

IN THE STATE OF SOUTH CAROLINA

The Supreme Court, Office of Disciplinary Counsel

(Appellate Case No.: 2012-207553  
S.C. Court of Appeals)

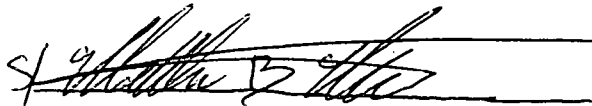
I, the undersigned, certify that I have sent a copy of the enclosed, via U.S. Mail, to these addresses:

1) The Supreme Court of S.C.  
Office of Disc. Counsel  
P.O. Box 12159  
Columbia, S.C. 29211

2) The Court of Appeals of S.C.  
Clerk of Court  
P.O. Box 11629  
Columbia, S.C. 29211

3) S.C. Office of Appellate Def.  
1122 Lady Street, Suite 940  
Columbia, S.C. 29201

On This 16<sup>th</sup> day of December, 2013.



CERTIFICATE OF SERVICE

RECEIVED

DEC 18 2013

SC Court of Appeals

The Court of Appeals of South Carolina  
Clerk of Court  
P.O. Box 11629  
Columbia, SC 29211

Date: December 16<sup>th</sup> 2013

RECEIVED

DEC 18 2013

SC Court of Appeals

Re: This office's case no.: 13-DE-L-1039, S.C. Court of Appeals Case No.: 2012-207553;  
Investigation of matters enclosed; New Action Sought.

Dear Appropriate Person:

Along with this 7 page letter, please find enclosed:

1. October 2, 2013 - Letter, S.Ct. Off. of Disc. Coun. Re: 13-DE-L-1039, 2 pgs.;
2. November 5, 2013 - Letter, S.Ct. Off. of Disc. Coun. Re: 13-DE-L-1039, 1 pg.;
3. July 11, 2013 - Letter, request for legal discovery, Scott Robinson, Esq., 2 pgs.;
4. August 15, 2013 - Letter, sent with discovery, Scott Robinson, Esq., 1 pg.;
5. August 20, 2013 - SCDC Form 10-6 Re: seized discovery, Bryant, 1 pg.;
6. August 25, 2013 - Emergency Grievance, No. LCI-1258-13, 1 pg.;
7. September 4, 2013 - Emergency Grievance, No. LCI-1317-13, 2 pgs.;
8. September 11, 2013 - Letter, to Gen. Counsel from my Father Marshall H. Fullbright, including certificate of service: 2 pgs.;
9. September 11, 2013 - Letter, to David Tatarsky from my Father Marshall H. Fullbright, including certificate of service: 2 pgs.;
10. September 17, 2013 - Reply letter to Father from Chris Florian (SCDC), 1 pg.;
11. September 27, 2013 - Letter, to David Tatarsky from Wanda Shearer, 2 pgs.;
12. September 27, 2013 - Letter, to Joseph McFadden from Wanda Shearer, 2 pgs.;

13. October 3, 2013 - Reply Letter to Wanda Shearer From SCDC, 1 pg.;
14. October 23, 2013 - (Stamped as "RECEIVED", upper left) "Procedures For Maintaining Crime Scene Photos and/or Autopsy Photos", 1 pg.;
15. October 24, 2013 - My SCDC Request Form to Major Nettles, 1 pg.;
16. October 28, 2013 - Emergency Grievance No. LCI-1552-13, 1 pg.;
17. November 10, 2013 - Emergency Grievance No. LCI-1590-13, 1 pg.;
18. November 16, 2013 - Letter to Joseph McFadden (cc: David Tatarsky and Director Stirling) From Wanda Shearer, 3 pgs.;
19. November 16, 2013 - Letter to Matthew B. Fullbright (cc: David Tatarsky and Director Stirling) From Wanda Shearer, 2 pgs.;
20. September 26, 2013 - Affidavit, Terry Whisenhunt along with four attachments:
  - a) July 11, 2013 - Letter requesting discovery, 1 pg.;
  - b) September 7, 2013 - Letter, documents missing from discovery, 1 pg.;
  - c) August 21, 2013 - (Date stamped, bottom right) "Procedures For Maintaining Crime Scene Photos and/or Autopsy Photos", 1 pg.;
  - d) July 30, 2013 - Photocopy of discovery envelope, 1 pg.;With the three page affidavit and four attachments: 7 pgs.;

There are 42 (forty two) total pages enclosed with this package.

My complaint against Scott Robinson, Esq. (13-DE-L-1039) regarding my legal discovery, was dismissed by this office for failure to submit a written request for review within the 30 days allotted  
\* See: Enclosures 1. and 2. However, I did submit that request, and timely. That is to say, I did drop it in my institution's mailbox.

Briefly for consideration: I'm encountering problems with my mail, legal and otherwise - delays, missing/misplaced mail, notarization refusal, outgoing mail being opened and/or censored, etcetera. I'm not going into that here, and, I recognize this office's dismissal of 13-DE-L-1039.

What I'm now asking The Supreme Court Office of Disciplinary Counsel to do:

To deal solely with the issues of misconduct and incapacity of all relevant and involved attorneys within South Carolina Department of Corrections, and its Correspondence Review Committee, its General Counsel, The South Carolina Attorney General's Office, and any other attorneys applicable, according to the fullest extent of the law, pertaining to the facts and supporting documentation and evidence I now offer:

1. I'm on direct, S.C. Court of Appeals, am represented by Susan Hockett, Esq., appellate case no.: 2012-207553, initial was filed in July 2013. To date, it's been over 135 days with no brief filed by respondent.

2. Pending conspiracy and grand larceny charges exist against me/are current, in Anderson County of this State.

3. I gave testimony at a Jackson v. Denno hearing, November 17, 2011, Anderson County and that testimony has been arbitrarily deleted from all records (I have photographs of myself on stand, affidavits from court spectators and other proof should you need that).

4. I have diligently sought to obtain my legal discovery from Scott Robinson, Esq., pertaining to 1., 2., and 3. above. The discovery is from my arrest, indictments, trial, etc. in Anderson County, S.C., between October 28, 2009 and January 27, 2012.

5. My fifth request for said discovery finally yielded a response.

\* See: Enclosures 3. and 4.

6. It arrived here at Lieber and I went to the mailroom on August 19, 2013 to receive it. At this time the discovery was seized in its entirety and sent to South Carolina Department of Corrections ("SCDC") Correspondence Review Committee ("CRC") for review and censorship. An official SCDC Form 10-6 was sent to me the next day, \* See: Enclosure 5.

7. There, then, various attorneys became involved, attached, and accountable.

8. Precautions and attempts to minimize damages were undertaken by myself while my discovery was in the hands of my legal adversary/attorneys. \* See: Enclosures 6. and 7.

9. They were also undertaken by my family. \*See: Enclosures 8.-13.

10. My legal discovery was censored, held, edited, redacted and/or viewed/reviewed as if some publication, for approximately 60 days, re-returning to Lieber on October 23, 2013 \*See: Enclosure 14.

11. Upon inspection, the discovery is now heavily censored and edited with pen and magic marker, the pages are warped and torn, and it is missing documents, papers, photographs, etcetera.

12. I've been diligent to remedy these matters \*See: Enclosures 15.-17.

13. My father has attempted by other means than shown herein, SCDC, CRC, and attorneys stopped responding to him after the reply by Chris Florian on September 17, 2013. He is however, forthcoming with affidavits and other supporting documentation.

14. More diligence on my behalf \*See: Enclosures 18. and 19.

15. Other inmates have experienced their discovery being confiscated under the guise of "publication censorship", only to have information removed that could help appeal efforts, simultaneously, the information removed may have never been divulged, aids (maliciously) to the prosecution, Attorney General's Office, and keeps them in prison. \*See: Enclosure 20.

(There are many affidavits, documentation, papers being collected by others also, to show this is an ongoing practice by SCDC/their attorneys.)

16. Inmates' Families/Friends' research is showing these actions and customs to be widespread and frequent by SCDC and their attorneys.

17. My Family's research is revealing the same as in 16.

18. With a reluctance to flood this office with the fruits and large results from the findings of 16. and 17., I ask what should be done with them? Send them to you? The Department of Justice?

19. Going straight to the heart of the legal system of our state, the public feel the impacts made by these questionable practices.

20. It demands unnecessary paperwork, like this correspondence.

Boggs our courts. Binds inmates' appeals/defences; crashing the effects of, into their families' lives, i.e., the public. Rippling out from there, more public.

21. I ask this Office not to limit its investigation into these matters to the enclosed. There are many forthcoming documents, evidence, etc. to show how common and far-reaching these practices are.

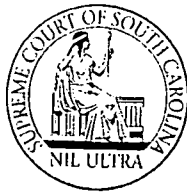
22. Lastly, I would ask this office to stamp and return each enclosed. I am unable to provide a courtesy copy for you to stamp, and I apologize for that.

I hereby request that this Office, and, if possible, the S.C. Commission on Lawyer Conduct to investigate these matters.

My power-of-attorney, Wanda M. Shearer (101 Saluda Pointe Dr., Unit 517, Lexington, S.C. 29072) can sign, write, respond, and anything lawful in my name. She by-passes the problems I encounter with my mail.

