

THE SOUTH CAROLINA COURT OF APPEALS

MARION WADE FRYE #375354, Appellant,
v.

United States; State of South Carolina; South Carolina Department of Corrections; PRISMA Health midlands Hospital; PRISMA Dr. Alan Howard Brill, MD; PRISMA Dr. Nicholas D. Paladea, MD; George Shealy, RN; Victoria, RN; Trisha Ann Jones, CRNA; Lawrence Smith, RN; ColBY Bounds, RN; Gabrielle Jenkins, RN; Linda Heatwole, RN; Samantha Robinson RPA; The Governor of South Carolina Henry McMaster; The South Carolina Attorney General Alan McCrory Wilson; Brian Sterling; The South Carolina Department of Corrections Medical Services Director; John Doe, MD, of Evans C.I.; Bruce Lobitz, MD; Viola Thornton, RN; Image Care L.L.C.; The South Carolina Department of Licensing, Labor, and Regulations, State Board of medical Examiners; The South Carolina Department of Labor, Licensing, Regulations, State Board of Medical Examiners Director; The United States Health and Human Services, Food and Drug Administration; The United States Health and Human Services, Food and Drug Administration SECRETARY; THE United States Health and Human Services, OFFICE OF Inspector General; The United States Health and Human Services, OFFICE OF Inspector General, Inspector General; John Doe, Dr. Soto of the South Carolina Department of Corrections; Jane Doe, RN, Ridgeland C.I.; Jane Doe, RN, Lee County C.I.; Jane Doe, RN, Broad River C.I.; Jane Doe, RN, OPedia of the Broad River C.I.; Dr. Chapman of Broad River C.I.; Jane Doe, RN, Broad River C.I. Night Shift; Jane Doe, MD, Tyger River C.I.; Jane Doe C. Hall, RN, Tyger River C.I.; Jane Doe, RN, Kershaw C.I.; Jane Doe, RN, Turbeville C.I.; The United States Department of Justice; The United States Health and Human Services, OFFICE For Civil Rights; The United States Health and Human Services, OFFICE For Civil Rights Secretary; The United States OFFICE OF Special Counsel; the United States Department of Justice, Federal Bureau of PRISONS; The United States Department of Justice, Federal Bureau of PRISONS DIRECTOR; The South Carolina Law Enforcement Division, Chief MARK A. Keel; John Doe, South Carolina Law Enforcement Division Officer One; John Doe, South Carolina Law Enforcement Division Officer Two; Jane Doe, South Carolina Law Enforcement Division Officer Three; Donnie Stonebenders; John Doe Associate WRAY/RAY of Evans C.I.; John Doe Warden of Ridgeland C.I.; John Doe Hubbard, Associate Warden of Evans C.I.; John Doe Associate Warden Bailey of Ridgeland C.I.; Kenneth Nelson Warden of Broad River C.I.; Shane Jackson Warden of Lee County C.I.

Appeal Case No.: 2025-002449

John Doe Associate Warden Tisdale of Lee County C.I.; John Doe JAY, RN/LPN of Broad River C.I.; John Doe Associate Warden Cannon of Broad River C.I.; John Doe Warden of TYger River C.I.; John Doe Associate Warden of TYger River C.I. No. One; John Doe Associate Warden of TYger River C.I. No. Two; John Doe Warden of Kershaw C.I.; John Doe Associate WARDEN No. One [REDACTED] Kershaw C.I.; John Doe Associate WARDEN No. Two; Kenneth Sharp Warden of Turbeville C.I.; Jonathan Williams Associate Warden of Turbeville C.I.; Richard Chvala Associate Warden of Turbeville C.I.; Jane Doe Officer of Evans C.I.; John Doe Officer of Evans C.I.; Jane Doe, RN of Broad River C.I.; the United States Attorney's Office; The South Carolina Office of Inspector General; The South Carolina Inspector General; The South Carolina Governor's Office; The South Carolina Attorney General's Office; Jane Doe, RN, Turbeville C.I., Defendants;

of which the United States; The State of South Carolina; South Carolina Department of Corrections; PRISMA Health Midlands Hospital; PRISMA Dr. Alan Howard Brill MD; PRISMA Dr. Nicholas D. Papadea, MD; George Shealy, RN; PRISMA Victoria, RN; Trisha Ann Jones, CRNA; Larence Smith, RN; Colby Bounds, RN; Gabrielle Jenkins, RN; Linda Westwale, RN; Samantha Robinson, RPA; The Governor of South Carolina Henry McMaster; The South Carolina Attorney General Alan McCrory Wilson; Bryan Sterling; John Doe, MD, Evans C.I.; Bruce Lobitz, MD; South Carolina Department of Labor, Licensing, and Regulations; State Board of Medical Examiners Directors; The United States Health and Human Services; Office of Inspector General; Jane Doe, MD, TYger River C.I.; The South Carolina Inspector General; and the South Carolina Attorney General's Office are the Respondants.

