C.R. ON March 22 2013. (2013-CP-30-D243). in The Application Asserted The Following Reasons Why He's being held in Custody unlawfully.

1. Applicant was denied Right to
 - A. Applicant was not rendered Assistance"
 - B. Applicant guilty and innocence Phase"
 - C. Applicant (sic) Counsel was ineffective"

RELEVANT FACTS

When Mr. DAVID sr. Wrote his Attorney Letters to See what he Could Do About Getting Back in Court Back in February of 1997 Mr David also Called his Attorney ON Three occasion Just to Ask what can I do to get back in Court. Mr. Ferguson Just side you dont want to go back To Court. "I had To be Put Not Trip Mine and This mind-altering Minimize your Mind From Thinking" it Change one's mind you Stay in a midst all The Time you are on it. Thy have me on

TRAMADOL This To is mind-altering drug it impairs your mind
Mr. DAVIDsr. Was put on this Medication To help with his New
Life Impose on him. Mr. DAVIDsr. will Show This Court Medical
Summary at Exhibit #1. Counsel has Constitutionally-imposed
Duty to Consult with defendant about Appeal when there is Reason
To Think either (1). That Rational defendant would want to
Appeal, or (2). That this particular defendant Reasonably
demonstrated to Counsel that he was interested in Appealing
(see) Page 2 line 15, 16, 17, 18 of P.C.R. Amendment To Application
and page 3 Line 14 thru 30. U.S.C.A. Const. Amend. 6th Denial of
Assistance of Counsel all Together, either actually or Constructively,
is presumable prejudicial Counsel's alleged Failure To
File Notice of a Appeal, depriving defendant of Appellate
Proceeding altogether was presumably prejudicial U.S.C.A.
Const. Amend. 6th (see) Supporting grounds Page 1 of 1 in P.C.R.
Appendix (A) Cox & Ferguson and (B) Margaret F Briggs and
(see) Amendment To Original P.C.R. Dated June 24 2013 Page
2 line 10 thru 17 and also 19-thru-30 of the same page when
Counsel's Constitutionally deficient performance deprives
[REDACTED] defendant of Appeal that he
otherwise would have taken. defendant has made out
successful ineffective assistance of Counsel claim
entitling him to an appeal U.S.C.A. Const. Amend. 6th.
Counsel John Ferguson was ineffective for [REDACTED] Failing to fill
A Direct Appeal (see) Roey. Flores Ortega, 120 S.Ct. 129
(2000). (see) also; Rodriguez v. Padula, Such deprivation con-
stituted a violation of The Sixth and Fourteenth Amendment
of The U.S. Constitution. Appellant argues that he is
Raising his issues of inadequate assistance of Counsel as
discussed he's not Guilty to Part of Charge's our South Caro-
lina Supreme Court has Stated This presumption of inn-
-ocence is like a Robe of Righteousness Place about The
Shoulders of The defendant, and it Remains with him and
assigns him To That Class, The innocent, Until That presumptive
Robe of Righteousness has been Stripped from his body
by evidence Satisfying you of That Guilt beyond a

Reasonable doubt. So Counsel was ineffective for failing to help his client present his case on the murder and not objecting to the conviction and sentences, and based on Counsel's abandonment he never let his client know he was giving up his only bite at the apple. Mr. David Sr. claims that his sixth and fourteenth amendments rights were violated because Attorney John R. Ferguson never talked with his client about a appeal on his plea. Appellate David Sr. did not know he was going to have to do his own appeal it should be undisputed that Applicant's trial attorney impeded him after Applicant done everything in his power from filing his P.C.R. without a transcript and also waiting for his attorney to assist him. Appellate repeatedly wrote letters asking Attorney J. Ferguson for assistance (see one of the letters in Appendix A) Response's letter from Mr. Ferguson. Appellate issues are not preserve for appellate and Federal review due to Counsel's ineffectiveness. After Appellate repeatedly attempts, Attorney still failed to protect Appellate. Safe guard, in which Attorney Ferguson should be held accountable under the standards of Rule 1.4(b, 5) a lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation. and in (5) of the Rule 1.4: Explaining matters. The one year statute of limitations did not apply to pro-se petitioner's in S.C. 2002 in determining whether an error is harmless, A reviewing court must review the entire record to determine what effect the error had on it's State vs. Mizzell, 563 S.E.2d 315, 349 S.C. 326. (S.C. 1991). Doctrine of in favorem vitae, under which Supreme Court is required in death penalty case to review entire record for legal error, and assume error when UNobjected-to-but technically improper arguments State vs. Arthur, 296 S.C. 495, 374 S.E.2d 291 and other

Cases, State vs. Torrence, 406 S.E.2d 315, 305 S.C. 45, Appeal After ~~Remand~~ Remand 451 S.E.2d 883, 317 S.C. 45 Opinion After Remand 473 S.E.2d 703, 322 S.C. 475 Appellate Issues Reviewed on the Merits and Persevere for Further Review, and Not Spending an adequate amount of Time To help his Client. Which John R. Ferguson and Chip Howe was Properly appointed to Represent There Client Mr. Davidsr. by The Laurens County Court ON July 8, Chip Howe was The First Counsel appointed To Mr. Davidsr. This was in 1995. From This Date Mr. Chip Howe never Had a meeting with his Client ~~THEN~~ Mr. FERGUSON came in as Counsel For Mr. Davidsr. Which had about 3 or 4 Meeting 4 about 1 1/2 maybe 2 hr. before his Trial. The main Objection. "Why The Respondents Think This order Should become Final". ~~When~~ When failure to instruct seriously affected fairness, integrity, or Judicial proceedings so as to warrant notice of ANY Court's plain error. Stated in P.C.R. Application. Court of Appeals has discretion whether to notice forfeited error even when error is Plain and it affects Substantial Rights; Generally, Court exercises its discretion in those Circumstances in which Miscarriage of Justice would otherwise Result (see Amendment To P.C.R. Application Page's 2 Line 17 of 10-A, 7, b Line 6-18, 8, B Line 8, 9, 10, 11, 12. Page 9, B line 1-4 and page 18-D line 20- Page 19-D line 1-29 and 20-D line 1-30 and 1 of page 21-D also See Page 29-E line 12-26 ~~and~~ and Amendment to ORIGINAL Post-Conviction Relief Motion 35 usca. §120 From Page's 1 one Thu. 8. and The one Year Statute of Limitations in 17-27-20 (A)(1)(b) "That The Conviction or The Sentence was in Violation of The Constitution of The United State's or The Constitution or laws of This State", (b) That The Conviction or Sentence is otherwise Subject To Collateral Attack upon any ground of alleged ~~error~~ here to fore a vailable under any Common Law Statutory or Other writ, motion, Petition, Proceeding or Remedy; also Once Judgment on a Plea is Final, Collateral inquiry is Limited to whether The Plea itself was Counsel led and

Voluntary. See, e.g., *United States vs. Broce*, 488 U.S. 563, 569, 109 S. Ct. 757, 762, 102 L. Ed. 2d 927 (1989); *Mabry*, 467 U.S. at 508-09, 104 S. Ct. at 2546-47; *Tollett*, 411 U.S. at 266-67, 93 S. Ct. at 1606-07; *Brady*, 397 U.S. at 749-58, 90 S. Ct. at 1469-74; *McMann*, 397 U.S. at 766-772, 90 S. Ct. at 1461-63. Mr. DAVIDSON, however, seeks to invoke an exception to this general principle recognized by the Supreme Court in *Lefkowitz v. Newsome*, 420 U.S. 283, 95 S. Ct. 886, 43 L. Ed. 2d 196 (1975). There the Court held that review is available "when state law permits a defendant to plead guilty without forfeiting his right to judicial review of specified constitutional issues..." 420 U.S. at 293, 95 S. Ct. at 891-92. The meaning of "state law" in the Court's holding, however, is arguably ambiguous. It clearly includes state statutory law, as was the case in *Lefkowitz* at least two circuits have extended *Lefkowitz* beyond state statutory law to include state common law and procedural practice. When a defendant challenges a conviction entered after a guilty plea, "prejudice" prong of the [Strickland] test is slightly modified. Such a defendant "must show that there is a reasonable probability that, but for counsel's errors, he would not have pleaded guilty and would have insisted on going to trial." We the Supreme Court have long held that a lawyer who disregards specific instructions from the defendant to file a notice of appeal acts in a manner that is professionally unreasonable. See *Rodriguez v. U.S.*, 395 (1969); *Pequero v. U.S.*, 526 U.S. 23, 28, 119 S. Ct. 961, 143 L. Ed. 2d 18 (1999) ("[W]hen counsel fails to file a requested appeal, a defendant is entitled to [a new] appeal without showing that his appeal would likely have had merit"). This is so because a defendant who instructs counsel to initiate an appeal reasonably relies upon counsel to file the necessary notice. Counsel's failure to do so cannot be considered a strategic decision; filing a notice of appeal is a purely ministerial task, and the failure to file reflects inattention to the defendant's wishes. If defendant establishes continuing prejudice as a result of the challenged conviction the P.C.R. Court shall proceed in accordance with Section 17-27-10.