Not who's right, what's right,

S/ ~~Matthew B. Fullbright~~  
Matthew B. Fullbright, SCDC # 349468  
Lieber Corr. Inst., Dome: Edisto-B-56  
P.O. Box 205  
Ridgeville, S.C. 29472



# The Supreme Court of South Carolina

## OFFICE OF DISCIPLINARY COUNSEL

Lesley M. Coggiola  
Disciplinary Counsel

William C. Campbell  
Assistant Disciplinary Counsel

Post Office Box 12159  
Columbia, South Carolina 29211

Telephone: (803) 734-2038  
Fax: (803) 734-1964

October 2, 2013

### PERSONAL & CONFIDENTIAL

Matthew B. Fullbright #349468  
Lieber Correctional Institution  
Post Office Box 205  
Ridgeville, SC 29472

Re: Lawyer: Scott David Robinson, Esquire  
Case Number: 13-DE-L-1039

Dear Fullbright:

This office has conducted an investigation concerning the allegations of lawyer misconduct raised in the complaint you filed in connection with the above-referenced matter. This investigation focused on those grounds for misconduct set out in the Rules for Lawyer Disciplinary Enforcement (RLDE), Rule 413, SCACR, adopted by the Supreme Court of South Carolina.

This office is not authorized to give advice concerning a legal dispute or dealings with a lawyer; nor is it empowered to intervene in a case. We cannot seek to cause things to be done by a lawyer on behalf of a complainant; nor can we seek to change the outcome of a case. Instead, this office deals solely with issues of misconduct or incapacity related to lawyers under these rules. We do so to preserve institutional values of the legal system in South Carolina for the benefit of the public as a whole, not to obtain individual benefit for a complainant.

The provisions of RLDE do not apply to legal matters related to whether or not the outcome of a dispute was fair or to errors of law or judgment that might have been made by a lawyer or judge. These are legal matters, which can only be addressed at trial or on appeal using appropriate procedures.

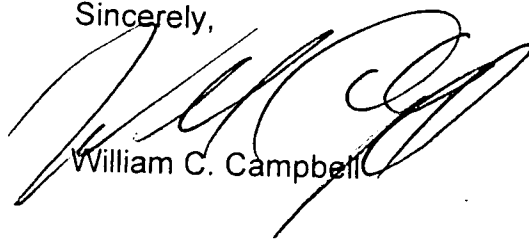
Matthew B. Fullbright  
October 2, 2013  
Page Two

In your letter of complaint, you allege that Scott David Robinson, Esquire failed to give you a copy of your case file. As a result of your letter, this office conducted an investigation to ascertain if Mr. Robinson's conduct violated the Rules of Professional Conduct and the RLDE.

From our investigation, this office has determined that there is no evidence of any such lawyer misconduct on the part of Mr. Robinson arising out of the events mentioned in your complaint and that further investigation would not likely reveal any such evidence.

Accordingly, you are hereby notified of the intent of this office to dismiss your complaint pursuant to the provisions of Rule 19(d)(1) of RLDE. You may seek a review of this decision by an investigative panel of the Commission on Lawyer Conduct by filing a written request, which must be received in this office no later than November 1, 2013. If you request a panel review, the lawyer will be given an opportunity to respond. Your request and the lawyer's response, if any, will be considered at the next investigative panel meeting. You will then be notified of the panel's decision. Feel free to contact me if you have any questions regarding this process.

Sincerely,



William C. Campbell

WCC/

cc: Scott David Robinson, Esquire



**The Supreme Court of South Carolina**  
**OFFICE OF DISCIPLINARY COUNSEL**

Lesley M. Coggiola  
Disciplinary Counsel

William C. Campbell  
Assistant Disciplinary Counsel

Post Office Box 12159  
Columbia, South Carolina 29211

Telephone: (803) 734-2038  
Fax: (803) 734-1964

November 5, 2013

PERSONAL & CONFIDENTIAL

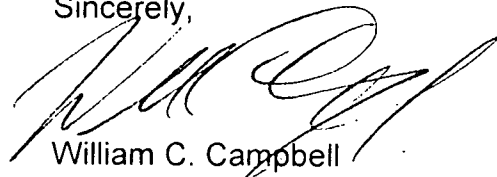
Matthew B. Fullbright #349468  
Lieber Correctional Institution  
Post Office Box 205  
Ridgeville, SC 29472

Re: Lawyer: Scott David Robinson, Esquire  
Case Number: 13-DE-L-1039

Dear Fullbright:

This office previously informed you of its intent to dismiss the complaint you filed in connection with the above-referenced matter. You were given thirty days to submit your written request for a review of that decision. No request was received from you. Accordingly, the complaint in this matter is dismissed pursuant to the provisions of Rule 19(d)(1) of RLDE. As required by these rules, a copy of this letter is being sent to Mr. Robinson as notice of the dismissal of this complaint.

Sincerely,



William C. Campbell

WCC/

cc: Scott David Robinson, Esquire

Scott D. Robinson, Esq.  
101 Lavinia Ave.  
Greenville, S.C. 29601

Re: Discovery, Matter of Haddock, Case No. 2010-GS-04-00069/00072

Date: 11 July 2013

Mr. Robinson:

This is the fourth letter from myself, personally, requesting that you send me my casefile, workfile, and all discovery in your possession, pertaining to State v. Matthew Fullbright, in which you represented me.

I have sent this letter to you certified mail. You have signed for this imploration on my behalf.

I knowingly, voluntarily, and intelligently, now waive my attorney/client privilege and confidentiality for the sole purpose of allowing and authorizing you to release and send to me my entitled casefile, workfile, and all discovery, to include but not limited to the following:

1. The entire casefile, personal notes, correspondence between yourself and all parties involved;
2. The entire workfile, including all preparatory notes for the Jackson v. Denno hearing and the trial, and notice of appeal documentation, and all worktime logs and hours worked;
3. All notes and documents pertaining to the Jackson v. Denno hearing held on 17 November 2011;
4. All notes and documents pertaining to the trial held on 23-27 January 2012;
5. All juror notes, eight total;
6. All forensic tests, forensic results, and SLED documents;
7. All Anderson County Detention Center (ACDC) medical files and documents;
8. All pathologist's reports and diagrams;
9. All autopsy reports and documents;
10. All warrants, search, arrest, etc.;
11. All indictments and applicable documents;
12. All reports, documents, files, etc., pertaining to questionable document expert Marvin Dawson;
13. All phone records;
14. All maps and applicable papers and documents;
15. All EMS reports, documents, papers, etc., pertaining to Mark Henderson, et al;
16. All evidence logs, items seized, etc.;

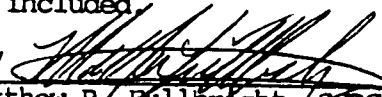
17. All NCIC reports, documents, papers, etc.;
18. All call logs;
19. All statements;
20. All bank records;
21. All crime scene logs;
22. All officer's notes with applicable reports, documents, papers, etc.;
23. All booking reports;
24. All post mortem reports;
25. All incident reports with applicable reports, documents, papers, etc.;
26. All State's discovery responses;
27. All expert witness reports, documents, papers, etc.;
28. All charts, diagrams, drawings, etc.;
29. All exhibits;
30. All reports, documents, papers, etc., pertaining to your representation involving my case, hearing, trial, etc.;
31. All lead sheets;
32. Everything pertaining to your representation.

I ask this according to the Matter of Haddock 321 SE2d 601 SC (1984).

Your office has received no less than ten requests for my casefile, workfile and discovery from my family and myself. We are informed each time that you are busy and will return the call but you never have.

A copy of this request is being sent to the SC Commission on Lawyer Conduct, The SC bar, my appellate attorney, the Anderson County Clerk of Court, as well as my family and file. Fortunately, I keep excellent records, and as such, every single paper that was in my discovery (which was kept by ACDC upon my transfer to SCDC, and has since disappeared), was recorded.

Please include a checklist along with your reply to ensure that all discovery is included.

/s/   
Matthew B. Fullbright, SCDC#349468  
Lieber Corr. Inst., Dorm: Ashley-B-49  
P.O. Box 205  
Ridgeville, SC 29472

cc: SC Commission on Lawyer Conduct;  
SC Bar Association;  
Susan Hackett, Esq., Appellate Counsel;  
Clerk of Court, Anderson County;  
The Fullbright Family.

**SCOTT D. ROBINSON LAW FIRM, LLC**  
ATTORNEY AT LAW

August 15, 2013

Matthew B. Fullbright/SCDC #349468  
Lieber Correctional Institution  
Dorm: Ashley-B-49  
P.O. Box 205  
Ridgeville, SC 29472

Dear Matthew:

I hope you are doing well under the circumstances.

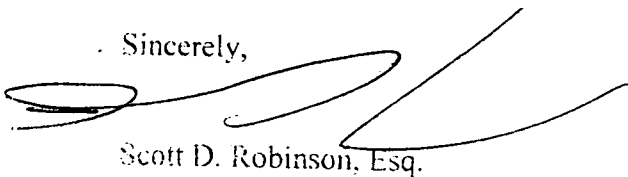
Enclosed please find another copy of your file. We keep closed files offsite and therefore your file had to be ordered, copied and then mailed to you.

You mention in your letter that my office "has received no less than ten requests for my case file, work file and discovery from my family and myself." I met with your father and stepmother 1(one) time in my office after your trial in which we discussed the appellate process, the SC Office of Indigent Defense and The SC Office of Appellate Defense. To my knowledge they have not attempted to contact me in any form since that meeting.

As to you requesting your case file, my office sent you discovery on 11/30/11 and 12/19/11. I also gave you copies, a second time, of everything we had before your trial during our numerous visitations at the Anderson County Detention Center and during your trial in January of 2012.

I wish you the best and good luck to you.

