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SC Court of Appeals

From: Bryantavious Murray
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Subject: Re: Me... settlement update
Date: Friday, June 5, 2026 3:37:20 PM

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On Fri, Jun 5, 2026 at 3:36 PM Bryantavious Murray <murraybryantavious@gmail.com> wrote:

On Tue, Jun 2, 2026 at 9:00 PM Bryantavious Murray <murraybryantavious@gmail.com> wrote:

On Tue, Jun 2, 2026 at 3:58 PM Bryantavious Murray <murraybryantavious@gmail.com> wrote:

IN THE COURT OF COMMON PLEAS FOR MCCORMICK COUNTY

BRYANTAVIOUS MURRAY, SCDC,) Plaintiff,) Case No.: 2018-cp-35-00074) vs.)
MOTION FOR RELIEF FROM RETALIATION) LEROY CARTLEDGE, JOSEPH
STEVENS,) JAMES TOMPKINS, JEREMY MCCARY,) RONALD COOK,
GEOFFREY RICE,) FRANK MUSIER, and RN VERA COUNER, SCDC)
Defendants.)

Plaintiff, Bryantavious Murray, (“Plaintiff”), acting *pro se*, respectfully submits this Motion for Relief from Retaliation and states as follows:

INTRODUCTION

Plaintiff brings this motion to seek immediate relief from retaliatory actions taken by the Defendants, employees and agents of the South Carolina Department of Corrections (“SCDC”), at the McCormick Correctional Institution and other SCDC facilities. These actions were taken in direct response to Plaintiff’s exercise of constitutionally protected rights. The Defendants’ conduct is intended to chill and punish the Plaintiff for seeking redress of grievances as permitted by law and SCDC policy. Plaintiff requests that this Court intervene to halt the ongoing retaliation and remedy the harm already caused. The factual allegations herein are further supported by Plaintiff’s notes, attached and incorporated by reference as Exhibits A, B, and C.

FACTUAL BACKGROUND

Protected Activity:

Beginning on or about April 8, 2016, and continuing, Plaintiff engaged in protected activities by raising issues through the SCDC grievance system regarding airborne spread diseases, homosexual rights, and unclaimed and uncaused religious claims at the SCDC institutions where Plaintiff was incarcerated.

Adverse Action:

In response to Plaintiff's protected activities, Defendants have subjected Plaintiff to a pattern of retaliatory actions across multiple institutions. These actions include, but are not limited to, the following:

McCormick Correctional Institution (April 8, 2016): Plaintiff was subjected to excessive force by seven officers and medical staff.

Perry Correctional Institution (April 8, 2016 – September 10, 2016): Plaintiff was subjected to excessive force by an officer.

Kershaw Correctional Institution (September 10, 2016 – October 14, 2016): Plaintiff experienced violations of SCDC food policy, inhumane living conditions, violations of SCDC recreation policy, and interference with his legal claims.

Lieber Correctional Institution (September 10, 2016 – March 6, 2017): Plaintiff was subjected to assault and battery, inhumane living conditions, failure by staff to adhere to policy and Disciplinary Hearing Officer (DHO) restrictions, and issues with the Chaplin board signing sheet for religious claims.

Lee Correctional Institution (March 6, 2017 – July 14, 2017): Plaintiff was subjected to assault and battery; homosexual activity of a Y.O.A.; religious sexuality in physiology related to a ouija board, TV, and four plants; improper monitoring of crisis cells with cameras; poisoned food; inhumane prison cells; and wrongful classification.

Broad River Correctional Institution (July 14, 2017 – July 28, 2017): Plaintiff was subjected to exposure to improper psychology tests and improper monitoring in Greenwood by officers listed as sex officers during an incident involving use of force with allegations.

Kershaw Correctional Institution (July 28, 2017 – February 14, 2018): Plaintiff was subjected to poisoned food by a ranked officer, homosexual discrimination regarding DHO paperwork, and assault and battery with rape by two officers.

Allendale Correctional Institution (February 14, 2018 – March 22, 2018): Plaintiff was subjected to ouija board exposure and assault and battery by two officers.

Kirkland Correctional Institution (July 30, 2021): Plaintiff was subjected to ouija board exposure in conjunction with voices of schizophrenic disorders and exposure to airborne diseases.

Furthermore, from approximately April 8, 2016, through April 4, 2026, Defendants have subjected Plaintiff to ongoing retaliatory actions, including psychological entanglement using numerous weegie board game systems for investigations and lie detector tests throughout SCDC-owned institutions.

Confiscation of Intellectual Property and Withholding of Royalties:

In or about July 2017, while incarcerated at Kershaw Correctional Institution and after filing grievances, Plaintiff's rap albums were confiscated by SCDC staff. This confiscation was a retaliatory action intended to interfere with Plaintiff's expressive activities. Further, Plaintiff is the author and performer of a musical work, including a track on the EP titled "Seylywun," which was produced by K.E. on the Track with Beat Mechanics and mastered in Beverly Hills, California. This work went platinum, yet Plaintiff has never received any payment, revenue, or royalties. This deprivation of property and income is a continuing retaliatory act that has caused significant emotional distress and mental anguish.

Improper Medical and Psychological Treatment:

As part of a pattern of retaliation, Plaintiff was subjected to improper psychological treatment and medication by SCDC. This includes the administration of the drug Risperidone, which caused psychological injury. Plaintiff's medical history provides proof of this bad medical care. Additionally, SCDC officials interfered with an audit concerning a drug that was later recalled off the market for being laced with a bad pill, a drug that Plaintiff was administered and which caused him injury.