We can conceive of at least four different circumstances envisaged by the Court in this passage: **A**. Where an error is clear both at the time of trial and at the time of appeal; **B**. Where an error is "unclear at the time of trial but become clear on appeal"; **C**. Where an error is clear at the time of trial but unclear at the time of appeal; or **D**. Where an error is unclear both at the time of the trial and at the time of appeal. It seems that the passage is best understood as authorizing appellate review of forfeited errors in Circumstance **A**, barring review of such errors in Circumstances **C** and **D** and as reserving under Circumstance **B** are reviewable, but suggesting that they too might well not be reviewable. Although the Court does not so state expressly, the clear implication from the Conviction and Sentence of the passage, as would be expected, is that a Court of Appeals is authorized to invoke its powers under Rule 52(b) to review an error when the error was plain at trial and is also plain in the trial records (Circumstance **A**) we believe that Circumstance **A** must be the "ordinary case" ~~to which~~ to which the Court implicitly makes reference through its identification of the "special case." Equally clearly, the final Conviction and Sentence of the paragraph categorically forecloses appellate review whether the error is unclear at the time of trial. And, of course, the Court expressly declined to decide whether the so-called "special case" ~~where~~ where an error that "was unclear at the time of trial ... becomes clear on appeal because the law has been clarified in Rule 1.4, (b) and (c) Explaining Matters. When State requires a prisoner to raise an Ineffective-Assistance-of-Trial-Counsel's claim in a proceeding a prisoner may establish a cause for a default of an ineffective assistance claim the first is where ~~initial~~ initial-review proceeding for a claim of ineffective ~~assistance~~ assistance at TRIAL and ^{2nd} for not objecting to the error in court of appealing the court's conviction and sentence or the error.

IF The Convict Cannot Understand the Nature of The Pending Proceeding What He Was Tried for, The Reason For The Punishment, or The Nature of The Punishment, A Convict is also incompetent if he Lack's Sufficient Capacity to Recognize or Understand any Facts Which might exist which would ~~make~~ The Punishment Unjust or Unlawful or Lacks The ability To Convey Such or The defendant Need Not be able Choose AMONG alternative defenses... Nor does inability to Recall Post events, Necessarily or to be "able to assist" in Post-Conviction Proceeding without Counsel. The defendant need not be Able To Think of new issues or be Able to Recall The events Surrounding The Crime while on This Treatment For depression the mind Altering Medication. What is Required is That [He] Understands he's been Sentenced For Something he did not do as in This Case. South Carolina Uniform Post-Conviction Procedure ACT, S.C. Code ANN § 17-27-10 ~~et seq~~ (Supp 1999) establishes a Civil Procedure that enables a Prisoner to Challenge The Legality of his detention. IN S.C. Code Ann § 17-27-2 (b) (1986) The Remedy a Vailable to a P.C.R. Court is: Not A Substitute. Nor does it Affect ANY Remedy incident to The Proceedings IN The Trial Court, or of direct Review of The Sentence of Conviction. EXCEPT At Otherwise Provided in This Chapter, it Comprehends and Takes The Place of all other Common Law, Statutory or other Remedies here to fore Available For Challenging The Validity of The Conviction or Sentence; it Shall Be used exclusively in Place of Them, Id. The Procedural Difficulty here is That although in The Nature of This Appeal From P.C.R. Judge is Why Was The Application untimely Filed. **Extraordinary Circumstances Warranted Equitable Tolling of Statute of Limitations For State Prisoner's Receipt of [Incorrect] information to relevant Limitations Period, his inability to discover appropriate Calculation due to deficiencies in Prison Library System, his diligent Pursuit of his Legal Remedies without delay, and Unusual history of The Case, not every intervening decision, or every Constitutional error at trial will Justify Issuance of P.C.R. Rather P.C.R. Court will issue only**

Under Circumstances Where There has been a Violation Which in The Setting Constitutes denial of Fundamental Fairness Shocking to The Universal Sense of Justice INMATE DAVID Sr. Seek s. A belated Appeal Review After Careful Consideration of The important issues Raised by his Application and in light of The Unique Circumstances INVOLVED in This Matter. Subsequently Two Capital Cases Raising This issue Came before You in (1986) State vs. Cooper, 291 S.C. 332, 353 S.E.2d ~~460~~ (1986) and State v. Pierce, 289 S.C. 430, 346 S.E.2d 707 (1986). The Same TRIAL Judge made Similar Comments To each defendant and Neither Swayed by Judge's Comment, Appellate Request for P.C.R. is based ON Questions Whether Appellate even Understood The ~~trial~~ Proceeding. See State vs. Arthur 296 S.C. 495, 374 S.E. 291 (1988). also see Walker vs. Wainwright, 390 U.S. 335, 88 S. ct. 962, 19 L. Ed. 2d 1215 (1968). here Petitioner Seek's to take Advantage of Constitutional Principles Recognized after his Trial. and exhaustion of State P.C.R. Proceeding, We Caut- tion That not every Intervening Nor every Constitutional error at Trial will Justify issuance of The Appeal Court Rather, The Appeal Court will issue Only under Circumstances Where There has been a "Violation Which Shocking To The Universal Sense of Justice see State vs. Miller, 16 N.J. super. 251, 84 A.2d 459 (1951) (emphasis added); Also see Uveges vs. Commonwealth of Pennsylvania, 335 U.S. 437, 69 S. ct. 184, 93 L. Ed. 127 (1948). Although Cannot Condone The delay in Calling This Grave Constitutional ERROR TO Your Attention, under The Unique and Compelling Circumstances of This Case (see P.C.R. Application and all The Amendments to it alonge With Exhibit's The Courts have establishes that This Procedural Default Under These Condition Should give Leeway To Appellate Claim of Why Appellate Never Showed Due-Diligence IN Filing a P.C.R. Application.

This Type of illness can establish Cause For a Procedural Default in Tolling A Time Situation, and The Inadequate LAW Library Assistance's For Helping AN INMATE Sedated on medication Like This or ANY Medication at All.

(3) Alonge assert such Constitutional Right as he had. To Allow This Conviction to Stand would in effect. Be To Treat Him AS If HE HAD [NO] Constitutional Rights At All.

DATE: September 10th, 2013.

Russell Leon Davidsr.
Russell Leon Davidsr.

CONCLUSION

This Court of Appeals Should Not Allow Respondents Conditional Order of DISMISSAL To become FINAL and NOT Conduct AN Evidentiary HEARING on Appellate's Claims. Also, The Application Should Not be dismissed in its entirety Because Appellate Pointed out He Never Had AN Direct Appeal AND Appellate Should be granted AN "belated Appeal Review" To bring to The Courts his Coonizable Relief Claims That He Would've Presented if he had an Evidentiary HEARING or an Direct Appeal AND give the Appellate an OPPORTUNITY to go to AN Evidentiary Hearing on the Application For P.C.R.

DATE: September 10th, 2013.

Russell Leon David #240689

Russell Leon David #240689
Lee 91 DARlington South 1213
990 Wisacky Highway
Bishopville, S.C. 29010

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
[IN THE SUPREME COURT]

APPEAL FROM LAURENS COUNTY
COURT OF COMMON PLEAS
Eugene Griffith Jr. Circuit Court Judge

CASE NO. 2013-001718

Russell Leon DAVID sr #240689 Appellant,
vs.
State of South Carolina Respondent.

PROOF OF SERVICE

I certify that I have served The Notice of Appeal on State of South Carolina Assis. Attorney General by depositing a copy of it in The U.S. Mail, postage prepaid, by S.C.D.C. on September 9th 2013 Addressed to his office J. Rutledge Johnson P.O. Box 11549 Columbia S.C. 29211.

September 10th 2013.