APPELLANT CASE NO.: 2025-002449

MOTION - Pursuant to Rule 5(c)(d)(e), S.C.R.C.P.:
To REINSTATE APPEAL; NOTICE;

Petitioner, Pursuant to S.C.A.C.R., Rule 240(d); In Extraordinary Cases, the Appellant Court may Relieve the Filing Fee, Pursuant to Rule 260, REINSTATE, S.C.A.C.R., Pursuant to Rule 41 S.C.R.C.P. the Court may Stay Proceedings in the Action Until the Plaintiff has Complied with the ORDER Filed MARCH 5, 2026. Petitioner Shows the Following to the Court; Also Pursuant to Rule 5(f), (d), and (e), S.C.R.C.P.:

(1): Petitioner is a Prisoner, Pursuant to S.C. Const. Art. XII, §9: Control of Convicts and Shall Forever Be Under the Supervision and Control of Officers employed by the STATE Pursuant to S.C. Const. Art. IV, §1: Chief Magistrate; The Supreme Executive Authority of this State Shall

PAGE TWO:

Appeal Case No.: 2025-002449:

(1): Be [REDACTED] VESTED in a chief Magistrate Who Shall Be Styled the Governor of the State of South Carolina Pursuant to S.C. Code 1976 Ann. § 1-3-440 (2): Further Powers of the Governor; order any and all Law Enforcement Officer of the State or Subdivision to do whatever may Be Deemed Necessary to Maintain Good ORDER and PEACE; Pursuant to S.C. Const. Art. IV, § 17; Duty of State Officer To Give information To Governor Pursuant to S.C. Code 1976 Ann. § 1-3-450; Intervention by Governor in Situations by Violence or Disorder; S.C. Code 1976 Ann. § 1-3-430; ORDER TO PREVENT DANGER; S.C. Const. Art. V III, § 13; Joint administration of Functions and Exercise of Power; S.C. Code 1976 Ann. § 1-30-10; DEPARTMENTS of State Government Pursuant to S.C. Code 1976 Ann. § 23-4-110; CREATION of Committee, Pursuant to S.C. Code 1976 Ann. § 24-1-220; Suits to Be Brought in the NAME of Director; S.C. Code 1976 Ann. § 24-1-110 (A); The Director's Duty to Employ and Discharge Persons Necessary For Effective Conduct of the South Carolina Department of Corrections (hereinafter S.C.D.C.) System; S.C. Code 1976 Ann. § 24-1-130; The Director Shall Be Vested with the management and Control of CARE, Treatment, Feeding, and clothing ...; S.C. Code 1976 Ann. § 24-1-90; S.C.D.C. Director has Authority to make and Promulgate Rules and Regulations Necessary For the Proper Performance of the Departments Functions; S.C. Code 1976 Ann. § 24-1-40; S.C.D.C. Governed BY Director; S.C. Code 1976 Ann. § 24-1-30; The Functions of S.C.D.C. Shall Be Implemented and Carry out the Policy of the State and the Performance of Such Duties and matters as may Be Delegated to It Pursuant to LAW; S.C. Code 1976 Ann. § 24-1-20; Declaration of Policy, Humane Treatment; Pursuant to S.C. Code 1976 Ann. § 24-1-210; DEPARTMENT to Prosecute All Violations of laws in reference To Treatment of Convicts Pursuant to S.C. Code 1976 Ann. § 23-23-150; MISCONDUCT, of Repeated Excessive Force, Physical and Psychological Abuse, the wilful Failure to intervene, and the Wilful Failure to "PROMPTLY" Report; Pursuant to S.C. Const. Art. XII, § 1; MATTERS of PUBLIC Concern so the General Assembly to Provide appropriate Agencies; the health, Welfare, and Safety of the Lives and Property of the People of this State are of "PUBLIC CONCERN"; The General Assembly Shall Provide appropriate Agencies to Function in these Areas of PUBLIC Concern and Determine the Activities, Powers, and Duties of Such Agencies, Pursuant to S.C. Const. Art. XII, § 2; Institutions For Confinement of Persons Convicted of CRIMES, the General Assembly Shall Provide For the certain Maintenance, Health, Welfare, Education, and

