

The South Carolina Court of Appeals
Administrative Law Court,
Judge

Ben Robert Stewart, 223006

v.

South Carolina Department of Corrections

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SEP 11 2025

SC Court of Appeals


Appellate Case No:

2024-002076

Affidavit And
Motion For Consolidation of

Matters SCRPC Rule 42 (a)

Ben Robert Stewart 223006
200 Prison Rd
Eunee S.C. 29335,

(1 of 6) 

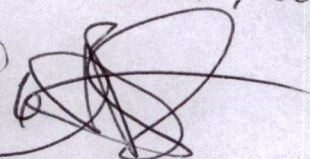
Affidavit AND
Motion For Consolidation of Matters
South Carolina Rules of Civil Procedure
Rule 42 Section (A)

Now COMES Ben Robert Stewart, hereafter appellant in the present case, containing four⁽⁴⁾ matters, as follows:

Appellate Case No: 2024-002076;

- (1) Stewart v. SCDC, 24-C-0633; (2) Stewart v. SCDC, 24-C-0632; (3) Stewart v. SCDC, 24-C-010; and (4) Stewart v. SCDC, 24-C-011.

The Appellant attaches a Motion To Consolidate he filed in the Administrative Law Court on 05/03/2024. However the Respondent and the Court disregarded the request pursuant to Rule 19. Administrative Law Court, section (d), see (Affidavit


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To Motion For Trial And Extension of Time attached)).

Filed November 27, 2024,))

see; *Worthy v. Chalk's Admirs*, 10 Rich 141 (1856);
Ellis by Ellis v. Oliver, 307 S.C. 365, 415 S.E.2d
400 (1992) (order consolidating actions did not
create multiple defendants, citing SCRCP Rule 42(a);
Winchester v. United Ins., 231 S.C. 288, 98 S.E.
2d ~~530~~ (1957) (order refusing to consolidate
actions was an abuse of discretion.) also; the
Federal Courts allow this see; FRCP Rule 42(a).
respectively.

Therefore due to appellant having four (4) cases,
two (2) cases(s) being identical in nature the Court

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should order an consolidation because;

1. Two cases Stewart v. SCDC, ()
Stewart v. SCDC, ()

are related to an unlawful transfer pursuant to the
Intrastate Agreement on Detainers Act;

2. Two cases Stewart v. SCDC ()
Stewart v. SCDC ()

are related to corporal punishment deprivation
of light, blight in prison.

Respondent has not responded to the allegations in neither
case in ALC, therefore waived and or default or forfeited
its appellate argument - see; Exhibit attachment —

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NOV 27 2024

LEE CI MAIL ROOM

In the State of South Carolina
In the Administrative Law Court

Ben Robert Stewart, 223006

v.
South Carolina Department of Corrections,

Case No. 24-ALJ.04.0611

Griev. No. LEE-CI 713-24

And

Case No. 24-ALJ.04.0610

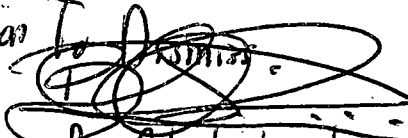
Griev. No. LEE-CI 539-24

Affidavit To Motion For Trial
And Extension of Time

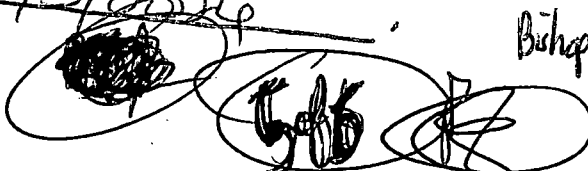
The Appellant, Ben Robert Stewart, respectfully seeks a (30) thirty day extension of time to respond to the respondents motion to dismiss, previously Appellant filed a Motion For Consolidation on October 3, 2024 to the Administrative Law Court and on Respondent, however Respondent did not respond to the Motion, also Appellant has (7) seven open active cases and due to these extraordinary circumstances the Appellant seeks extension of time; Furthermore the Appellant is seeking a trial in this matter or a hearing to disputed facts regarding the respondents' alleged defense that "Appellant failed to file a request to Staff Form" at 1 on (both) respondents' Motion To Dismiss.

SWORN before me or affirmed on 27 of NOV 2024.

This day my Commission expires on 3/3/2026



Ben Robert Stewart
990 Wisacky Hwy
Bishopville, S.C. 29010



And after a review of the Exhibit; It reveals that Appellant filed an Consolidated motion to Respondent and the ALC however, the parties did not acknowledge the pleading.

WHEREFORE; the appellant has demonstrated the need for the Consolidation of these matters. see; attached Affidavit and Motion To Consolidate, dated October 3, 2024.

Sworn before me on Shirley 9/5/25

Commission expires on 4/14/26

Respectfully

Ben Rupert Stewart
223006

200 Prison Rd

Enoree, S.C. 29335



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In the South Carolina Court of Appeals

Ben Robert Stewart, 223006

Case No:

v.

2024-002076

S.C.D.C.

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Appellate CASE No: 2024-002076 SEP 11 2025

SC Court of Appeals

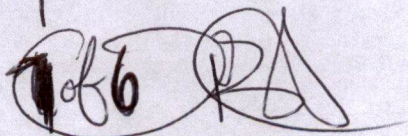
PROOF OF SERVICE

I, Ben Robert Stewart, hereby swear that I'm filing my Affidavit and Motion For Consolidation of Matters SCRP Rule 42 (a) to the Court of Appeals of South Carolina; and Respondent at the address below; and date

: P.O. Box 11629, Columbia S.C. 29201

: 4444 Broad River Rd Columbia S.C. 29221

on this 5th of September 2025.



Ben Robert Stewart 223006
200 Prison Road
Eunice S.C. 29335

Ben Robert Stewart, 223006
200 Prison Rd.
Euree S.C. 29335

South Carolina Court of Appeals
P.O. Box 11629

September 5, 2025

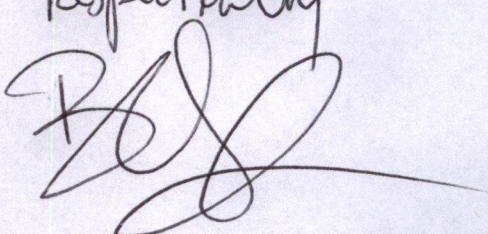
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SEP 11 2025

SC Court of Appeals

Dear Clerk,

In regards to the enclosed Motion To Consolidate (Affidavit) can you please clock stamp and return for personal file please, and forward to respondent due to my disability, hardship (see; Motion for handicap disability) (attached)

Respectfully


Ben R. Stewart 223006
200 Prison Rd
Eunice S.C. 29335

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South Carolina Court of
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