

STATE OF SOUTH CAROLINA

S.C. Court of Appeals
Case NO. 2025-000715

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SC Court of Appeals

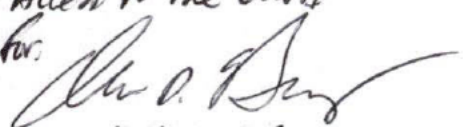
Mr. Abram D. Brueby
v. Appellant,

South Carolina Department
Respondent.

"Motion to Proceed
Forma Pauperis"

The Appellant Movant Affiant Plaintiff pursuant to S.C. Rule of Civil procedure 3 commencement of Action to Proceed by Authoritative Entrance, Requisite Forma Pauperis, With Reference the Movant according to Due Process Article 1 & 3 S.C. Constitution 14th Amendment U.S. Constitution. Due to shocking OMISSION of Primary Record, but nexus concerning Denial "Access the Courts" by mailbox Forman, Business Sector Barber. The Appellant victim on 4/23/25 received 3rd Demands of the Court 2 out of 3 were authoritative plausible. The 3rd being \$250.00 with NO DIRECT Annual Income NO consistent Financial occupation. Family's situation search for occupation. NO Assets, for filing Fee just for ENTRY. When Extraordinary circumstance has occurred concerning GENUINE ISSUE OF MATERIAL FACT already PROVEN within CASE. Omitted Motion 2/26/25 to "Administrative Law Court Affidavits" PERSONAL KNOWLEDGE through record penalty of perjury. The Appellant is Forma Pauperis enclosed June 2, 2024 TIME STAMPED signed 6/11/24 fiscal Authority SCDC. Due to (10)th day deadline the Appellant CANNOT RECEIVE a NEW one in time. Ipso FACTO the Appellant is Indigent \$800 in debt with ARM 15.12 SCDC rule 17.2.1.1 deduction at 60%. The Amount of money that's within the Appellant account is \$0.02. Just receive another Indigent Bag Rule 202 Cost on Appeal (a) "TO WHOM ALLOWED UNLESS OTHERWISE ORDERED BY THE APPELLATE COURT." The Amount of money that's within the Appellant account is not enough for an Inlc pa. Also Rule 203(B)(iii) THIS FEE IS NOT REQUIRED for CRIMINAL APPEALS (omission motion from Record mail correspondence violation 18 WVC 51201, 1702, destruction impeding Administrative Law S.C. code 816-9-340, or Appeal. By the State of S.C. Department of corrections) or agencies would be discriminatory. 18 WVC 5242 of The Impoverished Appellant CANNOT PROCEED according to Due Process of LAW. Please Rectify JUSTLY due to overwhelming FACTS. HONORABLE TRIBUNAL MUST GRANT CLEMENCY "Access to the Courts" Administrative LAW COURT AND S.C. General counsel have to answer for.

May 2, 2025


Mr. Abram D. Brueby
612-2-A-5
P.O. Box 189
Rambert S.C. 29125-0189

Abram Brandy

0582
W21

FINANCIAL CERTIFICATE FOR THE DISTRICT OF SOUTH CAROLINA

(for use in § 1983, Bivens, and non-habeas civil actions filed by prisoners)

RECEIVED
JUN 07 2024
W.R.C.I.
MAIL ROOM

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I am granted *in forma pauperis* status, I authorize and consent to collection of the \$ 350 filing fee in accordance with 28 U.S.C.-§-1915(b) until the filing fee is paid in full as well as any amount of costs, sanctions, and/or fees that might be imposed by the court during this litigation. I understand that if I do not qualify for *in forma pauperis* status, I will have to pay \$400 to proceed with my case, which includes the full \$350 filing fee as well as an additional \$50 administrative fee established by the Judicial Conference of the United States. The \$50 administrative fee is not applicable to *in forma pauperis* cases.