Sincerely,



Scott D. Robinson, Esq.

SDR/bdr

ENCLOSURE

DIVISION OF INMATE SERVICES

NOTICE TO WITHHOLD INCOMING/OUTGOING CORRESPONDENCE  
AND  
DISPOSITION OF CORRESPONDENCE

INMATE NAME: <i>Matthew Fullbright</i>	SCDC #: <i>349468</i>	DATE: <i>August 20, 2013</i>
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This notice is to advise you that you have received/attempted to send correspondence to/from *Jim Fullbright you have receive legal* which contained *mail from Scott Robinson litigation which contain Crime Scene Photograph Per SCDC Policy all legal mail which contain Crime Scene have to go to the CRC*. This is deemed questionable and requires further review by the Correspondence Review Committee (CRC) pursuant to SCDC Policy PS-10.08, "Inmate Correspondence Privileges." The Committee has 60 days (excluding weekends and holidays) to advise you of the decision. *For Review.*

DISPOSITION:

This notice is to advise you that the Correspondence Review Committee (CRC) has reviewed and disapproved the following correspondence: \_\_\_\_\_

\_\_\_\_\_ The correspondence is being returned to sender at your expense by using Form 10-14, "Agreement to Debit E. H. Cooper Account." (Attached)

\_\_\_\_\_ There are insufficient funds in your E. H. Cooper Trust Account to cover the cost of returning this correspondence. You have 30 days to advise the Mailroom of available funds or provide a pre-paid envelope. If funds are not available, the correspondence will be disposed of pursuant to SCDC Policy OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property."

*Burgant*  
\_\_\_\_\_  
Postal Director/Staff/Designee

*Lieber*  
\_\_\_\_\_  
Institution

White - Inmate  
Canary - Mailroom  
Pink - CRC/Sender/Property Control

AUG 30 2013  
33

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INMATE GRIEVANCE FORM  
STEP 1

INMATE COPY 2

INMATE NAME: Matthew B. Fullbright  
SCDC NUMBER: 349468  
INSTITUTION: Lieber Correctional Institution  
HOUSING UNIT: Ashley-B-49  
WORK ASSIGNMENT: Seeking Employment Since 4/31/13 here at Lieber.

INMATE COPY  
Grievance No. LA-1258-13  
Code: General MA/ML  
Policy \_\_\_\_\_  
Disc. Hear. \_\_\_\_\_  
Class. \_\_\_\_\_  
Date Received 8-30-13  
IGC Initials MD  
OCT 14

**STATE GRIEVANCE** (include documentation, and date of incident; if SCDC Policy, indicate which policy) **EMERGENCY GRIEVANCE**  
My discovery from trial attorney Scott Robinson arrived at Lieber C.I. mailroom on 8/19/13. The entire discovery was seized by mailroom employee, Ms. Bryant. She informed me that the discovery would be sent to the Correspondence Review Committee (CRC) at SCDC Headquarters for censorship and editing. That discovery is pertinent to my appeal process at this immediate time. I have several conflicts of record, various meritorious issues, and other appeal/court issues and matters that are intimately involved with said discovery, some are time sensitive. I am now unable to perfect my appeal as a result of my legal discovery being confiscated. I'm writing to all applicable parties/courts to hold my appeals/matters in abeyance pending remedy of this grievance. As the SCDC General Counsel's Office and CRC are under the Attorney General's Office (AGO) I cannot disclose specific legal issues or matters. I have not waived any rights, especially attorney/client privilege. My attorney's (and therefore mine) workfile/casefile has been compromised and edited by my legal adversary. I also have sworn affidavits that Ms. Bryant mishandled the discovery, dropping papers from it, refusing to pick them up, and refusing to tape the box back up at my request, etc.

**ACTION REQUESTED:** That a coversheet/itemized checklist, including how many pages total (in number) have been left in the discovery, and how many pages total (in number) have been removed (taken), be prepared by the CRC and AGO and sent back along with the discovery. That I be allowed to verify the contents of the discovery upon re-arrival, before I sign for it (thus accepting it uncontested) and that the appropriate parties be present from the CRC and SCDC General Counsel's Office and the AGO when opened in my presence, to assure accuracy.

**SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT:** By speaking with Ms. Bryant on 8/19/13 at the mailroom window. I asked her what Federal and/or State law(s) would allow my legal adversary to not only confiscate my entitled discovery, but to then remove papers from it. Immediately after speaking with Ms. Bryant I went to Major Nettles's office. I explained all of this to the Major. The discovery was brought into his office and looked through (in my presence). Major Nettles expressed that he saw no reason to confiscate the discovery. However, Ms. Bryant, who was within earshot, entered the office and said the discovery had to be confiscated, and thus it was.

[Signature] 8/25/13  
Grievant Signature Date

**ACTION TAKEN BY IGC:**

You have failed to attached the answered Request to Staff Form regarding your informal resolution attempt on this issue as is required in GA-01.12 Inmate Grievance Procedures. You may re-file on a new grievance form within 5 days (due by **SEPTEMBER 06, 2013**) providing the required answered Request to Staff Form or within 5 days of receiving a response to the Request to Staff Form which you should have submitted within 5 days of the incident as your informal resolution attempt to the appropriate supervisor. Return this unprocessed grievance with any refile for date verification purposes. **REMINDER-Inmates will be allowed to file five (5) grievances per month, which shall include all grievances that are returned unprocessed. After the five (5) grievances have been accepted, all others will be returned unprocessed except disciplinary and classification hearings. This does include refiles if the 5 grievance limit has been reached.**

[Signature] 8/30/13  
IGC Signature Date

- I accept the action taken by the IGC and consider the matter closed.
- I do not accept the action taken and wish to appeal.

N/A  
Grievant Signature Date

LA-1317-12

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INMATE GRIEVANCE FORM  
STEP 1

INMATE COPY  
REFILE: LCI-1258-13  
Due: 09/06/13

INMATE NAME: Fullbright, Matthew  
SCDC NUMBER: 349468  
INSTITUTION: Lieber Correctional Institution  
HOUSING UNIT: AB-49  
WORK ASSIGNMENT: seeking employment since 4/30/13

Office Use Only  
Grievance No. LCI-1317-13  
Code: General INMATE  
Policy \_\_\_\_\_  
Disc. Hear. \_\_\_\_\_  
Class. \_\_\_\_\_  
Date Received 9-10-13  
IGC Initials MD  
OCT 25 2013

STATE GRIEVANCE (include documentation, and date of incident; if SCDC Policy, indicate which policy) EMERGENCY GRIEVANCE  
SCDC Policy GA-01.12 § 14.1 states: "An emergency grievance will encompass, but is not limited to, situations, actions, or conditions in which any person's health, safety, or welfare is threatened or in serious danger. It is the responsibility of the grievant to demonstrate the factors creating the substantial risk of personal injury or other serious and irreparable harm. The Institutional IGC will fax a copy of the grievance to the Chief/Designee I.G.Branch to determine if a substantial risk or serious harm is present and warrants the grievance being processed as an "emergency."  
Allow me to demonstrate those factors: Here is my emphasis added of the above-"AN EMERGENCY...IS NOT LIMITED TO...SITUATIONS, ACTIONS, OR CONDITIONS IN WHICH ANY PERSON'S...WELFARE IS THREATENED OR IN SERIOUS DANGER... OF...IRREPARABLE HARM. Definition of welfare: "the state of faring or doing well; the state or condition in regard to well-being. The definition of irreparable: Impossible to make good, undo, repair or \*SEE ATTACHED\*

ACTION REQUESTED:  
Same as on the initial attached LCI-1258-13, and also the further requested action on the one page attached re-file of the same.

SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT:  
Same as on the initial attached (LCI-1258-13)

[Signature] 9/4/13  
Grievant Signature Date

ACTION TAKEN BY IGC:

Per GA-01.12 Inmate Grievance System, a grievance will be considered abandoned if the inmate refuses to follow through with the IGC's recommendations within five (5) days after the return of the inmate's unprocessed grievance. Therefore, this grievance is being returned unprocessed due to your failure to follow through with the instructions of the IGC to refile with corrections (providing the required answered Request to Staff Form) prior to 09/06/13. It is noted on 08/30/13 the Central Grievance Office determined grievance # LCI-1258-13 was NOT AN EMERGENCY as you failed to state any upcoming court deadlines or how you will be harmed by following normal time frames. Additional grievances on this issue will not be processed. **NO REFILE.** Unprocessed grievances may be appealed, utilizing SCDC Form 19-11 "Inmate Request to Staff Member", to the Branch Chief within ten (10) days of the grievance being returned to the inmate.

- I accept the action taken by the IGC and consider the matter closed.
- I do not accept the action taken and wish to appeal.

[Signature] 9/4/13  
IGC Signature Date

[Signature]  
Grievant Signature Date

remedy. Legal discovery, sensitive legal information, my case file and work file, all regarding Anderson County indictment Nos.: 2010-GS-04-00068 through 00073, that may never have been privy to the SC Attorney General's Office (AGO), is now under REVIEW by the SCDC Office of General Counsel, Correspondence Review Committee (CRC), a branch of the AGO. My entitled US Constitutional and SC Constitutional (Const.) protected legal mail/ discovery should never have been 1) seized, 2) taken out of my presence, 3) to be subjected to REVIEW and CENSORSHIP, 4) by my legal adversary, 5) violating many of my FEDERAL and STATE constitutional rights, etc.