1/5/ Russell Leon David sr.
Russell Leon DAVID sr. #240689
Lee Corr. Inst. Darlington - S-1213
990 Wisacky Highway
Bishopville S.C. 29010

EXhibit 1

SCDC# 240689 DAVID, RUSSELL LEON

PAGE 2

P> SIG: PLACE SMALL AMOUNT IN DENTURES PRIOR TO INSERTING

P> SIG:

P> START DATE: 04/16/12 TOTAL DAYS: 30

P> MD: UBAH, JOSEPH C

SIGNED OFF ON 04/16/12 @ 9:13 BY DEBORAH L MCCLARY, MEDICAL ASSISTANT TECH I
SIGNED OFF ON 04/17/12 @ 5:09 BY JOSEPH C UBAH, DENTIST

** ENCOUNTER: 319 PPD 04/04/12 13:34 LEE COMP
TST PLANTED LFA 03/23/12 READ 03/26/12 OMM
SIGNED OFF ON 04/04/12 @ 13:34 BY CECIL L FLOYD JR, MEDICAL ASSISTANT TECH I

** ENCOUNTER: 318 DOCTOR'S CLINIC 04/04/12 10:26 LEE COMP

S> I/M PRESENTS SAYING THAT HE FEELS BETTER, BUT HIS HEADACHES SEEM TO BE GETTING WORSE. HE DESCRIBES THEM AS BITEMPORAL RADIATING TO THE BACK OF HIS NECK. THEY OCCUR FIRST THING IN THE MORNING WHEN HE GETS UP. HE C/O JOINT STILL HURTING. REVIEW OF LABS INDICATE TIME FOR REPEAT. HE CLAIMS TO BE TOTALLY COMPLIANT WITH MEDICATIONS.

O> TEMP=000.0 PULSE= 0 RESP= 0 BP= 0/ 0 WEIGHT= 0 PPD= 0
PE NOT DONE TODAY EXCEPT TO EXAMINE HIS FIRST MCP OF LEFT HAND. TENDERNESS W/O SWELLING OR ERYTHEMA.

A> TENSION HEADACHES, ARTHRITIS/OSTEO, HYPERLIPIDEMIA.
CBC, CMP, LIVER AND LIPID PANELS.

SEE F5 SCREEN.

I/M TO F/U WHEN LABS AVAILABLE OR SOONER IF PROBLEMS.

SIGNED OFF ON 04/04/12 @ 10:43 BY RONALD G STEEN, PHYSICIAN II

MARS UPDATED/RETURNED TO NURSES SCREEN FOR LABS

SIGNED OFF ON 04/04/12 @ 14:30 BY SANDRA T JONES, LICENSED PRACTICAL NURSE
LAB SCHEDULER AND SCHEDULER NOTIFIED PER SCHEDULING NEEDS LIST.

SIGNED OFF ON 04/13/12 @ 10:32 BY WANDA K FULTON, REGISTERED NURSE I

** ENCOUNTER: 317 NARRATIVE 04/02/12 14:37 LEE COMP

RECEIVED DIET ROSTER AND NOTED INMATE IS 46 % COMPLIANT ON HIS HEALTHY HEART DIET. INMATE WAS 66% COMPLIANT LAST MONTH. WILL SEND TO THE MD SCREEN FOR REVIEW AND RECOMMENDATION. Y MCDONALD, RN.

SIGNED OFF ON 04/02/12 @ 14:39 BY YVONNE MCDONALD, NURSE ADMINISTRATOR/MGR
SPOKE WITH INMATE RE: COMPLIANCE WITH DIET. STATES HE GOES TO DIET LINE 3 TIMES A DAY. I/M WORKER DOES NOT MARK IT DOWN EVERYTIME.

CONTINUE HEART HEALTHY DIET.

SIGNED OFF ON 04/04/12 @ 10:32 BY RONALD G STEEN, PHYSICIAN II

SO NOTED.

SIGNED OFF ON 04/13/12 @ 13:15 BY WANDA K FULTON, REGISTERED NURSE I

** ENCOUNTER: 316 FOLLOW-UP DENTAL 03/28/12 9:57 LEE COMP

CAME TO HAVE HIS PARTIALS ADJUSTED BUT DID NOT BRING THEM WITH HIM. NO TREATMENT.

SIGNED OFF ON 03/28/12 @ 9:58 BY DEBORAH L MCCLARY, MEDICAL ASSISTANT TECH I

** ENCOUNTER: 315 SICK CALL 03/16/12 10:17 LEE COMP

S> IM PRESENTED TO MEDICAL DUE TO CHRONIC HA AND REQUEST FOR ASA 81MG AND VISI
S> NE EYEDROPS RENEWAL. IM REPORTS HA IS LIKE A BAND AROUND HIS WHOLE HEAD AND

SCDC# 240689 DAVID, RUSSELL LEON

PAGE 9

A> DEFER TO MD/NP.
P> PHENYLGESIC (ACETA-GESIC) (PERCOGESIC)
P> SIG:TAKE (2) TABLETS PO TID PRN NTE 120/MONTH
P> SIG:
P> START DATE: 10/10/11 TOTAL DAYS: 90
P> MD:RABON, JUDY R
P> NORTRIPTYLINE 50MG CAPS (PAMELOR) ✓
P> SIG:TAKE (1) CAPSULE PO Q HS
P> SIG:
P> START DATE: 10/10/11 TOTAL DAYS: 90
P> MD:RABON, JUDY R
P> SULINDAC 200MG
P> SIG:TAKE (1) TABLET PO BID WITH FOOD ✓
P> SIG:
P> START DATE: 10/10/11 TOTAL DAYS: 90
P> MD:RABON, JUDY R
P> NATURAL VEGETABLE POWDER (KONSYL) TEASPOONFUL DOSE
P> SIG:MIX ONE TEASPOONFUL WITH 8 OZ WATER 1-3 TIMES A DA
P> SIG:Y
P> START DATE: 10/10/11 TOTAL DAYS: 90
P> MD:RABON, JUDY R

EXPLAIEND TO INMATE WILL FORWARD TO MD/NP FOR REVIEW AND RECOMMENDATIONS. I
NMATE VERBALIZED UDNERSTANDING. INMATE LEFT MEDICAL IN NO ACUTE DISTRESS.
SIGNED OFF ON 10/10/11 @ 12:02 BY WANDA K FULTON, REGISTERED NURSE I
NOT APPROVED FOR SCDC (SIDE EFFECTS TOO GREAT)
SIGNED OFF ON 10/11/11 @ 9:35 BY JUDY R RABON, NURSE PRACTITIONER III
MARS UPDATED
SIGNED OFF ON 10/11/11 @ 10:32 BY SANDRA T JONES, LICENSED PRACTICAL NURSE

** ENCOUNTER: 287 DENTAL CLINIC 10/10/11 8:20 LEE COMP
EXTRACTION #31, RX IBU 600MG, POI BY DR. UBAH, SEE HARD COPY

P> IBUPROFEN 600MG
P> SIG:TAKE ONE TAB QID PRN(GIVEN FROM STOCK)
P> SIG:
P> START DATE: 10/10/11 TOTAL DAYS: 3
P> MD:UBAH, JOSEPH C
SIGNED OFF ON 10/10/11 @ 8:21 BY DEBORAH L MCCLARY, MEDICAL ASSISTANT TECH I
SIGNED OFF ON 10/11/11 @ 5:13 BY JOSEPH C UBAH, DENTIST

** ENCOUNTER: 286 DENTAL CLINIC 09/19/11 13:48 LEE COMP
EXTRACTION #2-3; GELFOAM PLACED, GUT SUTURE; RX IBU 600MG, POI
BY DR. UBAH, SEE HARD COPY

P> IBUPROFEN 600MG
P> SIG:TAKE ONE TAB QID PRN(GIVEN FROM STOCK)
P> SIG:
P> START DATE: 09/19/11 TOTAL DAYS: 3
P> MD:UBAH, JOSEPH C
SIGNED OFF ON 09/19/11 @ 13:50 BY DEBORAH L MCCLARY, MEDICAL ASSISTANT TECH I
SIGNED OFF ON 09/20/11 @ 5:16 BY JOSEPH C UBAH, DENTIST

SCDC# 240689 DAVID, RUSSELL LEON

PAGE 3

S> FEELS LIKE HIS EYES ARE GOING TO POP OUT. IM REPORTED THAT HE WAS TAKING A
S> PAIN MEDICATION FOR IT BUT IT HAD EXPIRED. EYES ARE RED AND IM STATES
YHAT HE NEED EYE DROPS BECAUSE HIS EYES ARE ALWAYS DRY.

O> TEMP=098.9 PULSE=100 RESP=20 BP=142/ 78 WEIGHT=184 PPD= 0

O> IM IN NAD, VS WNL, SPEECH CLEAR, SKIN W&D. STATES PAIN OF 9 ON 0-10SCALE.

A> PAIN EVIDENT ON IM REPORTS.

P> REFER TO MD FOR MD CLINIC, FWD TO MD SCREEN FOR CONSIDERATION OF RENEWAL OF
ASA 81MG AND VISINE EYE DROPS. SEE ENC# 288 IRT HA.
SEE MEDICATION ON MED SCREEN.

