

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APPEAL FROM ADMINISTRATIVE LAW COURT
ADMINISTRATIVE LAW JUDGE DEBORAH B. CURSE SC Court of Appeals

APPELLATE CASE NO. 2013-001541

DOCKET NO. 12-ALJ-04-0916-AP

GRIEVANCE NO. ECI 1137-12

DUSTIN GAINES, #316068

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS,

RESPONDENT,

MOTION FOR APPELLANT TO BE ALLOWED TO FILE A FIFTEEN
(15) PAGE REPLY BRIEF AGAINST RESPONDENT'S INITIAL
BRIEF; AND MOTION FOR THIS COURT TO ORDER RESPONDENT
TO SERVE ON THE APPELLANT AND THIS COURT A COPY OF
APPELLANT'S DESIGNATIONS OF MATTERS TO BE INCLUDED IN
THE RECORD ON APPEAL, FOR REVIEW

COMES NOW, APPELLANT, DUSTIN GAINES, #316068, IN
MOTION TO BE ALLOWED TO FILE A FIFTEEN (15) PAGE REPLY
BRIEF AGAINST RESPONDENT'S INITIAL BRIEF; AND PROPOSES
THE FOLLOWING BE INCLUDED IN THE RECORD ON APPEAL AND
SERVED ON APPELLANT AND THIS HONORABLE COURT FOR REVIEW:

- (1) INCIDENT REPORT OF OFFICER JOEY DAVIS, DATED MAY 24, 2012 REGARDING APPELLANT, VIRGIL HAYGOOD'S #300382 CONVICTION FOR 898.
- (2) DISCIPLINARY REPORT AND HEARING RECORD FOR APPELLANT, VIRGIL HAYGOOD'S #300382 CASE (CHARGE 898).
- (3) TRANSCRIPT OF JUNE 11, 2012, OF VIRGIL HAYGOOD'S DISCIPLINARY HEARING FOR CONVICTION OF 898.
- (4) VIRGIL HAYGOOD'S STEP ONE GRIEVANCE FORM REGARDING 898 CONVICTION.
- (5) VIRGIL HAYGOOD'S STEP TWO GRIEVANCE FORM REGARDING 898 CONVICTION.
- (6) APPELLANT, VIRGIL HAYGOOD'S #300382 NOTICE OF APPEAL IN THE ADMINISTRATIVE LAW COURT.
- (7) VIDEO AND PICTURES PROVIDED DURING THE HEARING FOR APPELLANT, VIRGIL HAYGOOD'S #300382 898 CONVICTION.
- (8) CHAIN OF EVIDENCE FORM PROVIDED DURING APPELLANT, VIRGIL HAYGOOD'S HEARING FOR CONVICTION 898.
- (9) PHOTOGRAPH OF CELL PHONE PROVIDED DURING APPELLANT, VIRGIL HAYGOOD'S #300382 HEARING FOR CONVICTION 898.
- (10) APPELLANT, VIRGIL HAYGOOD'S #300382 NOTICE OF ASSIGNMENT IN THE ADMINISTRATIVE LAW COURT.

(ii) MARCH 27, 2013 ORDER OF REVERSAL BY ADMINISTRATIVE
LAW JUDGE RALPH K. ANDERSON FOR APPELLANT, VIRGIL
HAYGOOD'S 398 CONVICTIONS.

I CERTIFY THAT THIS DESIGNATION CONTAINS
NO MATTER THAT IS IRRELEVANT TO THIS APPEAL.

DATED: NOVEMBER 5, 2013

RESPECTFULLY SUBMITTED,
DUSTIN GAINES #316068
PRO-SE APPELLANT

Dustin Gaines #316068
EVANS CORR. INST.
610 HWY 9 WEST
BENNETTSVILLE SC, 29512

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT
ADMINISTRATIVE LAW JUDGE, DEBRAH B. BURDEN

APPELLATE CASE NO. 2013-001541
DOCKET NO. 12-ALT-04-0916-AP
GRIEVANCE NO. ECI. 1137-12

DUSTIN GAINES, # 316068

APPELLANT,

V.

SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS,

RESPONDENT,

CERTIFICATE OF SERVICE

THE UNDERSIGNED APPELLANT HEREBY CERTIFIES THAT A TRUE AND CORRECT COPY OF THE ENCLOSED MOTION FOR APPELLANT TO BE ALLOWED TO FILE A FIFTEEN (15) PAGE REPLY BRIEF AGAINST RESPONDENT'S INITIAL BRIEF, AND MOTION FOR APPELLANT'S DESIGNATION OF MATTERS TO BE SERVED ON APPELLANT AND THIS COURT FOR REVIEW, ALONG WITH CERTIFICATE OF SERVICE HAS ON THIS 7TH DAY OF NOVEMBER, 2013 BEEN SERVED UPON THE RESPONDENT BY UNITED STATES MAIL, POSTAGE PREPAID, AND ADDRESSED TO THE RESPONDENT AS FOLLOWS:

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NOV 08 2013

SHANIKA K. JOHNSON
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P.O. BOX 21787

COLUMBIA, SC 29221-1787