Re: Informal resolution attempt-

An emergency grievance requires no informal resolution (IR) or else it would negate the factor of emergency. Also, the requirement of IR via request form to "prove" an IR is moot in this specific case as I tried to resolve this whole issue in the Major's office, with Major Nettles, Captain Sheppard, Lt. McGhee, and L. Bryant all present, within 10 minutes of the seizing of the discovery, well establishing an IR.

This discovery is almost certain to return before any non-emergency grievance procedure can get under way, what with all of the time consuming formalities. With this grievance I am attempting to have safeguards and precautions set in place when the discovery re-returns to Lieber from the CRC, which will help insure that the complete discovery is accounted for and that no pertinent papers are missing. This matter should be taken seriously by SCDC. The discovery should have been opened in a controlled environment in the first place, and not with me standing outside of the mail room where I can't possibly go through the over 1000-2000 pages or so.

This is all amplified by, because parts of this same discovery (in fact my whole legal box) was stolen/went missing as a result of my cell being purposefully left open, as the SCDC is well aware (see attached EMERGENCY GRIEVANCE to Ann Hallman; Officer Lineberry's Incident Report; and also pending grievance: LEECI-0464-13 at step 2 level [not attached]).


I have also attached the 10-6 form filled out by L. Bryant and also the affidavit of Levern McCrea, which further shows the mishandling of the discovery and the need to take steps to ensure that no further damage is sustained.

FURTHER ACTION REQUESTED: In addition to the initial grievance, LCI-1258-13 (attached), I also request to know all applicable FEDERAL and STATE laws, statutes, etc., and also all SCDC Policy that governs the seizing and editing of my legal mail/discovery.

Also that I be allowed to sign this grievance in person, as the attached initial does not bear my signature as I was never afforded an opportunity to sign.

If this EMERGENCY GRIEVANCE is not properly processed I will consider it

the agency's final decision regarding this grievance.

  
Matthew Fullbright, SCDC #349468

The Following 7 pgs. are included (attached), 1) ReFile of LCI-1258-13 2) with one page attachment 3) initial LCI-1258-13 4) EMERGENCY GRIEVANCE to Ann Hallman from 1/4/13 5) Ofc. Lineberry's Incident Report from 1/25/13 6) 10-6 Form from L. Bryant and 7) Affidavit from Levern McCrea

CC: Fullbright Family;  
S.C. Court of Appeals, Clerk of Court;  
Wanda Shearer;  
CRC;  
File;

General Counsel of SCDC  
4444 Broad River Rd.  
Columbia, S.C. 29221

Re: Inmate Matthew Fullbright (Matthew) SCDC #349468; Indictment Nos. 2010-  
GS-04\_00068 through 00073; Appellate Case No. 2012-207553; Legal Discovery

Dear Appropriate Person/ Correspondence Review Committee:

I am Matthew's father. On August 19, 2013 at Liber Correctional Institution (LCI), Matthew received his legal discovery he has been awaiting from his trial attorney Scott Robinson. This discovery was seized by mail room employee L. Bryant and sent to SCDC's Office of General Counsel/ Correspondence Review Committee (CRC) for censorship and editing. Matthew has had issues with SCDC's negligence of this same discovery in the past. Matthew has acquired several affidavits and witnesses present on 8/19/13 that admit L. Bryant was negligent and irresponsible in regards to handling Matthew's discovery. She dropped papers from it, refusing to pick them up and also refused to tape the box back up in which the discovery came.

My wife Kathy, Matthew, and myself request that the following be done to ensure that the discovery is complete (as the entire discovery is important to Matthew's immediate appeal and possible future appeal):

- 1) That the CRC provide in print/ on paper exactly how many pages total in number have been removed and how many pages total in number have not been removed, and that this be sent along back with the discovery when it is sent back from the CRC;
- 2) That SCDC General Counsel/CRC personnel, LCI staff be present (when the discovery is signed for by Matthew upon re-arrival);
- 3) That Matthew be afforded the time necessary to inspect the discovery when it arrives from the CRC, to ensure that it is complete and that everything is accounted for (as he has a legal right to) before being required to sign for it, thus accepting the discovery without any contention.

We are asking that you provide us with the FEDERAL and STATE laws which govern the confiscation and censorship of Matthew's discovery. Additionally, which SCDC policy(ies) govern as well. We request that this letter is clocked/stamped and a copy of is sent along with your reply letter.

Respectfully requested,

/s/ Marshall H. Fullbright  
Marshall H. Fullbright  
106 Dogwood Dr.  
Belton, S.C. 29627

cc: Clerk of Court, S.C. Court of Appeals;  
Warden McFadden, LCI;  
Scott D. Robinson, Esq.;  
Matthew Fullbright;  
File.

RECEIVED  
SEP 11 2013  
GENERAL COUNSEL

IN THE STATE OF SOUTH CAROLINA  
CERTIFICATE )OF SERVICE

Appellate Case No. 2012-207553

I hereby certify that a copy of the one page enclosed letter addressed to The SCDC Office of General Counsel was sent to the following peoples/ places, on this date, by placing a copy of the same via mail to his/her last known address as follows:

- 1) Clerk of Court, S.C. Court of Appeals, P.O.Box 11629, Columbia, S.C. 29211
- 2) Scott D. Robinson Esq., 101 Lavinia Ave., Greenville, S.C. 29601
- 3) Warden McFadden, Lieber Corr. Inst., P.O.Box 205, Ridgeville, S.C. 29472
- 4) Matthew Fullbright SCDC #349468, Lieber Corr. Inst. Dorm:A-B-49, P.O.Box 205 Ridgeville, S.C. 29472

All sent out on this 9th day of September, 2013.

/s/ Marshall H. Fullbright  
Marshall H. Fullbright  
106 Dogwood Dr.  
Belton, S.C. 29627

David M. Tatarsky, Attorney  
4444 Broad River Rd.  
Columbia, S.C. 29221

Re: Inmate Matthew Fullbright (Matthew) SCDC #349468; Indictment Nos. 2010-  
GS-04\_00068 through 00073; Appellant Case No. 2012-207553, Legal Discovery  
7/2013

Dear Mr. Tatarsky:

My name is Marshall Fullbright, I am Matthew's father. My wife Kathy and I  
I are writing this letter to as a follow up.

On August 19, 2013, at Lieber Correctional Institution, mail room employee  
L. Bryant seized Matthew's legal discovery he has been anticipating from  
his trial attorney, Scott Robinson. L. Bryant sent the discovery to SCDC's  
Office of General Counsel Correspondence Review Committee for editing  
and censorship.

We want to know exactly which FEDERAL and STATE laws govern the confiscat-  
ion and censorship of Matthew's discovery.

Additionally, we also want to know which SCDC policy(ies) govern this  
as well.

Please send a clocked/stamped copy of this along with your reply  
letter. We need a speedy answer to this inquiry.

This is the second time SCDC has allowed the taking of Matthew's entitled  
discovery. The first was on January 25, 2013 which he has a pending step  
2 grievance.

Respectfully requested,

/s/ Marshall H. Fullbright  
Marshall H. Fullbright  
106 Dogwood Dr.  
Belton, S.C. 29627

Please also send a copy of this  
with your reply letter to Matthew  
Fullbright at Lieber CI (see Certificate)

cc: Clerk of Court, S.C. Court of Appeals;  
Scott D. Robinson, Esq.;  
Warden McFadden, Lieber Correctional Institution;  
Matthew Fullbright;  
FFile.

IN THE STATE OF SOUTH CAROLINA  
CERTIFICATE OF SERVICE

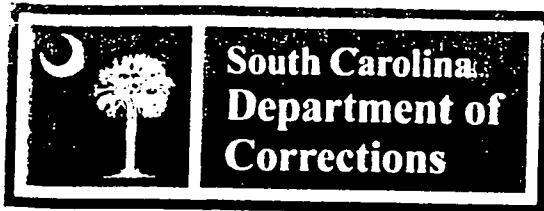
Appellate Case No. 2012-207553

I hereby certify that a copy of the enclosed one page letter to David Tatarsky was sent to the following peoples/places, on this date, by placing a copy of the same via mail to his/her last known address as follows:

- 1) Clerk of Court, S.C. Court of Appeals, P.O.Box 11629, Columbia, S.C. 29219
- 2) Scott D. Robinso Esq., 101 Lavinia Ave., Greenville, S.C. 29601
- 3) Warden McFadden, Lieber Corr. Inst., P.P.Box 205, Ridgeville, S.C. 29472
- 4) Matthew Fullbright SCDC #349468, Lieber Corr. Inst., Dorm:A-B-49, P.O.Box 205, Ridgeville, S.C. 29472

All sent out this 9<sup>th</sup> day of September, 2013.

1s Marshall H. Fullbright  
Marshall H. Fullbright  
106 Dogwood Dr.  
Belton, S.C. 29627



NIKKI R. HALEY, Governor  
WILLIAM R. BYARS, JR., Director

September 17, 2013

Marshall H. Fullbright  
106 Dogwood Dr.  
Belton, SC 29627

Re: Correspondence dated September 9, 2013  
Regarding Inmate Matthew Fullbright #349468

Dear Mr. Fullbright:

The allegations contained regarding the mishandling of Mr. Fullbright's mail have been investigated, but they could not be substantiated. The materials are being reviewed by the CRC in compliance with SCDC policy, and they will be provided to Mr. Fullbright once sensitive personal information, such as Social Security numbers are redacted.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Florian", is written over a horizontal dashed line.

