

IN THE COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA

BRYANTAVIOUS MURRAY,)) Plaintiff/Appellant,)) v.) Case No. [PENDING
ASSIGNMENT]) LEROY CARTLEDGE,)) Defendant/Respondent.)

_____)

MOTION FOR ORAL ARGUMENT

NOW COMES the Plaintiff/Appellant, BRYANTAVIOUS MURRAY, by and through his own efforts, and pursuant to Rule 218 of the South Carolina Appellate Court Rules (SCACR), respectfully moves this Honorable Court for oral argument in this appeal, and in support thereof states as follows:

1. This appeal presents complex and significant legal issues warranting oral argument before this Honorable Court.
2. The issues presented in this appeal are of first impression or require clarification of existing law, including:
 - a. The standard for proving retaliation by correctional officials against an inmate who filed grievances;
 - b. The application of the deliberate indifference standard to mental health treatment in correctional facilities;
 - c. The interplay between administrative exhaustion requirements and imminent harm exceptions in the Prison Litigation Reform Act context.
3. The issues presented involve substantial constitutional questions regarding the First Amendment right to petition the government for redress of grievances and the Eighth Amendment prohibition against cruel and unusual punishment.

4. Oral argument would greatly assist the Court in understanding the factual nuances of this case, including the chronological sequence of events establishing the retaliatory motive and the severity of the mental health harm suffered by Appellant.
5. Appellant is proceeding pro se and incarcerated, and oral argument would provide an opportunity to fully present his position and respond to any questions from the Court.
6. The legal and factual issues are complex and would benefit from the Court's questioning and the parties' responses thereto.
7. Oral argument is requested under Rule 218, SCACR, which permits the Court to order oral argument when it would be of material assistance in reaching a decision.

WHEREFORE, premises considered, Appellant respectfully requests this Honorable Court to grant the following relief:

- A. Set this matter for oral argument;
- B. Schedule oral argument at a time and place convenient to the Court;
- C. Provide adequate notice to Appellant to allow for preparation and arrangements for participation (whether in person or by video/telephonic means as appropriate for incarcerated litigants);
- D. Grant such other and further relief as this Court may deem just and proper.

Respectfully submitted this ____ day of _____, 202__.

Bryantavious Murray Plaintiff/Appellant, Pro Se [Your SCDC Inmate Number] [Your Current Institution] [Institution Address] [City, State ZIP]

CERTIFICATE OF SERVICE

I, BRYANTAVIOUS MURRAY, hereby certify that on the ____ day of _____, 202__, I served a true and correct copy of the foregoing Motion for Oral Argument upon:

Leroy Cartledge South Carolina Department of Corrections Broad River Correctional
Institution 4460 Broad River Road Columbia, SC 29210

By placing same in the United States Mail, first-class postage prepaid, properly addressed to
Respondent at his last known address.

Bryantavious Murray Plaintiff/Appellant, Pro Se

Date: _____