

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Francis Ackerman #266928, Tyrone Aiken #244428, Tyrone Aiken #248367, Malik Aljalil #219551, Linso Allen #269378, Frank Anderson #282800, Sherman Austin #300028, Henry Baker #263398, Michael Baylor #265682, Jacob Beach #301270, Darryel Beasley #222388, Michael Benninger #264212, Taurus Bowman #252745, Lazarus Brannon #227847, Ronald Brewer #285756, Frederick Brown #289602, Timothy Brown #238461, Gary Bryant #258972, Pete Bryant #242370, Terrell Buchanon #277262, Larry Burke #281911, Christopher Busch #300690, Michael Busques #191961, Richard Butler #162467, Thomas Butler #257552, Derek Carter #275938, Thomas Carter #249362, Rudy Cassady #238732, Leroy Choice #113990, Sheldon Clark #264772, Zawaski Cobb #187136, Baron Cobbs #280479, Kamathene Cooper #145333, Frank Corley #292975, Gladstone Cummings #267450, Patrick Curtis #175139, Quintin Daniels #196284, Curtis Davis #238776, Garry Davis #106144, Perry Deveau #109601, Daniel Dewey #276678, Calvin Drummond #236322, Jerome Durham #270393, Paul Durham #219573, Harlan Edger #261866, Keith Eigner #299153, Rodney Elliott #251337, Anthony English #238474, James Enriquez #215539, Kirlan Etheredge #236635, James Evans #267837, David Feggins #287157, Bernard Felder #122099, Jose Flores #240563, James Foye #211523, Ray Gadsden #187527, Maxie Gamble #254413, Robert Garrett #291096, Jermaine Garriett #191274, Fred Gatewood #289775, Reginald Geddis #183851, Marvin Gilbert #273934, Dennis Goff #177506, Charles Graham #294453, Richard Graham #228235, Gregory Grant #109656, Howard Grant #255473, Nehemiah Greene #243339, Gary Grooms #283860, Willie Hare #256641, Wayne Harlen #245705, David Harrell #260004, Johnny Hayes #267910, Steven Hickenbottom #196263, Johnny Holden #245199, Michael Hood #279897, Don Hughes #256862, Chuck Jackson #266425, James Jackson #267718, Peter Jenkins #257321, Alfred Joyner #260442, Keith Kelly #257556, Joseph Kelsey #217218, Dennis Knight #286981, Nick Lambros #215080, Nikia Law #260855, Stephen Lease #137016, Archie Lee #226354, Harry Leonard #249996, Rick Libby #274681, Quintin Linen #238553, Raymond Livingston #277133, Donald Lyles #296135, Earl Mack #216237, Lavanza Mack #189340, Percy Martin #270035, Cedric Martino #291396, Donald McAteer #292961, Larry McClam #282972, Michael McFarland #266870, Tony McNeil #235846, Thomas Miles #246763, Darrin Miller #259593, Ernest Miller #235474, Roy Morris #288777, John Moultrie #276527, Matin Muntaqim #142282, Anthony Murphy #295393, Anthony Murray #237867, James Murray #165487,

Robert Norris #266101, Joe Pannell #89592, Frank Patterson #283098, Tony Pitts #280579, Kevin Poston #266083, Rodney Pressley #177947, Germaine Pringle #250390, Francis Prioleau #268813, Larkland Richards #281768, Gene Richardson #93614, Hester Wright, Personal Representative for Isaac Richardson #232574, Laron Richardson #258786, Dennis Richey #233472, Ignacio Rivera #300424, Henry Rivers #219118, Donald Robinson #277520, Darrell Rochester #146731, Vandell Sanders #241308, James Sattler #235043, Joseph Schmitz #173987, Arthur Scott #251957, Isaiah Scott #228008, Roosevelt Scott, Jr. #275631, George Shine #292391, Archie Simmons #161419, Kenneth Simmons #278911, Ronald Simmons #267937, Samuel Simmons #302393, Stephane Simmons #300422, Edward Simpson #220017, Virgil Simpson #281888, David Sims #278067, Jonathan Singleton #287670, Kevin Smith #272440, Robert Smith #199324, Timothy Smith #296539, Jeffrey Spears #281697, Alvin Stewart #278595, Jeff Stinson #260047, William Thomas #272501, Curtis Thompson #266448, James Trumper #247429, James Wells #180458, Ray Wells #173651, Kenneth White #228409, Bobby Williams #261486, Darrell Williams #219730, Derrick Williams #272958, James Williams #282929, Leon Wilson #155867, Timothy Wilson #261971, Tony Witt #242918, John Wojcik #219463, Robert Wydman #260331, Eric Youmous #281091, Rogelio Zavala #245106, Appellants,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2026-000437