SIGNED OFF ON 03/16/12 @ 10:59 BY RICHARD MINICK, REGISTERED NURSE I
NOTED

SIGNED OFF ON 03/21/12 @ 13:45 BY BENJAMIN F LEWIS JR, PHYSICIAN II

** ENCOUNTER: 314 DENTAL CLINIC 03/09/12 13:01 LEE COMP
DELIVERY OF UPPER AND LOWER PARTIALS BY DR. UBAH, SEE HARD COPY
SIGNED FORM 24-46

SIGNED OFF ON 03/09/12 @ 13:01 BY DEBORAH L MCCLARY, MEDICAL ASSISTANT TECH I

** ENCOUNTER: 313 DENTAL CLINIC 02/15/12 11:32 LEE COMP
TRY IN FOR UPPER AND LOWER PARTIALS; SEND TO LAB FOR PROCESSING
BY DR. UBAH, SEE HARD COPY

SIGNED OFF ON 02/15/12 @ 11:33 BY DEBORAH L MCCLARY, MEDICAL ASSISTANT TECH I

** ENCOUNTER: 312 SICK CALL 02/03/12 8:29 LEE COMP

S> INMATE PRESENTED TO MEDICAL REQUESTING MEDICATION RENEWAL AND SOMETHING FOR
S> HIS HEADACHE. HEADACHE STARTS AT TEMPLE, EYES GET BLURRY, AND HEADACHE
S> ADVANCES TO TOP OF HEAD AND IT IS SO BAD HE HAS TO LAY DOWN. ONGOING
S> PROBLEM FOR YEARS, PHENYLGESIC HELPED BUT DID NOT COMPLETELY GET RID OF
S> THE PAIN. HEADACHES ARE ALMOST EVERY DAY. SOMETIMES THEY GET SO BAD, NOSE
S> STARTS BLEEDING. WORKS IN MAINTENANCE.

O> TEMP=098.3 PULSE=104 RESP=20 BP=120/ 70 WEIGHT=195 PPD= 0

O> 51 YEAR OLD WHITE MALE. IN NO ACUTE DISTRESS. PULSE 104. AMBULATION STEADY

O> A&O X 3. RESP. EVEN AND NONLABORED. SKIN WARM AND DRY. COLOR WNL. PUPILS

O> EQUAL AND REACTIVE.

A> TENSION HEADACHE.

P> 1. SEE S.O. #1.

P> 2. GIVE OPTION OF TYLENOL 325MG 1 TABLET Q8H X 3 DAYS AS NEEDED FOR DISCO

P> MFORT. GIVE FROM A STOCK STANDING ORDER PACK. IF HEPATITIS C POSITIVE,

P> GIVE IBUPROFEN 400MG 1 TAB QID X 3 DAYS. DOCUMENT MEDICATION GIVEN IN

P> AMR.

TYLENOL 325 MG STARTER ISSUED

P> 3. IF THE FOUR KEY SIGNS OF PAIN ARE PRESENT, CONSULT THE M.D. THE FOUR KEY
P> SIGNS OF PAIN ARE:

P> 1. SYSTOLIC B/P OF 150 OR HIGHER OR DIASTOLIC B/P OF 100 OR HIGHER

P> 2. PULSE OF 100

P> 3. CONSTRICTED PUPILS

P> 4. SWEATY PALMS

P> 4. MAY ISSUE 48-72 HOUR NO WORK PASS AS NEEDED. IF AFTER 72 HOURS AND FURT

P> ER EXCUSE IS REQUIRED, NOTIFY MD FOR ORDERS.

INMATE IS REQUESTING TO SEE MD FOR HIS ONGOING HEADACHES. ADVISED INMATE

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S> LATIVE WITH COLON CA (FATHER, DIED AT 88) QND OTHER CA'S (?) RUN IN THE FAM
S> ILY. CHRONIC HEADACHES OF THE TENSION HA TYPE.
O> TEMP=098.3 PULSE= 99 RESP=21 BP=140/ 60 WEIGHT=185 PPD= 0
O> THIN WD WN WM NAD AOX3. AMBULATES WITH OUT DIFFICULTY. NONSPECIFIC TENDER-
X> NESS BOTH KNEES. R KNEE WITH SOME PRETIBIAL CREPITANCE. BOTH JOINTS AP-
X> PEAR SLIGHTLY SWOLLEN BUT STABLE TO EXAMINATION. LUNGS, BS CLEAR AND EQUAL
O> BILATERALLY. CAR-RRR W/O M/G/R. NO CAROTID BRUITS.
A> CHRONIC TENSION HA'S, ARTHRITIS, CONSTIPATION.

P> DOCUSATE 50MG WITH SENNA 8.6MG

P> SIG:2 TABS PO BID

P> SIG:

P> START DATE: 11/18/11 TOTAL DAYS: 90

P> MD:STEEN, RONALD G

LABS:CBC, CMP, LIVER AND LIPID PANELS, CUA, PSA, RH FACTOR, SED RATE, C-
REACTIVE PROTEIN. PLEASE SCHEDULE AN APPOINTMENT FOR HIM TO SEE ME
IN TWO WEEKS AFTER LABS RETURNED. AT THAT TIME WILL EVALUATE NEED FOR
X> REQUEST FOR TRAMADOL 50MGS. 2 PO TID AND CONTINUE ALL OTHER MEDS.
ALSO PLEASE COLLECT 3 SEPARATE STOOL SAMPLE AND TEST FOR BLOOD.
SIGNED OFF ON 11/18/11 @ 11:35 BY RONALD G STEEN, PHYSICIAN II
MARS UPDATED/RETURNED TO NURSES SCREEN
SIGNED OFF ON 11/21/11 @ 11:55 BY SANDRA T JONES, LICENSED PRACTICAL NURSE
LABS AND DR. STEEN APPT ENTERED ON SCHEDULING LIST
SIGNED OFF ON 11/21/11 @ 14:17 BY GWENDOLYN T STOKES, REGISTERED NURSE I

** ENCOUNTER: 294 DENTAL CLINIC 11/18/11 6:52 LEE COMP
TEETH CLEANED; NEXT APPT:MPRESSIONS BY DR. UBAH, SEE AHRD COPY
SIGNED OFF ON 11/18/11 @ 6:53 BY DEBORAH L MCCLARY, MEDICAL ASSISTANT TECH I

** ENCOUNTER: 293 DOCTOR'S CLINIC 11/15/11 11:50 LEE COMP

S> IM C/O STILL HAVING PAIN IN NECK, BACK, KNEES

S> IM REQUESTS RENEWAL OF ULTRAM (IT WORKED WELL FOR PAIN)

S> IM ALSO REQUESTS INCREASE IN NORTRIPTYLENE

O> TEMP=098.6 PULSE= 98 RESP=20 BP=130/ 80 WEIGHT=180 PPD= 0

X> A/O X 3, NONLABORED BREATHING, SKIN W/D, COLOR WNL, TENDER LS SPINE,

O> GRATING OF BILATERAL KNEES

A> M/S PAIN CHRONIC

P> NORTRIPTYLINE 75MG CAPS (PAMELOR)

P> SIG:(1) ONE CAP PO QHS

P> SIG:

P> START DATE: 11/15/11 TOTAL DAYS: 90

P> MD:RABON, JUDY R

X> SCHEDULE APPT WITH DR STEEN TO CONSIDER STEROID INJECTION
IM TOLD THAT DUE TO XRAY REPORTS (NORMAL) ULTRAM WOULD NOT BE APPROVED FOR
LONG TERM USE
SIGNED OFF ON 11/15/11 @ 11:54 BY JUDY R RABON, NURSE PRACTITIONER III
DR. STEEN APPT ON SCHEDULING LIST
FORWARDED TO LPN SCREEN FOR MEDICATION
SIGNED OFF ON 11/15/11 @ 15:49 BY GWENDOLYN T STOKES, REGISTERED NURSE I
MARS UPDATED
SIGNED OFF ON 11/16/11 @ 9:39 BY SANDRA T JONES, LICENSED PRACTICAL NURSE