Post-Release Interference and Retaliation:

The Defendants' retaliatory conduct has continued even after Plaintiff's release from incarceration. On July 2, 2022, Plaintiff was involved in an automobile incident in Greenville, South Carolina, on the 7400 block of Augusta Road, where his car crashed or jerked suddenly. This incident was a direct result of retaliatory interference, as "plants" were left on the vehicle during and after his release, which caused the malfunction.

Causal Connection:

The adverse actions taken against Plaintiff were directly motivated by his protected grievance activities. The causal connection is evident because these actions began after Plaintiff started raising protected issues and have been ongoing.

Temporal Proximity: The adverse actions occurred during the period of time Plaintiff was raising complaints about airborne diseases, homosexual rights, and religious claims. The confiscation of Plaintiff's rap albums in July 2017 occurred while he was actively engaged in filing grievances at Kershaw and other institutions. The ongoing deprivation

of his royalties, the administration of improper medications, and the post-release interference on July 2, 2022, demonstrate a continuous and unbroken chain of retaliatory conduct designed to punish Plaintiff for his protected First Amendment activities.

ARGUMENT AND LEGAL STANDARD

Retaliation by government officials against an individual for exercising their First Amendment rights is unconstitutional and actionable under 42 U.S.C. § 1983. The U.S. Court of Appeals for the Fourth Circuit has held that “the First Amendment right of free speech includes not only the affirmative right to speak, but also the right to be free from retaliation by a public official for the exercise of that right.” *Suarez Corp. Indus. v. McGraw*, 202 F.3d 676, 685 (4th Cir. 2000).

To establish a First Amendment retaliation claim, a plaintiff must prove three elements: (1) they engaged in protected First Amendment activity; (2) the defendants took an action that adversely affected their First Amendment rights; and (3) there was a causal relationship between the protected activity and the defendants’ conduct. *Constantine v. Rectors of George Mason Univ.*, 411 F.3d 474, 499 (4th Cir. 2005). Plaintiff meets all three elements here.

1. Plaintiff Engaged in Protected Conduct.

An inmate’s right to file a grievance is a constitutionally protected activity under the First Amendment. See *Booker v. South Carolina Dep’t of Corr.*, 855 F.3d 533, 541 (4th Cir. 2017) (recognizing that “the right to file a prison grievance is a constitutionally protected activity”). Indeed, SCDC’s own policy expressly forbids retaliation against inmates for using the grievance system. SCDC Policy GA-01.12, “Inmate Grievance System,” states, “No inmate will be subjected to reprisal, retaliation, harassment, or disciplinary action for filing a grievance or participating in the resolution of a grievance.” Here, Plaintiff’s action of raising complaints about conditions and rights falls squarely within the protection of the First Amendment.

2. Defendants Took an Adverse Action.

The second element requires showing that the defendants’ action would “deter a person of ordinary firmness from exercising his or her rights.” *Constantine*, 411 F.3d at 499. The actions taken against Plaintiff—subjecting Plaintiff to excessive force, inhumane conditions, interference with his legal claims, confiscating his expressive materials, withholding his intellectual property royalties, administering improper medication, and engaging in post-release interference causing an auto incident—are precisely the type of conduct that would deter a reasonable person from filing future grievances or reporting misconduct. The confiscation of creative work and the deprivation of earned income are particularly chilling to free expression. Furthermore, actions that cause physical and psychological harm through improper medical care and endanger a person’s life after release are extreme adverse actions intended to punish and silence.

3. A Causal Relationship Exists Between the Protected Conduct and the Adverse Action.

Finally, a plaintiff must demonstrate a causal link between the protected activity and the retaliatory adverse action. This can be established by showing that the adverse action occurred in close temporal proximity to the protected activity. See *id.* at 501. Here, the adverse actions took place throughout the period Plaintiff engaged in the protected conduct. The timing of the album confiscation, the ongoing nature of the medical issues and deprivation of royalties, and the continuation of retaliatory acts after release are compelling circumstantial evidence of a retaliatory motive. This evidence establishes that “but for” Plaintiff’s protected conduct, the adverse action would not have been taken.

CONCLUSION

Defendants have taken punitive and unconstitutional actions against the Plaintiff solely because he exercised his right to petition for a redress of grievances. This conduct violates the First Amendment and SCDC’s own policies.

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

A. An order enjoining Defendants, their agents, and employees from engaging in any further retaliatory conduct against Plaintiff; B. An order requiring an immediate and full accounting for all royalties and revenue generated by Plaintiff’s musical works, and an order for the immediate release of all withheld funds and property to Plaintiff; C. An order requiring an independent medical review of Plaintiff’s psychological and SCDC-administered drug history; D. Compensatory and punitive damages for the emotional distress, mental anguish, psychological injury, and physical harm caused by Defendants’ actions, including the July 2, 2022 auto incident; E. An order expunging any and all retaliatory disciplinary actions from Plaintiff’s institutional record; F. Any other and further relief that this Court deems just and proper.

Dated: June 2, 2026

Respectfully submitted,

Bryantavious Murray, SCDC Bryantavious *Plaintiff, Pro Se* 927 brooks street
Greenwood sc 29646

CERTIFICATE OF SERVICE

I hereby certify that on this date, June 2, 2026, I served a copy of the foregoing Motion for Relief from Retaliation upon the Defendants by placing it in the institutional mail system for mailing, postage prepaid, addressed to:

Counsel for Defendants South Carolina Department of Corrections Office of the General Counsel P.O. Box 21787 Columbia, SC 29221-1787