APPEAL FROM THE
SOUTH CAROLINA ADMINISTRATIVE LAW COURT

The Honorable Ralph King Anderson, III, Chief Administrative Law Judge
Trial Court Case Nos. 2025ALJ040371AP,
2025ALJ040468AP, 2025ALJ040372AP,
2025ALJ040373AP, 2025ALJ040469AP,
2025ALJ040323AP

**DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Respondent South Carolina Department of Corrections [SCDC] by and through its undersigned counsel, respectfully proposes the following matter to be included in the Record on Appeal in the above-titled consolidated matter:

1. June 13, 2027 Order of Remand by the Chief Administrative Law Judge [ALJ] for the South Carolina Administrative Law Court [ALC] in *Francis Ackerman, #266928, et al. v. S.C. Dep't of Corr.*, ALC Docket No. 07-ALJ-04-0444-AP,
2. 197 Notices of Appeal served June 12, 2025 by Douglas H. Westbrook, Esquire, Counsel of Record for the Appellants, which include 197 New Final Decisions issued May 12, 2025 by SCDC.
3. July 1, 2025 letter from Mr. Westbrook to ALC's Chief ALJ regarding the teleconference conducted June 27, 2025 by the Chief ALJ.
4. July 7, 2025 Notice of Assignment issued by the Chief ALJ.
5. July 9, 2025 Order of Consolidation, including directive for filing Record on Appeal and briefing schedule, issued by the Chief ALJ.
6. 51 Motions to Dismiss filed with the ALC September 8, 2025 by SCDC.
7. Seven (7) Motions to Dismiss filed with the ALC September 15, 2025 by SCDC.
8. 197 Records on Appeal filed with the ALC September 17, 2025 by SCDC.
9. Appellants' September 18, 2025 Response to 51 Motions to Dismiss filed September 8, 2025 by SCDC.
10. Appellants' September 22, 2025 Response to Seven (7) Additional Motions to Dismiss filed September 15, 2025 by SCDC.
11. Appellants' Brief and supporting materials to the ALC dated October 1, 2025.
12. 58 Orders issued October 13, 2025 by the Chief ALJ addressing the motions to dismiss filed by SCDC on September 8 and 15, 2025.