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- ** ENCOUNTER: 292 NARRATIVE 11/14/11 18:02 LEE COMP
INMATE REPORTED TO MEDICAL FOR FLU VACCINATION. INMATE COMPLETED CONSENT FORM. INMATE ISSUED INFORMATION SHEET. FLU VACCINE GIVEN IN LEFT DELTOID. INMATE TOLERATED WELL. INMATE LEFT MEDICAL IN NO ACUTE DISTRESS.
SIGNED OFF ON 11/14/11 @ 18:05 BY WANDA K FULTON, REGISTERED NURSE I
- ** ENCOUNTER: 291 FOLLOW-UP SICK CALL 11/14/11 9:58 LEE COMP
INMATE REPORTED TO MEDICAL WITH C/O NEED TRAMADOL RENEWED. PER ENC#289, INMATE IS TO BE SCHEDULED FOR NP APPOINTMENT. MS. EDWARDS NOTIFIED IN PERSON TO SCHEDULE APPOINTMENT. INMATE INSTRUCTED TO CHECK ROSTER DAILY. INMATE VERBALIZED UNDERSTANDING. INMATE LEFT MEDICAL IN NO ACUTE DISTRESS.
SIGNED OFF ON 11/14/11 @ 10:00 BY WANDA K FULTON, REGISTERED NURSE I
- ** ENCOUNTER: 290 DENTAL CLINIC 10/27/11 6:56 LEE COMP
EXTRACTION #18, RX IBU 600MG, POI BY DR. UBAH, SEE HARD COPY
P> IBUPROFEN 600MG
P> SIG: TAKE ONE TAB QID PRN (GIVEN FROM STOCK)
P> SIG:
P> START DATE: 10/27/11 TOTAL DAYS: 3
P> MD: UBAH, JOSEPH C
SIGNED OFF ON 10/27/11 @ 6:57 BY DEBORAH L MCCLARY, MEDICAL ASSISTANT TECH I
SIGNED OFF ON 10/31/11 @ 5:07 BY JOSEPH C UBAH, DENTIST
- ** ENCOUNTER: 289 NARRATIVE 10/20/11 7:22 LEE COMP
I/M CAME TO MDC ON 10-10-11 FOR MEDICATION RENEWAL. I/M WAS ALSO ON TRAMADOL 50 MG TWO TABS TID. THIS MEDICATION WAS NOT MENTIONED OR RENEWED AND HAS SINCE EXPIRED. DO YOU WISH TO RENEW?
SIGNED OFF ON 10/20/11 @ 7:24 BY JONI ERWIN, LICENSED PRACTICAL NURSE
IM MUST COME THRU SICK CALL FOR REQUEST TO RENEW PAIN MEDS
SIGNED OFF ON 10/20/11 @ 13:38 BY JUDY R RABON, NURSE PRACTITIONER III
I/M WAS SEEN IN SICK CALL BUT HIS TRAMADOL WAS LEFT OUT. HE STATED THAT THE NURSE SAID SHE WAS GOING TO ORDER IT. EVERYTHING WAS RENEWED BUT THE TRAMADOL. I THINK THAT SINCE IT WAS THE ONLY ONE NOT ON THE F5 SCREEN IT WAS JUST OVERLOOKED. WOULD YOU LIKE TO RENEW IT OR SHOULD HE COME THROUGH SICK CALL AGAIN?
SIGNED OFF ON 10/20/11 @ 14:29 BY JONI ERWIN, LICENSED PRACTICAL NURSE
NP OR MD APPT
SIGNED OFF ON 10/21/11 @ 9:42 BY JUDY R RABON, NURSE PRACTITIONER III
PLACED ON SCHEDULING NEEDS LIST.
J. GUDVANGEN BSN, RN
SIGNED OFF ON 10/21/11 @ 18:28 BY JUSTIN GUDVANGEN, REGISTERED NURSE I
- ** ENCOUNTER: 288 SICK CALL 10/10/11 11:52 LEE COMP
S> INMATE TO MEDICAL FOR MEDICATION RENEWAL. INMATE REQUESTING SULINDAC BE CHANGED. INMATE STATES WOULD LIKE TO BE CONSIDERED FOR "ACTEMRA TOCILIZUMAB" INJECTION FOR CONTINUED HANDS AND JOINT PAIN.
O> TEMP=098.2 PULSE=116 RESP=20 BP=122/ 84 WEIGHT=181 PPD= 0
O> INMATE IN NO ACUTE DISTRESS. VITALS WNL. A&O X3. NO DIFFICULTIES AMBULATING
O> . SKIN WARM AND DRY. COLOR WNL.

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SIGNED OFF ON 08/04/11 @ 7:57 BY JUDY R RABON, NURSE PRACTITIONER III

** ENCOUNTER: 272 SICK CALL 07/19/11 13:43 LEE COMP

S> INMATE TO MEDICAL FOR MEDICATION RENEWALS.

O> TEMP=098.6 PULSE= 99 RESP=19 BP=118/ 70 WEIGHT=185 PPD= 0

O> INMATE INNO ACUTE DISTRESS. VITALS WNL. A&O X3. NO DIFFICULTIES AMBULATING.

O> SKIN WARM AND DRY. COLOR WNL.

A> DEFER TO MD/NP.

P> PHENYLGESIC (ACETA-GESIC) (PERCOGESIC)

P> SIG: TAKE (2) TABLETS PO TID PRN NTE 120/MONTH ✓

P> SIG:

P> START DATE: 07/19/11 TOTAL DAYS: 90

P> MD: RABON, JUDY R

P> NORTRIPTYLINE 50MG CAPSULES ✓

P> SIG: TAKE (1) TABLET PO Q HS

P> SIG:

P> START DATE: 07/19/11 TOTAL DAYS: 90

P> MD: RABON, JUDY R

P> SULINDAC 200MG ✓

P> SIG: TAKE (1) TABLET PO BID WITH FOOD

P> SIG:

P> START DATE: 07/19/11 TOTAL DAYS: 90

P> MD: RABON, JUDY R

EXPLAINED TO INMATE WILL FORWARD TO MD/NP FOR APPROVAL. INMATE VERBALIZED UNDERSTANDING. INMATE LEFT MEDICAL IN NO ACUTE DISTRESS.

SIGNED OFF ON 07/19/11 @ 13:47 BY WANDA K FULTON, REGISTERED NURSE I

SIGNED OFF ON 07/19/11 @ 14:12 BY JUDY R RABON, NURSE PRACTITIONER III

MARS UPDATED

SIGNED OFF ON 07/30/11 @ 16:43 BY SANDRA T JONES, LICENSED PRACTICAL NURSE

** ENCOUNTER: 271 NARRATIVE 06/21/11 15:35 LEE COMP

I/M WAS A NO SHOW FOR SICK CALL PER SECURITY

SIGNED OFF ON 06/21/11 @ 15:36 BY GWENDOLYN BELLINGER, UNCLASSIFIED

** ENCOUNTER: 270 FOLLOW-UP SICK CALL 05/27/11 15:12 LEE COMP

IM STATES PAIN LEVEL MUCH BETTER, ALMOST A ZERO. STILL HAVING

SOME CONSTIPATION.

NO DISTRESS NOTED. SKIN WARM AND DRY. ALERT AND ORIENTED. NO C/O

ABDOMINAL PAIN.

P> DOCUSATE SODIUM 100MG ✓

P> SIG: TWO PO BID

P> SIG:

P> START DATE: 05/27/11 TOTAL DAYS: 90

P> MD: COOK, BARBARA -

CONTINUE TO DRINK PLENTY OF FLUIDS, TAKE DOCUSATE SODIUM AS DIRECTED.

SIGNED OFF ON 05/27/11 @ 15:16 BY BARBARA A COOK, NURSE PRACTITIONER III

SIGNED OFF ON 05/28/11 @ 7:23 BY JOYCE RENEE POLEN, REGISTERED NURSE I

MARS UPDATED

SIGNED OFF ON 05/28/11 @ 18:11 BY JOYCE RENEE POLEN, REGISTERED NURSE I

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** ENCOUNTER: 269 LAB CLINIC 05/11/11 6:01 LEE COMP
OPENED IN ERROR LARRY FLOYD MA
SIGNED OFF ON 05/11/11 @ 6:01 BY CECIL L FLOYD JR, MEDICAL ASSISTANT TECH I

✓ ** ENCOUNTER: 268 DOCTOR'S CLINIC 05/04/11 13:24 LEE COMP
S> C/O HA, BITEMPORAL, STARTED 3 DAYS AGO. NO OVERT N,V. SOME BLURRED
VISION. SOME MILD CONSTIPATION. C/O BILATERALLY FOOT "NUMBNESS" DOING
WELL WITH SULINDAC

O> TEMP=000.0 PULSE= 0 RESP= 0 BP= 0/ 0 WEIGHT= 0 PPD= 0
WALKS WITH CANE, ANTALGIC GAIT

A> 1: CEPHALGIA, 2: CONSTIPATION, 3: PERIPHERAL NEUROPATHY.
SEE PF5 SCREEN. ASPIRIN ADDED FOR PROPHYLAXIS .
RECHECK 2-3 WEEKS, SOONER IF PROBLEMS
SIGNED OFF ON 05/04/11 @ 13:55 BY RONALD G STEEN, PHYSICIAN II
MARS UPDATED/RETURNED TO NURSING SCREEN FOR SCHEDULING
SIGNED OFF ON 05/05/11 @ 13:44 BY SANDRA T JONES, LICENSED PRACTICAL NURSE
SCHEDULING NOTIFIED PER SCHEDULING NEEDS LIST-
SIGNED OFF ON 05/06/11 @ 11:25 BY JOYCE RENEE POLEN, REGISTERED NURSE I