(A); Rehabilitation of the Inmate; S.C. Const. Art. III, § 1; Legislative Powers Vested in Senate and House of Representatives; S.C. Const. Art. XV, § 1; The House of Representatives "ALONE" Shall have the Power to Impeach in Cases of Serious Crimes or Serious Misconduct, Pursuant to S.C. Const. Art. XV, § 2; Impeachment of Governor, Regarding Serious Crimes and Misconduct Pursuant to Rule 502, S.C.A.C.R., Rule 2: (a); Rule 407, S.C.A.C.R., Rules of Professional Conduct, Rule 8.4: Misconduct and S.C. Code 1976 Ann. § 40-47-20; (30); ~~██████~~ Misconduct, (52); Telemedicine, and (54); unprofessional Conduct Pursuant to S.C. Code 1976 Ann. § 40-47-37 ~~██████~~ (A)(2); Practice of telemedicine Requirements Generate and maintain medical Records for Such Telemedicine Services in Compliance with State and Federal Laws, Rules, and Regulations including this Chapter, Health Insurance Portability and Accountability Act and the Health Information Technology for Economic and Clinical Health Act, (D); ANY Person Involved must be trained in the Use of telemedicine Equipment and Competent in this Operation, and (E); The Board Shall retain ALL AUTHORITY with Respect to Telemedicine Practice; S.C. Code 1976 Ann. § 40-1-70 (4); The South Carolina Labor, Licensing and Regulations, State Board of Medical Examiners adopting a Code of Professional Ethics Appropriate to the Profession or Occupation which it License or Regulations Pursuant to S.C. Code 1976 Ann. § 40-1-80; The South Carolina Labor, Licensing and Regulations, State Board of Medical Examiners (hereinafter medical Board) Director may initiate "Investigations" and "the medical Board may order the Person to immediately cease and desist from engaging in the Conduct" and "IF the Person is Practicing without Being Licensed under this Article" the Medical Board "may Apply to an Administrative Judge for For a Temporary Restraining order," Pursuant to "PREVENTING ILLEGAL RADIO ABUSE THROUGH ENFORCEMENT ACT" Pursuant to S.C. Code 1976 Ann § 40-1-40(d); and S.C. Code 1976 Ann. § 40-18-30(A); The Chief of the South Carolina Law Enforcement Division has the Powers and Duties to investigate Violations Pursuant to S.C. Code 1976 Ann. § 540-42-10, Pursuant to S.C. Code 1976 Ann. § 23-3-10; S.C. Code 1976 Ann. § 23-4-110; and S.C. Code 1976 Ann. § 1-32 10(A) and (C); The Powers to organize and reorganize the Department into Divisions lies with the General Assembly in Furtherance of its mandate Pursuant to Article XII of the S.C. Const. 1895 Pursuant to title 42 § 1985 (2); OBSTRUCTION OF JUSTICE, intimidating Party; CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS;

Appeal CASE No. : 2025-002449 :

(1): Title 18 U.S.C.A. § 1518 : OBSTRUCTION OF CRIMINAL INVESTIGATION OF HEALTH CARE OFFENSE ; Title 18 U.S.C.A. § 2703(G) Fraudulent medical Study ; Title 18 U.S.C. § 1030 (e)(8) and (6) Computer Fraud and Abuse Act ; PREVENTING ILLEGAL RADIO ABUSE THROUGH ENFORCEMENT ACT ; Discrimination of Federal Civil Rights Laws Based on Petitioner's Race, Color, Religion, and Petitioner's Exercise of Conscience ; Violation of Petitioner's Health Insurance Portability and Accountability Act (HIPAA) Privacy ; Security and Breach Notification Rules ; Deprivation of Rights Under the Color of Law Pursuant to Title 18 U.S.C.A. § 242 ; Title 18 U.S.C.A. § 249 ; HATE CRIMES Act ; Title 28 U.S.C.A. § 509B ; SECTION TO ENFORCE HUMAN RIGHTS LAWS Pursuant to 18 U.S.C.A. § 2340 (1), (2)(b) ; ~~the~~ the threat that another Person will imminently be subjected to Death, Severe Physical PAIN, or Suffering, and (2)(c) The threat of imminent Death, Pursuant to 18 U.S.C.A. § 2441 (d)(A) ; TORTURE, (d)(B) ; CRUEL and Inhumane Treatment ; and (d)(C) ; PREFORMING Biological Experiments of the Human Rights Enforcement Act of 2009 and of Petitioner's ORIGINAL COMPLAINT Filed in the United States District Court of Columbia, Civil Action No. : 1:25-CV-02897-CRC, titled : MARION FRYE v United States et al., transferred to the United States District Court of South Carolina, Civil Action Number : 5:26-cv-00132-JP-KDW, titled : MARION WADE FRYE v. United States et al., Pursuant to S.C. Code 1976 Ann. § 23-23-30 (A) Pursuant to S.C. Code 1976 Ann. § 23-4-10 ; Legislative Findings Pursuant to S.C. Const. Art. V, § 20 : Such Courts and all other Courts of Record shall have the Same Powers at Chambers to Issues injunctions as when in Open Court, Pursuant to S.C. Const. Art. I, § 10 ; The Right of the People to Be Secure in their Persons ; S.C. Const. Art. I, § 2 ; Access to the Courts and Petitioner's Right to Petition the Government that Petitioner's Life and Safety is in imminent Danger within S.C.D.C. and Subject to the infliction of Cruel and Unusual Punishment by the Government in Violation of S.C. Const. Art. I, § 15 and the U.S. Const. Art. 8 and other Constitutional Rights Secured to Petitioner in Petitioner's Actions in the State of South Carolina that Petitioner has provided the South Carolina Court of Appeals and other Federal Courts "Motions For Emergency Complaints" via S.C.D.C. institutional mail and S.C.D.C. refuses to provide Petitioner its State-wide Protective Custody Program to Ensure Petitioner's Safety and Security Pursuant to Title 28

