

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenville County
Court of Common Pleas
hon. Perry Gravely, Presiding
C/A No. 2023-CP-23-02526

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SEP 30 2025

SC Court of Appeals

Reginald Byrd #209137 -- APPELLANT,

-Vs-

South Carolina Dep't of Corr. -- RESPONDENT,

APPELLATE CASE NO. 2025-00662

APPELLANT'S REPLY BRIEF

Other Counsel of Record
Charles Turner, Esq.
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Reginald Byrd #209137
Tyger River Corr. Inst.
200 Prison Rd.
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Appellant, pro-se

APPELLANT'S REPLY BRIEF

COMES NOW, Appellant in this matter Reginald Byrd #209137, pro-se lodging his Reply brief in this matter. This matter is presently before this Court pursuant to an appeal filed by Appellant, an inmate housed in the South Carolina Department of Corrections. This matter stems from a tort action that was filed in the Greenville County Court of Common Pleas. The Honorable Perry Gravely dismissed the matter for lack of jurisdiction and Appellant filed a timely Notice of appeal to this Court.

Appellant timely filed his Initial Brief and Designated matter of appeal. Respondents filed their Initial Brief September 11, 2025.

Appellant now lodges his Reply Brief.

Respondents intentionally avoid the applicable and relevant portion of the statute that is clearly tenable to Appellant's position in this matter. Respondents have failed to apply the plain language rule of the statute.

The relevant portion of the statute Respondents so conveniently avoid in §42-1-480 clearly states:

This section shall not apply to..... or those persons confined within the jurisdiction of of the county prisons, county jails, city jails or overnight lock-ups or to any inmate who is injured in a fight, riot recreational activity or other incidents not directly related to his work assignment.

Id 42-1-480.

The Legislatures intent here is clearly spelled out in the statute.

Appellant did not suffer "a work related injury," this would mean it was "other incident not directly related to his work assignment."

Respondent's Brief also omits any reference to SCDC's Officer's negligent actions that induced this matter and allowed it to transpire in the first place. i.e. Respondent fail to address the fact that the institution was on a state wide lock down. During the state wide lock-down it was SCDC's Officer who unlocked another inmates cell door, allowed the inmate to walk across the yard where another SCDC Officer allowed an unauhorized inmate to enter the cafeteria where he was not allowed and should not have had access to that area, that also allowed the unauthorized inmate to enter Appellant's work area grab an industrial can opener and feloniously assault Appellant without any security being present in the kitchen where the security officer should have been and was not. (emphasis added and supplied). Respondents fail to address the material fact that the unauthorized inmate should not have only not been allowed in the kitchen, but he should have never been let out of his cell due to the state-wide security lock-down. (emphasis added).

Respondents fail to address that this gross negligence was the result direct result of not one (1) but two (2) of their security officers, Lt. Samples and Swinger, both are SCDC's security officers whose failure to follow protocol has resulted in gross negligence that is the proximate result of Appellant's injuries.

Appellant was not an employee either direct or statutory and Worker's Compensation Act is not applicable under the circumstances and facts of this case. This was not a work related injury, but an injury that occurred as a result of SCDC's security Officers gross negligence.

Respondents cannot find sanctuary under §42-2-250 because under the plain language of the statute §42-1-480 does not apply and is inapplicable.

CONCLUSION

Based on the above, Appellant respectfully incorporates this Reply with the Argument and citations of authorities cited in his Initial Brief on appeal and respectfully contends there exists a genuine issue of material facts in disputes that warrants submission to jury and therefore the matter should be remanded back to the lower court with instructions to place the matter back on the jury docket for trial.

DATED: September 23, 2025

Respectfully Submitted,

/s/ Reginald Byrd

Reginald Byrd, #209137

Appellant, pro-se

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CERTIFICATE OF SERVICE

The undersigned hereby certifies he has served a true and correct copy of the enclosed reply brief on the persons whose names and addresses appear below by placing the aforesaid in properly addressed, first-class postage affixed envelopes and placed in the U.S. Mail this 23rd day of September 2025.

Those Served:

S.C. Court of Appeals
Clerk's Office
P.O. Box 11629
Columbia, SC. 29211

Respectfully Submitted,

/s/ Reginald Byrd
Reginald Byrd #209137

Appellant, pro-se

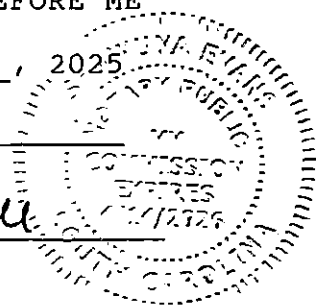
Charles Turner, esq.
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Greenville, SC. 29607

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 23rd DAY OF Sept, 2025

[Signature]
NOTARY PUBLIC

MY COMM. EXPIRES 4/14/2026



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