Abram D. Brandy
INMATE NAME (PRINTED)

284787
INMATE (PRISONER) NUMBER

Abram D. Brandy
INMATE SIGNATURE

Watauga
PLACE OF CONFINEMENT

◆ (1) Average monthly deposits to the inmate's account.....\$ 0

◆ (2) Average monthly balance in the inmate's account calculated for the prior six months period.\$ 15.47

◆ (3) Current Balance\$ 15.47 with \$15 held

◆ (4) Initial Installment Payment - due upon granting of *in forma pauperis* status (Take 20 percent of the greater of lines 1 or 2).....\$ Actual .47

* Insufficient Balance

I hereby certify that as of this date, the above financial information is accurate for the above named inmate

Authorized Officer's Signature

Date 06/11/24

Authorized Officer's Name and Title

Fiscal Analyst I

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM Richland County
Administrative Law Court

Sebastian Phillip Lentini

Case No. 2025-000715

State of South Carolina Respondent

Abram D. Bracey v. Appellant

A P P E A L

Proof of Service

I, Appellant Mr. Abram D. Bracey hereby certify under the penalty of perjury his FINANCIAL STATUS serve this "Motion to Proceed Forma Pauperis" to S.C. court of Appeals, Administrative Law Court, and Respondent office of General Counsel Christina L. Bigelow Esquire. By depositing a copy of it in the United States mail, postage pre-paid, on May 2, 2025. Addressed Tony ABBOT KATLIZWOS, clerk P.O. Box 11629, Columbia S.C. 29211, 1205 paddleton street suite 224 Columbia S.C. 29204, P.O. Box 21781, Columbia S.C. 29221-1781

May 2, 2025

Abram D. Bracey
28 W. 217th
Mr. Abram D. Bracey
P.O. Box 189
Waterloo Correctional
Rembert S.C. 29128-0189

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MAY 08 2025

SC Court of Appeals

The Honorable Jenny ABBOTT Kitchings
J.C. Court of Appeals
P.O. Box 11629
Columbia S.C. 29211

May 2, 2025

Dear Mr. Kitchings:

I am enclosing the Notice of Appeal with proof of service that was sent to Office of General Counsel Christina C. Bigelow, Esquire P.O. Box 21787 Columbia S.C. 29221-1787. Also proof of service showing that a copy has been served on the Administrative Law Court, and the following

1. A copy of the order which is to be challenged on appeal;
2. Motion to Proceed "Forma Pauperis"
with proof of service
3. Financial Certificate

Please file the enclosed and return file-stamped copies to me of everything except the filing fee in the enclosed self-addressed, stamped envelope. After known facts of case the Rule 61 must be applied.

With best wishes, God Bless



Mr. Abram D. Brawley
Water River Correctional Institution
P.O. Box 189
Rembert S.C. 29125-0189

Mr. Abram D. Brawley
WCI - Dorm 2 - S-A 20-1107
8200 State Farm Rd.
P.O. Box 184
Rembert S.C. 29128-0184

COLUMBIA SC 290

6 MAY 2025 PM 3:11

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SC Court of Appeals

FIRST-CLASS



US POSTAGE IMPITNEY BOWES



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The Honorable Jerry ABBOT Kitchings
S.C. Court of Appeals
P.O. Box 11629

Columbia S.C. 29211

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29211 11629 Columbia S.C. 29211

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM Richland County
Administrative Law Court
Sebastian Phillip Leski ALJ

CASE NO. 25 ALJ-04-0022-AP

S.C. General Counsel, Respondent,

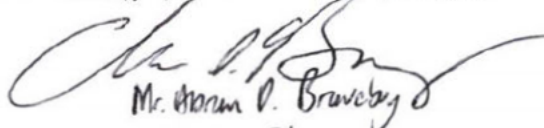
v.

Mr. Aaron P. Brueby Appellant.