Christopher Florian  
Deputy General Counsel

Cc: Inmate Matthew Fullbright #349468  
Maria Leggins

Wanda M. Shearer  
101 Saluda Pointe Drive  
Unit 517  
Lexington, SC 29072

September 27, 2013

Mr. David Tatarsky, Attorney  
SCDC/Office of General Counsel  
4444 Broad River Road  
Columbia, SC 29221

Re: Confidential Information, Matthew B. Fullbright, SCDC# 349468, Legal Discovery

Dear Mr. Tatarsky

I am writing to you today concerning Matthew Fullbrights' legal discovery that was seized by the mailroom clerk (L. Bryant) at Lieber Correctional Institution on August 19, 2013. I was informed by Matthew that his legal discovery was sent to SCDC headquarters to the correspondence review committee.

It has come to my attention recently that my personal information is within his legal discovery. I am in need of answers concerning this new found information. What are you, the SCDC doing with my personal information? In other words, what capacity are you using my personal information? Is the SCDC copying my information, using it in any capacity, and who all has had access to my information since the legal discovery was seized at Lieber Correctional Institution.

I want to know the exact laws that are governing these issues:

1. Why was Mr. Fullbrights' legal discovery taken and turned over to SCDC for review?
2. Is it being censored, and if so, why and what constitutes in law, SCDC, State, and Federal that gives that right?
3. What is happening with my personal information, who has had possession, why and what access to that personal information is needed by SCDC entities.
4. What assurance do I have in your agency and any person(s) looking at my personal information to safeguard and keep safe and confidential.

While you are in possession of this letter, Warden McFadden at Lieber Correctional has also received a letter from me concerning this same issue. As I have requested written policy(s), law(s) and dates they are placed in effect within your system, I am requesting the same information from you in writing as to the precise and detailed information as to the legal discovery seized from Lieber and submitted to SCDC, what is happening to get Mr. Fullbrights' complete legal discovery returned to him for his inspection of its full contents so he may perfect his criminal appeal, and what is and who is looking, using, and obtaining personal information concerning myself?

As with Warden McFadden, I am in need of your help in answers to these questions. You will have ten (10) days to respond to me in writing concerning these issues, before I feel I am compelled to contact appropriate authorities.

I appreciate your timely response to my letter.

Sincerely

*Wanda M Shearer*

Wanda M. Shearer

Wanda M. Shearer  
101 Saluda Pointe Drive  
Unit 517  
Lexington, SC 29072

September 27, 2013

Mr. Joseph McFadden  
Warden, Lieber Correctional Institution  
PO Box 205  
Ridgeville, SC 29472

RE: Confidential Information, Matthew B Fullbright SCDC # 349468, Legal Discovery

Dear Mr. McFadden

I am writing you today concerning information that has been brought to my attention concerning an inmate at your facility, named Matthew B. Fullbright, SCDC #349468, housed in Ashley -B- 49.

On August 19, 2013, Mr. Fullbrights' legal discovery was seized by a person named L. Bryant who works for your mailroom at Lieber Correctional. I would like to know what SCDC policy governs the seizing and review of an inmates' legal discovery. My personal information is in that legal discovery. This has been brought to my attention and I would like to know who, why, and what policy governs that my personal information is being put at risk, questioned, and reviewed.

Mr. Fullbright has been having his personal and legal mail tampered with in ways not allowed by SCDC policy. And now to learn that my personal information in his legal discovery is at the risk of being tampered with is unsettling to me. I question you as Warden as to how my information is being used and how do I now assume my personal information is safe. Mr. Fullbrights' legal discovery and other legal effects have been confiscated at your facility. All of these occurrences are and will affect his ability to perfect his appeal for his criminal convictions.

I am aware as you are that Mr. Fullbright has written an emergency grievance (LCI-1258-13) and (LCI-1317-13) in an effort to ensure a proper place and proper time are afforded to Mr. Fullbright to look through his legal discovery upon its immediate return to Lieber Correctional Institution. These grievances were deemed non-emergency in nature by Lieber Grievance Personnel, however any seizure of his legal discovery, again affects his ability to perfect his criminal appeal, which in effect deems this an emergency.

He needs your help and so do I in these matters. The entire contents of this letter rest upon your shoulders as Warden of Lieber Correctional Institution. I hope you take care of these issues to ensure that my personal information is kept safe and that all of Mr. Fullbrights' legal discovery is given back to him.

To sum this letter:

1. I would like to know your intentions in writing to me in regards to these issues.
2. I want specific and detailed SCDC policy on the seizure and review of his legal discovery, and why this was conducted.
3. I want Federal and State Laws, Regulations, Statutes, that govern your facility to seize and review his legal discovery.
4. How and what personal information of mine is in question, how is it being used, and who (all parties) have had access to my information.

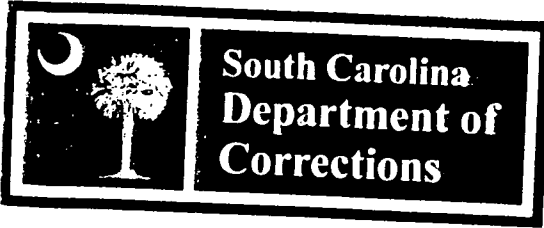
Please send me written responses to the above mentioned inquiries from your facility, SCDC, and Federal, and State with dates that each policy, policy numbers, statute, regulation and law are and when they were placed in effect.

You will have ten (10) days to respond to me in writing concerning these issues. Failure, to do so, will compel me to contact appropriate authorities.

Sincerely



Wanda M. Shearer



NIKKI R. HALEY, Governor  
WILLIAM R. BYARS, JR., Director

Lieber Correctional Institution  
Post Office Box 205  
Ridgeville, South Carolina 29472

October 3, 2013

Wanda Shearer  
101 Saluda Pointe Drive - Unit 517  
Lexington, SC 29072

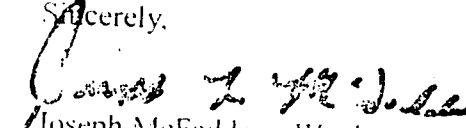
Re: Inmate Matthew Fullbright

SCDC#349468

Dear Ms. Shearer:

I am receipt of your letter dated September 27, 2013 and received my office on October 2, 2013. Your letter was regarding the above referenced inmate. In your letter you stated that Ms. Lurdean Bryant, Postal Director, mishandled Inmate Fullbright's legal mail. This issue has already been addressed with Inmate Fullbright and his family. Our General Counsel is aware of this incident and Ms. Bryant acted appropriately and followed SCDC Policy and Procedure regarding this matter. In the future, if Inmate Fullbright is not sure what kind of documentation he can receive and under what circumstances that his correspondence will be subject to review, he needs to address his questions to the mail room or read the policy regarding legal mail, etc. which is located in the law library for his review. Inmate Fullbright was made aware why the documentation was sent to the Correspondence Review Committee (CRC).

Sincerely,

  
Joseph McFadden - Warden  
Lieber Correctional Institution

RECEIVED  
RECEIVED

OCT 23 2013

OCT 23 2013

MAINTAINING CRIME SCENE PHOTOS  
AND/OR AUTOPSY PHOTOS

RECEIVED  
OCT 28 2013  
MAIL ROOM  
LEBER C.I.

ROOM  
MAIL ROOM  
LEBER C.I.  
LEBER C.I.

LEGAL MATERIALS CONTAINING CRIME SCENE AND/OR AUTOPSY PHOTOS WILL BE REVIEWED THROUGH THE CORRESPONDENCE REVIEW COMMITTEE (CRC) PROCESS.

-ANY CRIME SCENE PHOTOS AND/OR AUTOPSY PHOTOS WILL BE SEPARATED FROM THE REST OF LEGAL MATERIAL BY THE CRC AND DENOTED AS SUCH. THE PACKAGE OF LEGAL MATERIAL WILL THEN BE SENT TO THE INSTITUTION TO THE ATTENTION OF THE WARDEN.

-UPON ARRIVAL AT THE INSTITUTION, THE WARDEN WILL ENSURE THAT THE DENOTED MATERIAL IS REMOVED FROM THE PACKAGE AND SECURED IN SUCH A WAY AS TO ENSURE CONFIDENTIALITY (IN PROPERTY CONTROL, WARDEN'S SAFE, ETC). \*\*\*NOTE: THE MATERIAL SHOULD NOT BE MAINTAINED IN THE INMATE RECORD.\*\*\* THE WARDEN WILL ENSURE THAT A PROCESS IS IN PLACE THAT ALLOWS THE INMATE TO REQUEST ACCESS TO THE MATERIAL. THE INMATE SHOULD REVIEW THE MATERIAL IN A CONTROLLED ENVIRONMENT AND IT SHOULD BE RETURNED INTACT.

-IF THE INMATE IS TRANSFERRED TO ANOTHER INSTITUTION, THE MATERIAL WILL BE SECURED WITH THE INMATE'S PROPERTY AND TRANSFERRED WITH THE INMATE. IT SHOULD BE CLEARLY MARKED SO THAT THE RECEIVING INSTITUTION CAN ACT ACCORDINGLY. IF THE INMATE IS RELEASED/PAROLED, THE MATERIAL SHOULD THEN BE GIVEN TO HIM/HER.

Inmate Fullbright, the IO-6 Dated August 20, 2013 was approved by the CRC with stipulation. Please be advice [redacted] personal information and other was redacted.

Matthew Fullbright

# 349468

The Crime Scene photos were Separated and the bank statement were placed with the Crime Scene photos Because of Policy 6.1.13 photos and Bank statement

Crime Scene have been forwarded to Warden Office Oct 23, 2013.

