

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Robert L. Reibold, Administrative Law Judge

Case No. 2025-001423

James Edward Johnson, Jr. #353643,

Appellant

v.

South Carolina Department of Corrections,

Respondent.

RECORD ON APPEAL

James Edward Johnson, Jr., SCDC #353643

Evans Correctional Institution

610 Highway 9 West

Bennettsville, SC 29512

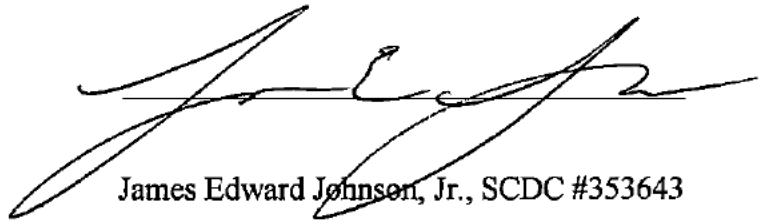
Appellant, *Pro Se*

LIST OF DOCUMENTS

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MOTION FOR INJUNCTION 2 pages

Respectfully submitted,

February 27, 2026



James Edward Johnson, Jr., SCDC #353643

Evans Correctional Institution

610 Highway 9 West

Bennettsville, SC 29512

Appellant, *Pro Se*

against, any member of a group protected by this chapter, and to foster mutual understanding and respect among all people in this State.

SECTION 1-13-20. Declaration of policy.

This chapter is an expression of the concern of the State for the promotion of harmony and the betterment of human affairs. The General Assembly declares the practice of discrimination against an individual because of race, religion, color, sex, age, national origin, or disability as a matter of state concern and declares that this discrimination is unlawful and in conflict with the ideals of South Carolina and the nation, as this discrimination interferes with opportunities of the individual to receive employment and to develop according to the individual's own ability and is degrading to human dignity. The General Assembly further declares that to alleviate these problems a state agency is created which shall seek to eliminate and prevent discrimination because of race, religion, color, sex, age, national origin, or disability.

Furthermore, the Appellant requests the Court to grant the motion for summary judgment for the following:

MOTION FOR SUMMARY JUDGMENT

Summary judgment is proper when "there is no genuine issue as to any material fact and . . . the moving party is entitled to a judgment as a matter of law." Hawkins, 358 S.C. at 289, 594 S.E.2d at 562 (quoting Rule 56(c), SCRCF).

Supporting and opposing affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein. Sworn or certified copies of all papers or parts thereof referred to in an affidavit shall be attached thereto or served therewith. The court may permit affidavits to be supplemented or opposed by depositions, answers to interrogatories, or further affidavits. When a motion for summary judgment is made and supported as provided in this rule, an adverse party may not rest upon the mere allegations or denials of his pleading, but his response, by affidavits or as otherwise provided in this rule, must set forth specific facts showing that there is a genuine issue for trial. If he does not so respond, summary judgment, if appropriate, shall be entered against him.

Conclusion

For the above-mentioned reason, I ask the court to grant this motion as a matter of law.

DATED this 22nd day of November, 2024.

James E. Johnson, Jr., #353643, Appellant
(signed by Karissa Ochs, PoA, Aif)

State of South Carolina
in the Administrative Law Court

James Edward Johnson, #353643,)	Docket No.: 24-ALJ-04-0618-AP
)	[<u>Grievance No.: MCCI 296-24</u>]
Appellant,)	
)	
v.)	
)	MOTION TO AMEND
South Carolina Department of Corrections,)	
)	
Respondent.)	
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The Appellant motions the Court under Rule 15 of the South Carolina Rules of Civil Procedure to amend the claim to include the following:

The Appellant would like point out that the action claimed in the grievance by the Appellant is in violation of the following sections of the South Carolina Code of laws

- SECTION 1-13-20
- SECTION 1-13-40

DATED this 22nd day of November, 2024.