** ENCOUNTER: 267 DOCTOR'S CLINIC 04/21/11 16:49 LEE COMP
REPEAT UA AND C/S
NO SPECIMEN RECEIVED
HAVE CONTRABAND DO DRUG SCREEN AS WELL
HAVE IM SEEN BY COOK/STEEN IN AM FOR
ELEVATED WBC 12.4
ALL OTHER LABS WERE WNL
PSA, CMP, LIVER FUNCTION, LIPID PANEL, ALL WNL
NO URINE WAS RECEIVED IN CONTAINER (SUBSTANCE CLEAR YELLOW)
SIGNED OFF ON 04/21/11 @ 16:52 BY JUDY R. RABON, NURSE PRACTITIONER III
SCHEDULER NOTIFIED PER SCHEDULING NEEDS LIST
LAB NOTIFIED PER SCHEDULING NEEDS LIST
SIGNED OFF ON 04/30/11 @ 8:56 BY JOYCE RENEE POLEN, REGISTERED NURSE I

① ** ENCOUNTER: 266 X-RAY 04/21/11 16:05 LEE COMP
IMAGE CARE RESULTS
DATE EXAM PERFORMED: 4-19-11 ✓
PROCEDURE: BILATERAL HIPS ✓
CLINICAL HISTORY: BONES ACHING AND FEET NUMBNESS ✓
COMPARISON: 6-21-10
FINDINGS: SLIGHT NARROWING OF THE LATERAL ASPECT OF THE LEFT HIP DESCRIBED
ON THE LAST EXAMINATION IS NOT APPARENT. THE HIP JOINTS ARE SYMMETRICAL
AND INTACT. THERE IS NO EVIDENCE OF DESTRUCTIVE CHANGE OR DEFORMITY.
IMPRESSION: NORMAL
PERFORMED: 4-19-11
PROCEDURE: CHEST TWO VIEWS
CLINICAL HISTORY: BONES ACHING
FINDINGS: PA AND LATERAL VIEWS REVEAL THE LUNGS TO BE NORMALLY EXPANDED AND
CLEAR. NO PLEURAL ABNORMALITIES ARE IDENTIFIED. THE HEART AND PULMONARY
VESSELS ARE NORMAL.
IMPRESSION: NORMAL

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DING APPTS, OR REFERRALS TO CHRONIC CARE CLINIC. I/M CURRENTLY TAKES NAPROXEN AND VISINE (KOP), IS ON A HEART HEALTHY LOW SODIUM DIET, USES A CANE AND WEARS GLASSES AND IS ALLERGIC TO PCN AND CODEINE. LAST TB SCREENING ON 10.28.10 WITH NONREACTIVE RESULT AND LAST RPR ON 3.31.97 WITH NONREACTIVE RESULT. DOCUMENTED ON PF9 SCREEN THAT MED RECORDS RECEIVED.
TERI PETTAWAY, RN
SIGNED OFF ON 03/28/11 @ 19:08 BY TERI K PETTAWAY, UNCLASSIFIED

** ENCOUNTER: 259 DENTAL CLINIC 03/22/11 13:28 BROAD RIVER COMP
I/M REPORTED W/ SENSITIVITY ON LEFT AND RIGHT POSTERIOR AND ANTERIOR LOWER . 23 -26 REQUIRED INCISAL COMPOSITES (RESCHED. DUE TO LIGHT). AN 'O' AMALGA WAS PLACED ON #31 W/ DYCAL. DR. MCMILLAN
SIGNED OFF ON 03/22/11 @ 13:33 BY DWIGHT D MCMILLAN, DENTIST

** ENCOUNTER: 258 SICK CALL 02/17/11 19:54 BROAD RIVER COMP
S> I/M IN WITH C/O OF CREPITUS IN HIS KNEES. ALSO STS WHEN HE WORKS HE HAS TO TAKE REST PERIODS AND THAT SOMETIMES THEY POP LIKE BONE ON BONE. REPORTS THAT THEY CRAMP UP SO BAD THAT HE GET PEOPLE TO SIT ON THEM TO MAKE THE SPASMS STOP.
O> TEMP=097.9 PULSE= 82 RESP=20 BP=112/ 80 WEIGHT=215 PPD= 0
O> I/M ALERT AND ORIENTATED X4. RESP NORMAL. SKIN W/D. AMBULATING WITH DIFFICULTY WITH CANE.
A> MUSCULOSKELETAL DISCOMFORT
P> 1. SEE S.O. #27.
P> 2. ACETAMINOPHEN 325 MG. TABS 2 PO QID X 3 DAYS OR IBUPROFEN 400 MG. TABLETS 2 P.O. TID PRN X 3 DAYS. DOCUMENT MEDS GIVEN IN AMR.
P> 3. IF PALPABLE MUSCLE SPASMS PRESENT, CHLORZOXAZONE 500MG. TABS PO QID X 3 DAYS.
P> 4. FOR LOWER BACK DISCOMFORT, USE A ROLLED TOWEL UNDER LOW BACK X 5 DAYS.
P> 5. WILLIAM FLEXION EXERCISE (SCDC FORM 24-146) FOR CHRONIC LOW BACK PAIN.
P> 6. RESTRICT STRENUOUS ACTIVITIES OR REST THE INVOLVED AREA.
P> 7. HEAT (BY SHOWER, MOIST COMPRESSES OR HOT WATER SOAKS) TO THE INVOLVED AREA QID X 3 DAYS.
MOTRIN AND CHLORZOXAZONE GIVEN WITH ABOVE INSTRUCTIONS.
INSTRUCTED I/M TO RETURN IF SYMPTOMS WORSEN. LEFT MEDICAL NAD.
SIGNED OFF ON 02/17/11 @ 20:06 BY NATALIE C MILLS, REGISTERED NURSE I

* ENCOUNTER: 257 SICK CALL 02/10/11 8:41 BROAD RIVER COMP
S> C/O KNEES HURTING. STATES HE HAS A BOTTOM BUNK, BUT HAS TO GO DOWN STEPS TO GET TO CELL. REQUESTS "GROUND LEVEL". STATES HE HAS R/A.
S> #2 C/O COLD SYMPTOMS X 1.5 WEEKS. C/O DRAINAGE AND FEELING STOPPED UP.
O> TEMP=098.8 PULSE= 84 RESP=16 BP=100/ 60 WEIGHT=215 PPD= 0
O> CREPITUS IN KNEES BILAT. WORSE ON (R) KNEE THAN (L). UNSTEADY GAIT W. AMBULATES WITH CANE. MINIMAL SWELLING IN LAT ASPECT OF KNEES BILAT.
O> #2 DRAINAGE NOTED FROM NARES BILAT.
A> COMMON COLD
P> 1. SEE S.O. #3.
P> 2. IF PATIENT HAS RHINORRHEA, GIVE CTM 4 MG. TID X 3 DAYS
P> 3. INSTRUCT PATIENT TO TAKE TYLENOL 2 TABS Q 4 HRS. PRN FOR FEVER OR DISCOMFORT X 3 DAYS.

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P> 4. INCREASE FLUID INTAKE TO 6-8 GLASSES OF WATER PER DAY X 3 DAYS.

P> 5. * DISCONTINUE SMOKING.

#1 CHART PULLED AND PLACED ON SHELF FOR MD REVIEW.

SIGNED OFF ON 02/10/11 @ 8:49 BY JULIA MURPHY-CALLAHAN, REGISTERED NURSE I
I CHANGED HEALTH SUMMARY ON 6/15/2010 (ENC 227)--ASSIGN PT TO BOTTOM BUNK,
GROUND FLOOR AS I ORDERED IN JUNE 2010.

SIGNED OFF ON 02/16/11 @ 15:23 BY DONALD R SAMPSON, PHYSICIAN II
THE UNDERSIGNED SPOKE TO CAPTAIN WASHINGTON RE: BOTTOM BUNK, GROUND FLOOR
MD ORDER.

SIGNED OFF ON 02/20/11 @ 14:00 BY DEBY I BARBER, LICENSED PRACTICAL NURSE

** ENCOUNTER: 256 SICK CALL 02/03/11 8:50 BROAD RIVER COMP

S> I FELL AND HURT MY (L) KNEE ON 1/29/11. IT HURT ALL THE WAY DOWN MY LEG.

O> TEMP=098.9 PULSE= 78 RESP=16 BP=100/ 70 WEIGHT=215 PPD= 0

O> A/OX3/ VERBALLY RESPONSIVE/ AMBULATORY WITH CANE FOR ASSIST.

O> SYMMETRY: (R) & (L) KNEE, LEG ANKLE, NO S/S OF SWELLING, REDNESS, OR

O> DISCOLORATION. SLIGHT SWELLING DUE TO SOCKS BEING TOO TIGHT AROUND LEGS.