PAGE : five (5) :

Appeal Case No.: 2025-002449;

(1): C.F.R. § 524.72(c); Broad Publicity and Title 28 C.F.R. § 541.27(B):
Petitioner's Safety being "threatened" because Petitioner Provided and
Petitioner Perceived as having Provided information to Staff or
Law Enforcement Authorities regarding other inmates in the
Community and (c); Inmate refusal to Enter General
Population because of "ALLEGED" THREATS FROM UNIDENTIFIED
Inmates:

Petitioner Shows the Following to the Court:

(2)(A): ON MARCH 5, 2026 the S.C. Court of
Appeals mailed the ORDER to Provide Proof of ORDERING the
transcript within ten (10) days of the Date of the ORDER and
on MARCH 6, 2026, Pursuant to S.C. Code 1976 Ann. § 1-3-440; Further
Powers of the Governor Pursuant to S.C. Code 1976 Ann. § 23-4-10;
Legislative Findings; Petitioner Was transferred Back to the
Evans C.I. From the Turberville C.I. on a Friday, that on Monday
MARCH 9, 2026, and locked within a Cell and Refused Protective-
[REDACTED] CUSTODY UPON ARRIVAL Petitioner Was Violently
assaulted of State Officials instructing the Inmate to take
Possession of Petitioner's Legal mail mail Papers, and then
instructed the Inmate to assault me; See S.C. D.C. Grievance
No.: E.C.I. 0128-26 Pursuant to S.C. Code 1976 Ann. [REDACTED]
§ 23-4-10; Legislative Findings, that Petitioner did not
receive the Courts order until MARCH 17, 2026 and S.C. D.C.
administration is still constantly thwarting Petitioner's Request
for Legal Supplies and Access to the Courts Pursuant to
S.C. Const. Art. V III, § 13; Joint administration of Functions
and Exercise of Powers and in Violation of Petitioner's Access to
the Courts and Right to Petition the Courts Pursuant to S.C.
Const. Art. I, § 2 and U.S. Const. Art. I and U.S. Const. Art. 14;

(2)(B): S.C. D.C. is Not enabling Petitioner Sufficient
S.C. D.C. Forms to Request Legal Supplies and thwarting Petitioner's
Request Endeavoring to Dismiss all Petitioner's Claims in the
State and Federal Courts; Exhibit Enclosed For Record For
Appellant Case Nos.: 2025-002448; 2025-002449; and 2025-002450;

RELIEF:

Petitioner Request To Grant Motion and Pursuant to Rule 41,
S.C. R.C.P. Court may Stay Action until Petitioner has complied with order;
and ORDER an Injunction Pursuant to S.C. Const. Art V, § 20;
and APPOINT Counsel: Marion Wade Frye; MARION WADE FRYE #325354

MARCH 24, 2026

610 Hwy. 9 West; Bennettsville S.C. 29512

PAGE SIX (6);

APPEAL CASE No.: 2025-002449:

DECLARATION OF INMATE FILINGS:

DATE MOTION TO REINSTATE Appeal and Notice [REDACTED]
Pursuant To Rule 5 (c), (d), and (e) Deposited in the mail,
Institutional mail System: MARCH 24, 2026

I am an inmate Confined in an institution and
Deposited my Motion To Reinstate Appeal and Notice Pursuant
to RULES (c)(d)(e) S.G.R.C. P. In the institutional internal mail
SYSTEM, First class Postage Was Prepaid either by me or by the
institution on MY BEHALF:

I Declare under the Penalty of Perjury that the following is
True and Correct:

MARCH 24, 2026

Manon Wade Lee

LIFE and SAFETY In imminent Danger! NOTICE!

RECEIVED

MAR 30 2026

SC Court of Appeals

MARION WADE FRYE #375354
E.S.I. RAU-MAX-131-A
610 HWY. 9 WEST
Bennettsville, S.C. 29812

COLUMBIA SC 290

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FOREVER / USA

Legal MAIL

South Carolina Court of Appeals
Attn: Chief Justice
Post Office Box 11629
Columbia, S.C. 29211

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SC Court of Appeals

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