NOTICE OF APPEAL

The Appellant appeals the April 3, 2025 order for dismissal after reception April 8, 2025 as victim Migrant from Administrative Law Judge Leski case no. 25-ALJ-04-0022-AP case no. In a grievance Action Step 1 Step 2 WRCI-0150-24, concerning violation of State liberty right Bender v. Smith malicious NEGRATIVE violation Denial of Access to the courts CA 01.03, PS 1008 SCDC policy Postage for HANDWRITTEN PETITION, CURA 18WLS3771, Article 1424 S.C. constitution, S.C. code 16-3-1610-1690, CRIMINAL VICTIM RIGHT ACT Procedure U.S. Court of Appeals. When entire Warden Waterce staff as well as General Counsel themselves were initially cooperative to assist in such sensitive procedure. The Administrative Record displays historically malbon FURNER WATERCE NEGLIGENCE, with Business Barker. Kiosk Reference Essential Substantial Evidence do Base Legal subterfuge misconduct. On April 8, 2025, the Ledgered Obtrusive revision of Record PARAMOUNT "MOTION for Preliminary Injunction S.C. civil Rule 65/Summary Judgment S.C. civil Rule 56 ALJ Special Appeals Rules 60, 63" NO 2/20/25 verification, NO MENTION, BUT RECORDED March 31, 2025, filed MOTION TO SUPPLEMENT the Record for Liability Rule 54 DEMAND for Judgment mail/SCALC VIOLATION OF ELEMENTARY due process Article 153 S.C. constitution 14th Amendment U.S. constitution. Missing from the Record Urgent the Hon. Court must do immediate inquiry investigation for Imperative motion location for Immediate Removal Injunction Decision Criminal nature Irreparable harm suffered.

4/8/25
DATE


Mr. Aaron P. Brueby
WCI-02-5A
P.O. Box 184
Rabot S.C. 29128

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM Richland County
Administrative Law Court

Sebastian Phillip Lenka

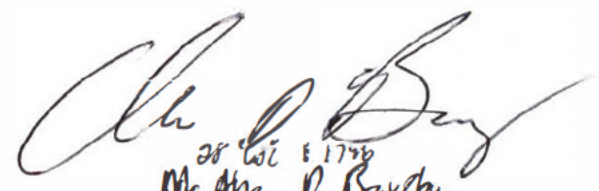
Case No.

State of South Carolina Respondent
Abram D. Braveboy v. Appellant

proof of service

I certify that I have served the NOTICE of Appeal to S.C. Court of Appeals, Administrative Law Court, in Respondent office of General Counsel Christina L. Bigelow Esquire. By depositing a copy of it in the United States mail, postage pre-paid, on April 8, 2025. Addressed Jerry ABBOT KITCHINGS, Clerk P.O. Box 11624 Columbia S.C. 29211. 1205 perleton street suite 224 Columbia S.C. 29204. P.O. Box 21787 Columbia S.C. 29221-1787

April 8, 2025



28 USC § 1792
Mr. Abram D. Braveboy

P.O. Box 189

Waterloo Correctional

Rembert S.C. 29128-0189

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
J.C. Court of Appeals
P.O. Box 11629
Columbia S.C. 29211

May 2, 2025

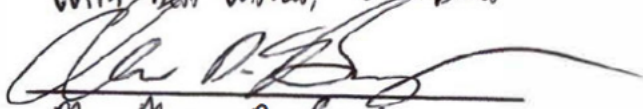
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2. Motion to Proceed "Forma Pauperis."
with proof of service
3. Financial Certificate

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With best wishes, God Bless



Mr. Abram D. Bramley
Water River Correctional Institution
P.O. Box 189
Ramblet S.C. 29128-0189

Mr. Abram D. Bravbery
WCI - Dorm 2 - S-A 251707
8200 State Farm Rd.
P.O. Box 184
Kembert S.C. 29128-0184

COLUMBIA SC 290

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SC Court of Appeals

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The Honorable Jerry ABBOT Kitchings
S.C. Court of Appeals
P.O. Box 11629

29211 Columbia S.C. 29211

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SC Court of Appeals

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Abram Braveboy, #284787,

Docket No. 25-ALJ-04-0022-AP

Appellant,

vs.