13. October 20, 2025 letter from Mr. Westbrook to the Chief ALJ verifying that Ms. Hester Wright was substituted for the late Isaac Richardson, #232574, as a party in the consolidated appeal pending before the ALC.
14. October 29, 2025 letter from Mr. Westbrook to the Chief ALJ with copy of September 14, 2004 fee agreement between Mr. Westbrook and Appellant Thomas Miles, #246763, with Appellant Miles' signature dated July 26, 2005.
15. Appellants' Response to the Orders issued October 13, 2025 by the Chief ALJ and Motion to Withdraw dated October 29, 2025.
16. October 30, 2025 letter from Mr. Westbrook to the Chief ALJ confirming new address and telephone number for Appellant Samuel Simmons, #302393.
17. Order issued October 31, 2025 by the Chief ALJ denying SCDC's motion to dismiss appeal filed by Hester Wright, Personal Representative for the late Isaac Richardson, #232574.
18. SCDC's Brief and supporting materials to the ALC dated November 3, 2025.
19. Notice of Oral Argument for December 17, 2025 issued November 10, 2025 by the Chief ALJ.
20. 26 Orders of Dismissal with prejudice (i.e., Lazarus Brannon, et al.) issued November 10, 2025 by the Chief ALJ.
21. Appellants' Reply Brief to the ALC dated November 12, 2025.
22. Electronic mail message transmitted December 4, 2025 by Chief ALJ's Law Clerk to parties' counsel regarding additional issues for consideration at oral argument scheduled for December 17, 2025.
23. Motion to be Relieved as Counsel for 26 Appellants (i.e., Lazarus Brannon, et al.) with supporting memorandum submitted to this Court by Mr. Westbrook and dated December 9, 2025.
24. Notices of Appeal for 26 Appellants (i.e., Lazarus Brannon, et al.) submitted to this Court by Mr. Westbrook and dated December 9, 2025.
25. Stipulations proposed by Chief ALJ during December 17, 2025 oral argument.
26. Email transmitted December 18, 2026 from SCDC's undersigned counsel to Chief ALJ's law clerk to which SCDC's undersigned counsel responded to request by Chief ALJ during December 17, 2025 oral argument for copy of "Order of the Court (1) Dismissing with Prejudice Both the Plaintiffs' Entire Amended Class Action Complaint as well as the Plaintiff Class, (2) Denying the Plaintiffs' 'Motion for Order under South Carolina Rule of Civil Procedure 23,' (3) Directing SCDC to Provide Notice of its Ruling Dismissing the

Plaintiffs' Complaint and the Plaintiff Class, and (4) Lifting the Stay it Earlier Imposed by which it Froze SCDC's Processing of Grievances filed by Former Inmate Plaintiffs" issued by the Honorable Diane Schafer Goodstein and styled as *Darrell Williams, Class Representative, et al., v. S.C. Dep't of Corr., et al.*, C/A No. 2002-CP-18-00134 (S.C. Cir. Ct. July 1, 2005).

27. Appellants' response, transmitted December 19, 2025 by electronic mail from Mr. Westbrook, to Stipulations proposed by Chief ALJ during December 17, 2025 oral argument.
28. SCDC's response, transmitted December 22, 2025 by electronic mail from SCDC's counsel, to Stipulations proposed by Chief ALJ during December 17, 2025 oral argument.
29. Letter dated December 22, 2025 to Mr. Westbrook from the Clerk of this Court acknowledging receipt of Notices of Appeal for 26 Appellants (i.e., Lazarus Brannon, et al.) submitted to this Court by Mr. Westbrook and dated December 9, 2025.
30. Order issued January 23, 2026 by Chief ALJ in appeal filed by Appellant Keith Kelly, #257556.
31. Order issued January 23, 2026 by Chief ALJ in appeal filed by Hester Wright, Personal Representative for the late Appellant Isaac Richardson, #232574.
32. Order of Dismissal issued January 23, 2026 by Chief ALJ in consolidated appeal with lead Appellant Francis Ackerman, #266928.
33. Order issued February 3, 2026 by this Court denying without prejudice motion to be relieved as counsel for 26 Appellants (i.e., Lazarus Brannon, et al., Appellate Case No. 2025-002521) filed December 9, 2025 by Mr. Westbrook.
34. Notices of Appeal and supporting materials for 139 Appellants (i.e., Francis Ackerman, et al.) submitted to this Court by Mr. Westbrook and dated February 20, 2026.
35. March 5, 2026 letter from Mr. Westbrook to the Clerk of this Court advising that there is no transcript for the December 17, 2025 oral argument heard by the Chief ALJ.
36. June 1, 2026 letter from Mr. Westbrook to the Clerk of this Court with update of his efforts to communicate with various Appellants.
37. Order issued June 5, 2026 by this Court.
38. June 8, 2026 email from Mr. Westbrook to Clerk of this Court regarding this Court's June 5, 2026 Order.
39. July 2, 2026 letter from the Clerk of this Court to Mr. Westbrook.

The Respondent's counsel certifies that this designation contains no matter which is irrelevant to this appeal.

RESPECTFULLY SUBMITTED:

BY: *s/Lake E. Summers*
Lake E. Summers
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Columbia, South Carolina
July 2, 2026

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