APPROVED

OCT 21 2013

CDC CORRESPONDENCE REVIEW COMMITTEE

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
REQUEST TO STAFF MEMBER

TO: NAME: Major Nettles	TITLE: Major	DATE: 10-24-13
INMATE'S NAME: Matthew B. Fullbright	SCDC #: 349468	
INSTITUTION: Lieber Corr.	LIVING QUARTERS: Edisto-B-56	

I received my seized discovery back from the CRE today. It is heavily sensed with pen and magic marker and there are papers missing that I saw in it on 8/19/13 before it was taken.

I'm wondering if perhaps you can get headquarters to provide an index of what was removed besides photographs.

Thanks.

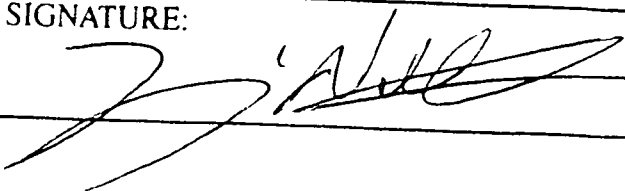
**RECEIVED**

OCT 29 2013

ASSOCIATE WARDEN'S OFFICE  
LIEBER C.I.

DISPOSITION BY STAFF MEMBER:

No Sir  
You can try if you need to.

DATE: 10/29/13	SIGNATURE: 
-------------------	--

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
 NOV 12 2013 INMATE GRIEVANCE FORM  
 STEP 1

INMATE COPY 1

INMATE NAME: Matthew B. Fullbright  
 SCDC NUMBER: 347468  
 INSTITUTION: Lieber Corr. Inst.  
 HOUSING UNIT: Edisto B 56  
 WORK ASSIGNMENT: Seeking Employment since 4/30/13

Office Use Only  
 Grievance No. LCI-1552-13  
 Code: General \_\_\_\_\_  
 Policy \_\_\_\_\_  
 Disc. Hear. \_\_\_\_\_  
 Class. \_\_\_\_\_  
 Date Received 11 04 13  
 IGC Initials MD

STATE GRIEVANCE (include documentation, and date of incident; if SCDC Policy, indicate which policy)

**EMERGENCY GRIEVANCE** \* I am missing a substantial amount of papers, reports, notes (even my lawyer's work notes) from my discovery seized on 8/19/13 and sent to SCDC/CRC for over 60 days for review and censorship. The papers missing are vital to pending criminal charges, defenses, appeal(s) etc. I need these papers to, immediately. My discovery was stolen during a malicious room search at rec. I in January 2013. I have telling timelines and am in great need of these immediately.

ACTION REQUESTED: That all seized documents be returned to me immediately and that all copies thereof in the possession of SCDC General Counsel and the SC Attorney General's Office be destroyed and the originals secured and sent to me.

SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT:

No informal resolution required per SCDC Policy.

[Signature] 23 October 2013  
 Grievant Signature Date

ACTION TAKEN BY IGC:

You have failed to attached the answered Request to Staff Form regarding your informal resolution attempt on this issue as is required in GA-01.12 Inmate Grievance Procedures. You may re-file on a new grievance form within 5 days (due by NOVEMBER 11, 2013) providing the required answered Request to Staff Form or within 5 days of receiving a response to the Request to Staff Form which you should have submitted within 5 days of the incident as your informal resolution attempt to the appropriate supervisor. Return this unprocessed grievance with any refile for date verification purposes. REMINDER-Inmates will be allowed to file five (5) grievances per month, which shall include all grievances that are returned unprocessed. After the five (5) grievances have been accepted, all others will be returned unprocessed except disciplinary and classification hearings. This does include refiles if the 5 grievance limit has been reached.

[Signature] 11/15  
 IGC Signature Date

- I accept the action taken by the IGC and consider the matter closed.
- I do not accept the action taken and wish to appeal.

Grievant Signature Date

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INMATE GRIEVANCE FORM

REFILE: LCI-1552-13  
INMATE COPY: 11/11/13



STEP 1

INMATE NAME: Fullbright, Matthew  
 SCDC NUMBER: 349468  
 INSTITUTION: Lieber Correctional Institution  
 HOUSING UNIT: EB-56  
 WORK ASSIGNMENT: Seeking Employment / Mental Health Status

Office Use Only  
 Grievance No. LCI-1590-13  
 Code: General M/M/L  
 Policy \_\_\_\_\_  
 Disc. Hear. \_\_\_\_\_  
 Class. \_\_\_\_\_  
 Date Received 11-12-13  
 IGC Initials MD  
 DEC 27 '13

STATE GRIEVANCE (include documentation, and date of incident; if SCDC Policy, indicate which policy)

Same as Step 1 Emergency Grievance No. : LCI-1552-13 dated by myself as 28 October 2013 and received 11-04-13 (attached)

ACTION REQUESTED: Same as Step 1 Emergency Grievance No. : LCI-1552-13 dated by myself as 28 October 2013 and received 11-04-13 (attached)

SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT:

Same as Step 1 Emergency Grievance No. : LCI-1552-13 dated by myself as 28 October 2013 and received 11-04-13 (attached)

Matthew Fullbright 102 November 2013  
 Grievant Signature Date

ACTION TAKEN BY IGC:

Per GA-01.12 Inmate Grievance System, a grievance will be considered abandoned if the inmate refuses to follow through with the IGC's recommendations within five (5) days after the return of the inmate's unprocessed grievance. Therefore, this grievance is being returned unprocessed due to your failure to follow through with the instructions of the IGC to refile with corrections (providing the required answered Request to Staff Form) prior to 11/11/13. **NO REFILE**. Unprocessed grievances may be appealed, utilizing SCDC Form 19-11 "Inmate Request to Staff Member", to the Branch Chief within ten (10) days of the grievance being returned to the inmate.

MD 11/12/13  
 IGC Signature Date

MD  
 Grievant Signature Date

- I accept the action taken by the IGC and consider the matter closed.
- I do not accept the action taken and wish to appeal.

Wanda M. Shearer  
101 Saluda Pointe Drive  
Unit 517  
Lexington, SC 29072

November 16, 2013

Mr. Joseph McFadden  
Warden, Lieber Correctional Institution  
PO Box 205  
Ridgeville, SC 29472

Re: Incident of October 23, 2013 and Matthew B Fullbright SCDC #349468, Ongoing Concern with Legal Discovery

Dear Mr. McFadden

On October 23, 2013, I received a call from inmate Matthew B Fullbright , SCDC 349468 precisely at 130pm concerning an incident in the dining area with one of your staff members, Charles Turbide ID # 047990. This incident occurred at 105 pm in said dining area. Per Matthews' conversation with me, he was asked by an inmate if Matthew wanted something left over from his tray. Matthew said sure, and apparently this does occur between inmates on a regular basis, being that one will ask another if they are interested in leftover items on a tray. According to Matthew, Charles Turbide told him that he couldn't have the tray, yelling and cursing at him about the tray and Matthew informed him that he was hungry and he knew he had received food items before from other inmates in the dining area , so he didn't see the problem with accepting again. However, today, Mr. Turbide said it wasn't happening, so he wanted Matthews' ID to write him up. Matthew wanted to know why he was being written up for accepting food when he sees this happening everyday with "other" inmates and Mr. Turbide sees it happening. Mr. Turbide evidently turned a deaf ear on that and wanted Matthews' ID.

This letter is now 2 fold in essence. I have received a copy of the SCDC inmate information guide authored by Jon Ozmint SCSC Policy ADM-11.34 where employee and inmate relations consist of courtesy , mutual respect and proper demeanor when discussing problems, answering questions, etc. As I stated 2 fold, disrespect by an officer when there is no need for the confrontation. But secondly, and **MOST** important refers back to my letter you received from me, dated September 27, 2013.

Evidently Mr. Turbide made a comment to Matthew and it went in the following format:

"Yeah Fullbright, I know you. You're always that one doing the law work in the library and writing people up about your legal discovery." Matthew asked him, "What do you mean my legal discovery?"  
Mr. Turbides' response was, "Your discovery is going to keep you in prison."

So, as you see this goes back to my original letter to you sent about his legal discovery. Your response I did read answered **NOTHING** of what I asked you to identify as to **MY** personal Information contained within that legal discovery. Your letter gives me the generic format letter as to why in general terms according to SCDC policy which you never stated, nor referenced, and where Matthew could locate this rule regarding mail, etc....but you evaded my question concerning **MY** information. Please spare me the format letter again, because I know Matthew has received his legal discovery from SCDC CRC review. This goes well beyond that reason now. Now it seems that not only you as the Warden, Lurdean Bryant, and now it seems apparently random officers know about Matthews' legal discovery being seized. Now, I find this situation with Mr. Turbide outrageous and very unethical, and let me take a great stab at this

highly illegal, because now I am sure your staff, other inmates, etc. know things in that legal discovery that DO NOT concern them. We all know that staff members in their capacity have a way of disclosing information concerning other inmates and this is not only unethical, unprofessional, but I consider highly illegal. So again, spare me the honesty and professionalism that your officers would never discuss another inmate.

Another interesting incident concerning Matthew and C. Turbide occurred on October 24, 2013 at approximately at 130 pm. He (Turbide) made a comment to Matthew again in the dining area. Format as follows:

“Don’t be surprised if medicine is found in your cell that you haven’t been taking, so don’t say I didn’t warn you if your door gets kicked in and they find medicine and charge you.”