A> MUSCULOSKELETAL DISCOMFORT

A> COMMON COLD

P> 1. SEE S.O. #27.

P> 2. ACETAMINOPHEN 325 MG. TABS 2 PO QID X 3 DAYS OR IBUPROFEN 400 MG. TABLETS

P> 2 P.O. TID PRN X 3 DAYS. DOCUMENT MEDS GIVEN IN AMR.

P> 3. IF PALPABLE MUSCLE SPASMS PRESENT, CHLORZOXAZONE 500MG. TABS PO QID X

P> 3 DAYS.

P> 4. FOR LOWER BACK DISCOMFORT, USE A ROLLED TOWEL UNDER LOW BACK X 5 DAYS.

P> 5. WILLIAM FLEXION EXERCISE (SCDC FORM 24-146) FOR CHRONIC LOW BACK PAIN.

P> 6. RESTRICT STRENUOUS ACTIVITIES OR REST THE INVOLVED AREA.

P> 7. HEAT (BY SHOWER, MOIST COMPRESSES OR HOT WATER SOAKS) TO THE INVOLVED

P> AREA QID X 3 DAYS.

P> 1. SEE S.O. #3.

P> 2. IF PATIENT HAS RHINORRHEA, GIVE CTM 4 MG. TID X 3 DAYS

P> 3. INSTRUCT PATIENT TO TAKE TYLENOL 2 TABS Q 4 HRS. PRN

P> FOR FEVER OR DISCOMFORT X 3 DAYS.

P> 4. INCREASE FLUID INTAKE TO 6-8 GLASSES OF WATER PER DAY X 3 DAYS.

P> 5. * DISCONTINUE SMOKING.

PT WAS ISSUED IBUPROFEN 400MG AND CHLORZOXAZONE 500MG PER SO.

PT TEACHING TO RESTRICT STRENUOUS ACTIVITIES OR REST THE INVOLVED AREA.

PT WAS ISSUED CTM 4MG TID X 3 DAYS.

PT TEACHING FOR TYLENOL 2 TABS Q 4 HRS PRN FOR FEVER OR DISCOMFORT X 3 DAYS

PT STATED UNDERSTANDING FOR INSTRUCTIONS AS ABOVE.

SIGNED OFF ON 02/03/11 @ 18:03 BY DEBY I BARBER, LICENSED PRACTICAL NURSE

** ENCOUNTER: 255 NARRATIVE 02/01/11 12:29 BROAD RIVER COMP

RX EYEGLASSES SENT TODAY FROM THE KCI SPECIALTY CLINIC .

SIGNED OFF ON 02/01/11 @ 12:29 BY JOYCE E TINNEL, MEDICAL ASSISTANT TECH I
WILL ISSUE WHEN RECEIVED AND HAVE I/M SIGN PINK EQUIPMENT SHEET IN CHART AS
BEING RECEIVED.

SIGNED OFF ON 02/02/11 @ 13:56 BY SHARON E MACDERMOTT, REGISTERED NURSE I

** ENCOUNTER: 254 FOLLOW-UP SICK CALL 01/27/11 7:40 BROAD RIVER COMP

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Division of Health Services

Sick Call Clinic Notes

DATE	TIME	Notes
4-24-97	1000	Appressed to work in cage - Glu/Soni Pac -
4-28-97	1315	Bottom bunk para passed M. Williams
5/6/97	0935	S) Skm starting / breaking out X3 weeks D) 18 B0124/70 95 92 20 A) deposed P) Refer MO - M. Williams
5-6-97	1000	c) Xray L5 spine AP, lat - chronic back pain c) Ortho Clinic after 4, P) @ Max xray + bed 90 days D) Feldene 20 mg qd
5/6/97	1440	Schedule KCI X-Ray 5/9/97 at 0800. pyleny Admin Spec I
5/6/97	1500	Schedule Ortho Clinic 5/21/97 at 0800. pyleny Admin Spec II
5/21/97	0900	NO Show Ortho Clinic M. Williams
5/29/97	0800	S. WM from BRCI c/o back pain c no relief from Feldene. D. T. 97.6 P 72 R 20 BIP 126/72. c/o cont pain. Hx injury to c damage to L4-S. Works in kitchen c/o thin mattress. A. R/o back pain. P. Refer chart to MD. V c Lt. to assess mattress NWP x 1 day.
5-29-97	0935	Needs Ortho Evaluation M. Williams
10/5/97	1145	Clinical Behavioral Med, Audit M. Williams

SCDC # 240689

Inmate's Name: David, Russell

5/20/98

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DIVISION OF MEDICAL AND PROFESSIONAL HEALTH SERVICES

HEALTH SUMMARY FOR CLASSIFICATION/ASSIGNMENT

Inmate Name: David Russell Leon SCDC# 240689
Institution: Wentlow CI Date: 7/1/98

MEDICAL CLASS

- I. No medical problem; no work restrictions
- II. Medical problem(s); no work restrictions
- III. Medical problem(s) with work restrictions
- IV. Severe medical problem(s) with stringent work restrictions

Mental Health

- MI Mentally Ill
- MR Mentally Retarded
- OK Mentally Stable *5 mb 7-1-98*

RESTRICTION TIMEFRAME (CHECK ONE)

- A. No Restrictions
- B. 14 Days
- C. 30 Days
- D. 60 Days
- E. 90 Days
- F. Permanent

I. INSTITUTIONAL ASSIGNMENT (CHECK ONE)

- A. NO RESTRICTION
- B. CHRONIC INFIRMARY CARE
- C. 24 HR NURSING COVERAGE
- D. DAILY NURSING COVERAGE
- E. DIALYSIS ACCESSIBLE
- F. INTERMEDIATE CARE UNIT
- G. HANDICAP UNIT
- H. MENTAL RETARDATION PROGRAM
- I. RESIDENTIAL SUBSTANCE ABUSE
- J. REGIONAL MENTAL HEALTH CENTER
- K. SEX OFFENDER
- L. GENERAL SUBSTANCE ABUSE
- M. OUTPATIENT MENTAL HEALTH

II. CELL ASSIGNMENT (CHECK ONE)

- A. NO RESTRICTION
- B. GROUND FLOOR ONLY
- C. BOTTOM BUNK ONLY
- D. GROUND FLOOR & BOTTOM BUNK

III. WORK ASSIGNMENT/RESTRICTIONS (CHECK ALL THAT APPLY)

- A. NO MEDICAL RESTRICTION
- B. SEDENTARY WORK ONLY
- C. FOUR HOUR WORK RESTRICTION
- D. FOUR HOUR LIMITED WORK RESTRICTION
- E. EXCUSE FROM SCHOOL
- F. LIMITED STANDING
- G. NO WALKING > YARDS
- H. NO LIFTING > 25 POUNDS
- I. NO BENDING AT WAIST
- J. NO SQUATTING
- K. NO CLIMBING
- L. LIMITED SITTING
- M. NO REACHING OVER SHOULDERS
- N. NO FOOD SERVICE WORK
- O. NO REPETITIVE USE OF HANDS
- P. NO WALKING ON WET/UNEVEN SURFACES
- Q. NO REPETITIVE USE OF FEET/FOOT CONTROLS
- R. NO WORKING IN DIRECT SUNLIGHT
- S. NO TEMPERATURE EXTREMES
- T. NO HUMIDITY EXTREMES
- U. NO EXPOSURE TO ENVIRONMENTAL POLLUTANTS OR ALLERGIES
- V. NO WORKING WITH CHEMICALS OR IRRITANTS
- W. NO WORK REQUIRING SAFETY BOOTS
- X. NO WORKING AROUND MACHINES WITH MOVING PARTS
- Y. NO WORK EXPOSURE TO LOUD NOISES
- Z. NO WORK REQUIRING COMPLEX INSTRUCTIONS
- AA. NO WORKING AT EXTREME HEIGHTS
- BB. NO WORKING ON FIRST SHIFT
- CC. NO WORKING ON SECOND SHIFT
- DD. NO WORKING ON THIRD SHIFT

IV. TRANSPORTATION RESTRICTIONS: (CHECK ONE)

- A. NO RESTRICTION
- B. AMBULANCE
- C. WHEELCHAIR VAN

V. MEDICAL INFORMATION FOR WORK CAPABILITY

IS THIS INMATE PRESENTLY ON ANY TYPE OF MEDICATION? YES NO

IS HE/SHE PHYSICALLY CAPABLE OF PERFORMING STRENUOUS WORK? YES NO

DOES HE/SHE HAVE ANY MEDICAL PROBLEMS REQUIRING CLOSE MEDICAL SUPERVISION? YES NO

REMARKS: BAF 80 - Hx Situational Depression - Now Stable
Discussed in TV Team Meeting - Chg from
ME to MS