ORDER GRANTING RESPONDENT'S
MOTION TO DISMISS

South Carolina Department of Corrections,

Respondent.

This matter is before the South Carolina Administrative Law Court (ALC or court) pursuant to a Notice of Appeal filed on January 16, 2025 by Abram Braveboy (Appellant) an inmate in the custody of the South Carolina Department of Corrections (Respondent or Department). After the Appellant's Step 1 and Step 2 grievances were reviewed and denied, he filed a Notice of Appeal with this court because he was told by mailroom personnel that handwritten documents cannot be mailed to U.S. District Court. Also, the Appellant contends that the Department should use a 10-14 Debit Form to send legal mail if an inmate does not have enough money in their E H Cooper Account. The Appellant is not appealing a disciplinary hearing conviction, nor did he lose any good time credit as part of any punishment he received.

On March 21, 2025, the Department filed a Motion to Dismiss pursuant to *Slezak v. S.C. Dep't of Corr.*, 361 S.C. 327, 605 S.E. 2d 506 (2004) and *Skipper v. S.C. Dep't of Corr.*, 370 S.C. 267, 633 S.E.2d 910 (Ct. App. 2006) requesting the court dismiss the Appellant's appeal because it does not involve a state-created liberty or property interest. On March 31, 2025 the Appellant filed a Motion to Supplement the Record for Liability/Rule 54 Demand for Judgment requesting \$ 3 million in compensatory and \$ 7 million in punitive damages.

DISCUSSION

The court's jurisdiction to hear this matter is derived entirely from the decision of the Supreme Court of South Carolina in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). The court's appellate jurisdiction in inmate appeals is limited to cases involving the denial of a state-created liberty interest,¹ which typically arises in two ways: (1) when an inmate contends

¹ The court does have limited jurisdiction in some property matters, the authority for which need not be cited here.

↑ NO PRIMARY JURISDICTION
MOTIONS

THE STATE OF SOUTH CAROLINA
FILED
APR 03 2025
Administrative Law Court

that prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; and (2) when an inmate is disciplined and punishment is imposed in a major disciplinary hearing as a result of a serious rule violation. *See id.* at 369, 527 S.E.2d at 750.

When reviewing the Department's decisions in inmate grievance matters, the court sits in an appellate capacity. *Al-Shabazz*, at 756. Consequently, the review in these inmate grievance cases is limited to the Record presented. Pursuant to *Slezak*, the court is to have jurisdiction over all properly perfected inmate appeals, but “[s]ummary dismissal may be appropriate where the inmate’s grievance does not implicate a state-created liberty or property interest.” *See Slezak*, 361 S.C. at 331, 605 S.E.2d at 508. Further, in *Skipper*, the Court of Appeals of South Carolina interpreted *Slezak* as holding that a judge “should” dismiss a prisoner’s appeal where it does not implicate a state-created liberty interest. *See Skipper*, 370 S.C. at 279, 633 S.E.2d at 917.

In the case, the Department investigated and responded that per Department policy, inmates will be permitted to send an unlimited amount of legal mail regardless of their indigent status. Further, the Appellant’s mail was denied being mailed certified because it was not being sent to the Attorney General, not because it was handwritten. Department policy only permits certified legal mail for summons and complaints to the Attorney General. There is no state-created liberty or property interest implicated in this matter. As such, this is a case where the court must adhere to the traditional “hands off” doctrine regarding judicial involvement in internal prison matters. *See Pruitt v. State*, 274 S.C. 565, 266 S.E.2d 779 (1980); *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000) (emphasis supplied). Therefore, based on the foregoing,

IT IS HEREBY ORDERED that the Department’s Motion to Dismiss is **GRANTED** and this appeal is hereby **DISMISSED**.

IT IS SO ORDERED.



S. Phillip Lenski
Administrative Law Judge

April 3, 2025
Columbia, South Carolina

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States Mail, postage paid, or in the interagency Mail Service addressed to the party(ies) or their attorney(s).

This 3 day of April 2025

Judicial Law Clerk