Seriously, this sounds like a setup to me. It seems apparent that you have no control over events and your staff at your institution.

Now to sum this up:

1. The only staff in your institution who should have known about Matthews’ legal discovery that was seized was yourself as Warden, the mailroom worker L Bryant, SCDC CRC review in Columbia, but it is now apparently widespread to other staff within your facility.
2. **Again who has privy to the legal discovery in regards to my personal information, because again you failed and evaded that in your response letter to me.**
3. Evidently, the staff in your institution does not live up to the standard set forth in the SCDC policy Number : ADM-11.34 Issue Date July 1 2004.
4. I feel and so will Matthews’ family who will be receiving a copy of this letter, that charges placed upon Matthew will and are to be questioned since your staff seems to have an overwhelming amount of knowledge concerning his legal discovery and in knowing that whomever in your facility has had said knowledge know that their own personal information is also being compromised as has mine. This has really become apparent to me since I have started receiving telephone calls over the last few months that someone “somewhere within the SCDC prison system” is making. I make a firm suggestion to you as a Warden overseeing an institution and an employee within the SCDC system that those calls to me cease **IMMEDIATELY** wherever and for what- ever reason they are being instigated.
5. Since you personally as Warden of said facility, and David Tartarsky with SCDC have failed to inform me of MY personal information and who has had access, why, what is being done with it, and if questioned to what extent, I have decided to take this out of your hands as the Warden and make a formal declaration to higher government authorities, including state, national and media outlets.

These few incidents with legal discovery, staff involvement, etc. are not the only above mentioned items that will be addressed to authorities and media. The totality concerning many issues within the SCDC system and Inmate Matthew Fullbright have led me to decide it is time for the people of this state and other states to get a glimpse of our prison system within South Carolina.

I am alerting his family to question if, and if they do not hear from Matthew be it in the form of calls, visits, and writing that his correspondence with me and his family cease or become very structured and vague in time and concept. He has a right to contact myself and family members should and if any personal, mental, and/or physical harm come to Matthew within any SCDC system we, as his family, will promptly address this to local and national authorities.

Sincerely

A handwritten signature in cursive script that reads "Wanda M. Shearer".

Wanda M. Shearer

cc: Matthew Fullbright

David Tartarsky

Marshall Fullbright

Daniel Shearouse, SC Supreme Court Clerk of Court

Jenny Abbott Kitchings, SC Court of Appeals

Brenda F Shealy, Deputy Clerk of Court, SC Supreme Court

Susan Hackett, SCCID Appellate Attorney

Bryan P Stirling

Wanda M Shearer  
101 Saluda Pointe Drive  
Unit 517  
Lexington, SC 29072

November 16, 2013

Matthew B Fullbright, SCDC # 349468  
Lieber Correctional Institution  
Dorm : Edisto-B-56  
PO Box 205  
Ridgeville, SC 29472

Re: Matthew B. Fullbright SCDC 349468 Appellate Case # 2012-207553

Dear Matthew

I am writing this letter in regards to SCDC Inmate Matthew B. Fullbright SCDC #349468 who is housed at Lieber Correctional Institution, residing in Dorm: Edisto- B-56.

My intention and scope of this letter is to alert the Appeals Court and Supreme Court of South Carolina of some incidents that have occurred with Matthews' legal discovery. I previously wrote to Warden J. McFadden and SCDC Officer of General Counsel David Tartarsky concerning the seizing and review of Matthews' legal discovery which was seized on August 19, 2013. This legal discovery was mailed directly to him from his trial attorney Scott Robinson. This legal discovery was opened in Matthews' presence and mailroom worker Lurdean Bryant with Lieber Correctional informed Matthew that since the discovery contained crime scene pictures, it was being sent to SCDC CRC review in Columbia, SC. Per our (myself and Matthews') phone conversation, Lurdean Bryant refused to seal said discovery in his presence, and told him she would seal it later when she had time. This was witnessed by a couple of inmates and I have in my possession their affidavits attesting to that fact. This legal discovery contained approximately 4000 pages with 927 pictures in total. When his legal discovery was returned to him on October 24, 2013, many documents were missing and only 26 pictures were returned to him. The precise documents not returned to him nor the exact amount of pages I am not sure of, nor is Matthew because this is the 2<sup>nd</sup> time his legal discovery has been seized within SCDC. The first incident occurred when Matthew was at Lee Correctional Institution located in Bishopville, SC.

This letter is multifaceted with problems. The original reason I contacted Warden McFadden and Mr. Tartarsky was to inquire what SC Law State and Federal laws, statutes, rules, policies governed the seizing of said legal discovery and equally important I have come to find out that **MY** personal and his families personal information are contained within that discovery. **These items include names, addresses telephone numbers and social security numbers.** The Warden responded with a formatted letter stating that Mr. Fullbright was aware it was to be seized because of the content and to whom he should address this to which is the mailroom worker Lurdean Bryant and where he could locate the policy, but never gave mention to what that SC Law/Orders/Policies is to me in my letter. However, more disturbing to me, is the content which surrounds **MY** personal information and his families and who all has had possession of that information. **The Warden never addressed that concern of mine. Mr. Tartarsky never responded at all.** I am enclosing copies of my letters to them and the one response from Warden McFadden. I find it irresponsible on Warden McFadden, his staff, and SCDC because I

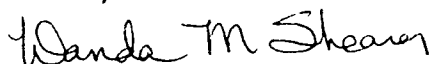
have written Warden McFadden and Mr. Tartarsky and **specifically** asked about the legal discovery seizure **and** the inquiry as to **MY** personal information, and in seeking policy, state and federal law and policy which allows them to seize legal documents from said trial attorney and you will see in the enclosed letter from Warden McFadden it is very vague and answers nothing in that regard. The seizing of Matthews' legal discovery has greatly hampered him from working with that discovery to perfect his case for appeals. Now that many documents are missing and the majority of pictures have been removed, this has in turn rendered him with an incomplete legal discovery. You will also find another incident which occurred with Matthew and an officer at Lieber Correctional involving staff there are aware of the legal discovery being taken and the conversation the officer had with Matthew about the discovery. Highly unethical that his legal discovery is basically common knowledge within the institution **and I nor his family know who all has had access to our personal information, not to mention Matthews' legal confidentiality of the lawyer/client relationship has been totally violated.**

Matthews' Jackson v Denno hearing from November 2011 is also in question because his testimony was removed from the transcript. I was at that hearing and have forwarded Matthew a copy of that affidavit that I was witness to his testimony as was his father, step-mother, and minister who have all sent affidavits to Matthew. I have a copy of that transcript and his testimony is not there, nor do the timelines that I have from the court reporter line up with the hearing. I also have those in my records since they are addressed to his appellate attorney Susan Hackett of Columbia, SC. His transcript ends on a recess and not on an adjournment, and the court reporter timeline reflects that there is an approximate 10 minutes missing from the transcript, based on her letter that I have in my possession, that her times are conflicting with her transcript.

In summation, I am alerting the Supreme Court of South Carolina and the Appeals Court of South Carolina per these highly unethical and I feel highly illegal incidents that Mr. Matthew Fullbrights' appeal will greatly become an injustice to him in trying to show where the trial court was in error.

Please time stamp and date this letter and enclosed documents within your facility and kindly respond to me in writing that this letter will be submitted with Matthews' appeal case, and send one copy to me, and one copy to Matthew Fullbright at Lieber Correctional Institution. I appreciate your timely response.

Sincerely



Wanda M. Shearer

Cc:

Matthew B Fullbright

Marshall Fullbright

David Tartarsky

Warden Joseph McFadden

Susan Hackett

Jenny Abbott Kitchings

Daniel Shearouse

Brenda Shealy

Bryan P Stirling

An Affidavit

It's no secret, there's no privacy in prison. So, when Matthew Fullbright SCDC #349468 and myself requested Rule 5 legal discoveries from our respective attorneys, at different times, both of us encountering odd and unexplained problems with them, it was bound to be discussed between us. We have been roommates for the past four months or so. At all times in this affidavit Matthew Fullbright SCDC #349468 (hereafter "Cellmate") and myself have resided in Ashley Dorm, B Side, Cell 49 (AB-49).

My Cellmate received his Rule 5 legal discovery on 19 August 2013 at which time it was seized in its entirety and sent to SCDC's Correspondence Review Committee ("CRC") for review and censorship. As of today's date 24 September 2013, it is still at CRC and hasn't re-returned.

I received my requested Rule 5 legal discovery on July 30, 2013. Lieber mail room personnel L. Bryant flipped through it, in my presence, saw some evidentiary pictures within, and seized it in its entirety, sending it to CRC for review and censorship. The discovery re-returned from CRC on 21 August 2013 (hereafter "CRC Disc.") I quickly noticed many pages/papers missing (which I saw in it on 30 July 2013) and something other than the basic "review and censorship" had taken place by CRC. The CRC Disc. was now missing pictures, statements, attorney notes, etc. and also pertinent information such as Social Security numbers, names, and dates were marked out.

With no other means to obtain the missing pages/papers from CRC Disc. so I could later attach them to my PCR application, I wrote the Warden (McFadden), Lieber mail room personnel, my dorm Lieutenant, and others. I have never received a reply. So, with the PCR time still tolling and no remedy in sight, I re-wrote Mr. Walters (see attached letter to Mr. Walters dated 7 September 2013), and explained I needed him to re-send the same discovery minus the photos. He did so.