James E. Johnson, Jr., #353643, Appellant
(signed by Karissa Ochs, PoA, Aif)

State of South Carolina
in the Administrative Law Court

James Johnson, #353643,)	Docket No.: 24-ALJ-04-0618-AP
)	[Grievance No.: MCCI 296-24]
Appellant,)	
)	<i>Hon. Robert L. Reibold</i>
v.)	
)	
South Carolina Department of Corrections,)	MOTION FOR INJUNCTION
)	
Respondent.)	
)	

I, James Edward Johnson, Jr., Appellant, hereby request for the issuance of a preliminary injunction to prevent South Carolina Department of Corrections, Respondent, from forcibly cutting my hair.

Factual Background:

On June 25, 2024, The Appellant filed a step one grievance alleging the grooming policy for male inmates violates the equal protection clause and requested that the policy be revised such that the policy is similar in nature to the grooming policy for female inmates. This grievance was investigated and denied on July 5, 2024. Therefore, on July 5, 2024, The Appellant filed a step two grievance. A step two grievance was investigated and denied on August 7, 2024. This motion constitutes a formal request for the issuance of a preliminary injunction to prevent Respondent from forcibly cutting my hair.

I believe that if Respondent is permitted to forcibly cut my hair before this dispute can be fully and fairly resolved, I will suffer irreparable harm.

My hair holds significant cultural meaning to me. Forcible cutting would cause deep emotional and spiritual distress, potentially violating my sincerely held beliefs.

My hair is a form of personal expression. Forcible cutting would be a severe violation of my bodily autonomy and self-image.

The loss of my hair will take a significant and unpredictable amount of time to regrow. This cannot be adequately compensated by monetary damages.

The emotional and spiritual harm caused by the violation of my beliefs or personal expression is profound and cannot be fully quantified or remedied after the fact and I also believe that without an injunction, I am absent any other adequate remedy at law.

STANDARD OF REVIEW

A preliminary injunction “rests within the sound discretion of the trial judge and will not be overturned unless the order is clearly erroneous.” *Atwood Agency v. Black*, 374 S.C. 68, 72, 646 S.E.2d 882, 884 (2007). “The facts alleged must be sufficient to support a temporary

injunction[,] and the injunction must be reasonably necessary to protect the rights of the moving party.” Id.

To obtain an injunction, a party must demonstrate irreparable harm, a likelihood of success on the merits, and the absence of an adequate remedy at law.” Richland County. v. S.C. Department of Revenue, 422 S.C. 292, 310, 811 S.E.2d 758, 767 (2018) (quoting Denman v. City of Columbia, 387 S.C. 131, 140, 691 S.E.2d 465, 470 (2010) (per curiam)). “In evaluating whether a plaintiff is entitled to a preliminary injunction, the court must examine the merits of the underlying case only to the extent necessary to determine whether the plaintiff has made a sufficient prima facie showing of entitlement to relief.” Compton, 392 S.C. at 367, 709 S.E.2d at 642.

Likelihood of Success on the Merits:

After a review of The Appellate claims of sexual discrimination by way of separate policy for male and female grooming standards, The Appellate believes that it is hard to fathom how a separate grooming policy for similarly-situated incarcerated persons merely because of their gender, could be lawful, acceptable policy, and/or not a violation of state and federal law.

Balance of Hardships:

The hardship to me from the forcible cutting of my hair significantly outweighs any potential hardship to Respondent from the issuance of this injunction.

The injunction may temporarily inconvenience Respondent by restricting their actions regarding my hair.

The public interest favors the issuance of this injunction.

Upholding individual rights, such as freedom of religion, bodily autonomy, protection against sexual discrimination and personal expression, is in the public interest.

Preventing violence and protecting individuals from harm is crucial for a just and orderly society.

WHEREFORE, I respectfully request that this Court issue a preliminary injunction:

Enjoining Respondent from forcibly cutting my hair in any manner.

Enjoining Respondent from taking any action that would interfere with my right to maintain my current hairstyle.

DATED this 18th day of December, 2024.

James E. Johnson, Jr., #353643, Appellant
(signed by Karissa Ochs, PoA, Aif)