Dr. Blackwell, MD
PRINTED NAME AND TITLE OF REVIEWER

Dr. Blackwell
SIGNATURE OF REVIEWER

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DIVISION OF MEDICAL AND PROFESSIONAL HEALTH SERVICES

HEALTH SUMMARY FOR CLASSIFICATION/ASSIGNMENT

Inmate Name: DAVID RUSSELL
Institution: PRTE

SCDC# 240689
Date: 3-28-97

MEDICAL CLASS

- I. No medical problem; no work restrictions
- II. Medical problem(s); no work restrictions
- III. Medical problem(s) with work restrictions
- IV. Severe medical problem(s) with stringent work restrictions

Mental Health

- MI Mentally Ill
- MR Mentally Retarded
- OK Mentally Stable

RESTRICTION TIMEFRAME (CHECK ONE)

- A. No Restrictions
- B. 14 Days
- C. 30 Days
- D. 60 Days
- E. 90 Days
- F. Permanent

I. INSTITUTIONAL ASSIGNMENT (CHECK ONE)

- A. NO RESTRICTION
- B. CHRONIC INFIRMARY CARE
- C. 24 HR NURSING COVERAGE
- D. DAILY NURSING COVERAGE
- E. DIALYSIS ACCESSIBLE
- F. INTERMEDIATE CARE UNIT
- G. HANDICAP UNIT
- H. MENTAL RETARDATION PROGRAM
- I. RESIDENTIAL SUBSTANCE ABUSE
- J. REGIONAL MENTAL HEALTH CENTER
- K. SEX OFFENDER
- L. GENERAL SUBSTANCE ABUSE
- M. OUTPATIENT MENTAL HEALTH

II. CELL ASSIGNMENT (CHECK ONE)

- A. NO RESTRICTION
- B. GROUND FLOOR ONLY
- C. BOTTOM BUNK ONLY
- D. GROUND FLOOR & BOTTOM BUNK

III. WORK ASSIGNMENT/RESTRICTIONS (CHECK ALL THAT APPLY)

- A. NO MEDICAL RESTRICTION
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- F. LIMITED STANDING
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- H. NO LIFTING > 25 POUNDS
- I. NO BENDING AT WAIST
- J. NO SQUATTING
- K. NO CLIMBING
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- M. NO REACHING OVER SHOULDERS
- N. NO FOOD SERVICE WORK
- O. NO REPETITIVE USE OF HANDS
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V. MEDICAL INFORMATION FOR WORK CAPABILITY

IS THIS INMATE PRESENTLY ON ANY TYPE OF MEDICATION? YES NO

IS HE/SHE PHYSICALLY CAPABLE OF PERFORMING STRENUOUS WORK? YES NO

DOES HE/SHE HAVE ANY MEDICAL PROBLEMS REQUIRING CLOSE MEDICAL SUPERVISION? YES NO

REMARKS:

*drug abuse - Recently on Psychotropic
drug - tramadol? Rx. Suboxone 2mg/8mg
MORNING ON BACK PAIN*

PRINTED NAME AND TITLE OF REVIEWER

SIGNATURE OF REVIEWER

DAVID C. BURDICK MD
David C. Burdick

DAVID, RUSSELL
240689

Staff

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DIVISION OF MEDICAL AND PROFESSIONAL HEALTH SERVICES

HEALTH SUMMARY FOR CLASSIFICATION/ASSIGNMENT

Inmate Name: David Russell
Institution: Kershaw

SCDC# 240689
Date: 8/4/98

MEDICAL CLASS

- I. No medical problem; no work restrictions
- II. Medical problem(s); no work restrictions
- III. Medical problem(s) with work restrictions
- IV. Severe medical problem(s) with stringent work restrictions

Mental Health

- MI Mentally Ill
- MR Mentally Retarded
- OK Mentally Stable

RESTRICTION TIMEFRAME (CHECK ONE)

- A. No Restrictions
- B. 14 Days
- C. 30 Days
- D. 60 Days
- E. 90 Days
- F. Permanent

I. INSTITUTIONAL ASSIGNMENT (CHECK ONE)

- A. NO RESTRICTION
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- D. DAILY NURSING COVERAGE
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IS THIS INMATE PRESENTLY ON ANY TYPE OF MEDICATION? YES NO

IS HE/SHE PHYSICALLY CAPABLE OF PERFORMING STRENUOUS WORK? YES NO

DOES HE/SHE HAVE ANY MEDICAL PROBLEMS REQUIRING CLOSE MEDICAL SUPERVISION? YES NO

REMARKS: DF2 - OAF-80 - 140 Situational Depression Now Stable
Discussed in Tx team meeting - Clog from
MC to MB

Dr Blackwell, MD
PRINTED NAME AND TITLE OF REVIEWER
Dr Blackwell
SIGNATURE OF REVIEWER

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Medical Comment Sheet

SCDC# 240689	Name of Inmate: DAVID RUSSELL	Name of Staff Member: David C. Burdum	Date 3-28-97
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Comments: (Circle All That Apply)

- 01 No Medical Restriction
- 02 Admitted to Gilliam Psychiatric Hospital
- 03 Admitted to Infirmary (Acute)
- 04 Admitted to Community Hospital
- 05 Request for Handicap Unit Completed
- 06 Request for Intermediate Care Unit Completed
- 07 Evaluate for Referral to Substance Abuse Program*
- 08 Evaluate for Referral to Sex Offender Program*
- 09 Evaluate for Referral to Hab Unit*
- 10 Evaluate for Referral for Outpatient Mental Health Treatment*
- 11 Dialysis Accessible
- 12 Daily Nursing Coverage
- 13 24 Hour Nursing Coverage
- 14 Chronic Infirmary Care

*Automatic Referral to Phase II

WHITE - CLASSIFICATION
CANARY - MEDICAL RECORD

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
 Division of Health Services
 Sick Call Clinic Notes

DATE	TIME	
10/28/97	1100	<p>Spun by excluded for Behavioral Medicine apt. Next apt scheduled for 11/4/97 @ 11 AM.</p> <p style="text-align: right;">M. H. Miller, CCCU</p>
11/4/97	1100	<p>individual session</p> <p>① Spun says his mother had emergency by-pass surgery last wk. Talked to his sister last wk. & if his mother is doing fine.</p> <p>He has not been compliant to take his atarax 25mg, because Spun says it does not help him rest or stop his jittery feeling. His problem is being unable to rest & feeling jittery come & go. They are worse when he is not occupied. Spun says that when he saves his medications up & takes more than he is prescribed, the medications then work.</p> <p>Spun denies any emotional, family, personal or other issues. He states he has no mental problems & acknowledges his drug dependence (marijuana, alcohol, cocaine & heroin).</p> <p>Spun is A+O & appropriate affect & mood. No evidence of H/ID ideas & he appears to be oriented x3. CAT = 81</p> <p>② Spun's restlessness & jittery feelings appear related to his past drug dependence. He may be drug seeking?</p> <p>③ Substituting ^{with} physician please evaluate Spun's usage of atarax</p>

SCDC # 240639

Inmate's Name: David, Russell

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Division of Medical and Professional Health Services

MEDICATION PROFILE TEMPORARY MEDICATIONS

Allergic To: Codine + PCN

DATE	MEDICATION/DOSAGE/ROUTE	DATE ORDERED	DATE ORDERED	DATE ORDERED	DATE ORDERED	DATE ORDERED	DATE ORDERED	DATE ORDERED	RETURNED TO PHARMACY
3/28/97	Lebricum 25mg qid x 7 days								
3/28/97	Motrin 600mg Ttid x meals								
4-4-97	Bendal 50mg po tid x 5d								
4-14-97	Bendal 50mg po tid x 10 days								
12-11-97	Calamine lotion								
12-12-97	Kenalog 40mg Im								
12-12-97	Ecolin qid x 90 days								
12-12-97	Atarax 25mg po stat (x1 dose) ^{1 dose}								
12-22-97	Atarax 25mg BID x 100 days ^{1 dose 12/21}								
9-28-98	Keffex 500mg tid x 30d								
9-28-98	Symmetrel 100mg bid x 4d								
12-14-98	Chlorzoxazone qid x 5d ^{7 issued}								
12-14-98	Motrin 400mg qid x 3d								
11/7/99	Perogesic $\frac{1}{2}$ tab qid x 2 days								
11/30/00	Chiron 200mg po x 100d								
1/17/01	Clenil 200mg $\frac{1}{2}$ po BID x 180 days								
6/11/01	Salacn $\frac{1}{2}$ po TID PRN pain x 3 days								
5/24/02	Septia DS Bid x 10 days								
5/24/02	Mubain 10mg / Pheregan 25mg IM now								
5/2									

SCDC # 240689 INMATE NAME: DAVID, RUSSELL