The Rule 5 legal discovery arrived today at my cell, AB-49, my Cellmate and I were both inside. Ofc. Ringold and Lt. Brown opened AB-49 around 10:40am, entered, called my name, stated I had legal mail, opened it in my presence, examined the Rule 5 legal discovery, thoroughly, stated that any photos would have to be removed, and had me sign for it. I asked them: "So, do you take out the photos or someone else?" They replied: "We take them with us now." And: "Well, looking

at these photos, only a map and a few face pics. and such, you can keep them." My Cellmate, witnessing this entire exchange is curious and asks: "What about the CRC and Social Security Numbers and such?" They replied: "What about them?" Cellmate: "It doesn't need to go to the CRC?" Them: "No."

The discovery I received today, 24 September 2013 (NON-CRC Disc.) was in fact full of pages/papers that were missing from the CRC Disc. upon re-return.

There are a few additional pages/papers which Mr. Walters must have inadvertently left out, but that is a matter I am to take up with Mr. Walters.

The issues I've laid out herein are that a) CRC did -in fact- remove pages/papers sensitive and pertinent to my appeal efforts both now and in the future; b) The unnecessary review and censoring of my Rule 5 legal discovery by CRC allowed tolling time to slip by, uncurable; c) There is no law, Federal, State, or otherwise, no SCDC policy(ies) that govern/give authority to CRC to treat my legal documentation as if it were a publication, some book, and remove the contents "they felt" should not be within, in apparent disregard to whether the "censored" contents are relevant/pertinent to my appeals process or not.

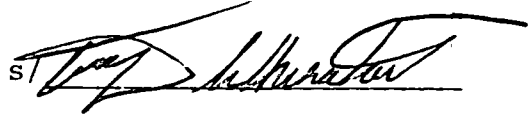
Now, my Cellmate and I have compared notes, documents, events, and other circumstances surrounding the seizing and alleged "censoring" of our discoveries and decided to draw up affidavits on behalf of ourselves as to the facts, so as to be relied upon to show proof, if later, litigation is involved with these discoveries.

Therefore, I write this. To this affidavit I have attached the following: 1) a copy of the envelope attached to CRC Disc., dated July 30, 2013 as "RECIEVED" and Aug. 21, 2013 as "Approved"; 2) A one page letter to Mr. Walters requesting my discovery dated 11 July 2013; 3) A one page letter to Mr. Walters dated 7 September 2013, re-requesting same discovery; 4) One page, "PROCEDURES FOR MAINTAINING CRIME SCENE PHOTOS AND/OR AUTOPSY PHOTOS", which was taped to the re-returned CRC Disc.

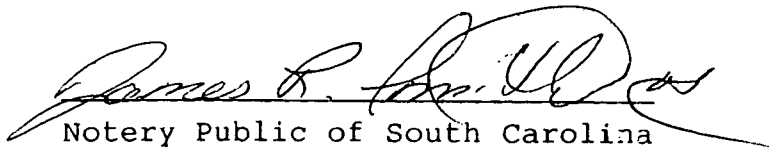
I altogether give this affidavit and all attached to my Cellmate, Matthew B. Fullbright, SCDC #349468, to use to corroborate or substantiate any allegations, issues, etc. he may raise or wishes to address, at all, in any proceeding, Court, setting, conversation, or in any way he deems fit and/or necessary concerning these matters or others.

I do swear, attest, and affirm the foregoing to be true, so help me GOD. I have given this under penalty of perjury.

Terry Whisenhunt, SCDC #343850  
Lieber C.I. Ashley B-49  
P.O. Box 205  
Ridgeville, S.C. 29472

A handwritten signature in black ink, appearing to read "Terry Whisenhunt", written over a horizontal line.

Sworn and subscribed before me  
this 26 day of September, 2013.

A handwritten signature in black ink, appearing to read "James R. Smith", written over a horizontal line.

Notary Public of South Carolina

08-01-2022

My Commission Expires:

Glenn Walters Esq.  
1910 Russell Street  
P.O. Box 1346  
Orangeburg, S.C. 29116

Re: Discovery, Matter of Haddock, Case No. 2012GS09-17/0020

Date: 11 July 13

Mr. Glenn Walters:

I am requesting yet again for my case file, work file, and all discovery in your possession pertaining to State V. Terry Whisenhunt. Please send me all notes, documents, reports, files, videos, photos, dealing with anyone and everyone. To be absolutely clear, please send everything you have regarding or involving me and/or my case to me, including and not limited to any time logs ever recorded. Along with this, send all information and notes from the times you visited me. Also anything and everything involving my YOA parole, and my transcript as well.

I ask this according to the Matter of Haddock 321 S.E.2d 601 S.C. (1984)

I thank you sir.

~~st. Terry Whisenhunt~~  
Terry Whisenhunt #343850  
Lieber C.I. Ashley B-49  
P.O. Box 205  
Ridgeville, S.C. 29472

cc: Glenn Walters Esq.  
Commission on Lawyer Conduct  
S.C. Bar  
Tina Craig

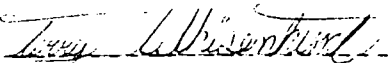
Glenn Walters, Esq.  
1910 Russell Street  
P.O. Box 1346  
Orangeburg, S.C. 29116

Re: Discovery, Matter of Haddock, Case No. 2012GS09-17/0020

Date: 7 September 13

Mr. Glenn Walters,

Upon arrival of the documents and material you sent that I requested according to the Matter of Haddock, the mailroom here at Lieber C.I. confiscated it and sent it to General Counsel, SCDC Headquarters, Correspondence Review Committee. They claim to have only taken photos from within my Rule 5, Motion of Discovery, yet upon examination i've found that quite a few things are missing that I requested. According to SCDC, you failed to send the documents. Our mailroom is under investigation, and inmates are having issues with their mail, legal and otherwise. Under these circumstances I find your supposed "refusal" hard to believe. Their reasoning for the confiscation was the photos, so I now ask according to the Matter of Haddock the previously requested material that I found missing be sent. That being the documents/paper work regarding dates that you visited me while I was detained in Orangeburg County Jail, along with times, logs, and otherwise, including notes you took during these visits. As well as all documents regarding my YOA sentence, and parole that you spoke to me about, and that was mentioned during my plea hearing. I'm still waiting to go to my hearing and get what we spoke about. Please send these documents.

s/   
Terry Whisenhunt SCDC#343850

Lieber C.I.  
P.O. Box 205  
Ridgeville, S.C. 29472

cc: Glenn Walters, Esq.;  
Commission On Lawyer Conduct;  
South Carolina Bar;  
Tina Craig;  
Katie Ball;  
File.

  
**PROCEDURES FOR MAINTAINING CRIME SCENE PHOTOS  
AND/OR AUTOPSY PHOTOS**

-LEGAL MATERIALS CONTAINING CRIME SCENE AND/OR AUTOPSY PHOTOS WILL BE REVIEWED THROUGH THE CORRESPONDENCE REVIEW COMMITTEE (CRC) PROCESS.

-ANY CRIME SCENE PHOTOS AND/OR AUTOPSY PHOTOS WILL BE SEPARATED FROM THE REST OF LEGAL MATERIAL BY THE CRC AND DENOTED AS SUCH. THE PACKAGE OF LEGAL MATERIAL WILL THEN BE SENT TO THE INSTITUTION TO THE ATTENTION OF THE WARDEN.

-UPON ARRIVAL AT THE INSTITUTION, THE WARDEN WILL ENSURE THAT THE DENOTED MATERIAL IS REMOVED FROM THE PACKAGE AND SECURED IN SUCH A WAY AS TO ENSURE CONFIDENTIALITY (IN PROPERTY CONTROL, WARDEN'S SAFE, ETC). **\*\*\*NOTE: THE MATERIAL SHOULD NOT BE MAINTAINED IN THE INMATE RECORD.\*\*\*** THE WARDEN WILL ENSURE THAT A PROCESS IS IN PLACE THAT ALLOWS THE INMATE TO REQUEST ACCESS TO THE MATERIAL. THE INMATE SHOULD REVIEW THE MATERIAL IN A CONTROLLED ENVIRONMENT AND IT SHOULD BE RETURNED INTACT.

-IF THE INMATE IS TRANSFERRED TO ANOTHER INSTITUTION, THE MATERIAL WILL BE SECURED WITH THE INMATE'S PROPERTY AND TRANSFERRED WITH THE INMATE. IT SHOULD BE CLEARLY MARKED SO THAT THE RECEIVING INSTITUTION CAN ACT ACCORDINGLY. IF THE INMATE IS RELEASED/PAROLED, THE MATERIAL SHOULD THEN BE GIVEN TO HIM/HER.

Your mail of the  
Crime Scene  
Photo have  
been forwarded  
to the Warden  
Office

Terry  
Whisen hunt  
AB49

Terry

Whisen hunt

# 343 850

**APPROVED**

JUG 21 2013

CDC CORRESPONDENCE  
REVIEW COMMITTEE

Rec'd 27 Aug 13

Law Office of Glenn Walters, PA  
1910 Russell Street (29115)  
Post Office Box 1346  
Orangeburg, SC 29115

*Joseph N. Walters*  
**APPROVED**  
JUL 30 2013  
MAIL ROOM  
LIEBER CT

AB44

Terry Whisenhunt # 343850  
c/o Lieber Correctional Institution  
Ashley B-49  
Post Office Box 205  
Ridgeville, SC 29472

**APPROVED**

AUG 21 2013

SCDC CORRESPONDENCE  
REVIEW COMMITTEE