

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Ralph K. Anderson, III, Chief Administrative Law Judge

Dock. Nos. 07-ALJ-04-00444-AP, 07-ALJ-04-00445-AP, 07-ALJ-04-00446-AP,  
07-ALJ-04-00447-AP, 07-ALJ-04-00448-AP, 07-ALJ-04-00449-AP,  
07-ALJ-04-00500-AP, 07-ALJ-04-00501-AP, 07-ALJ-04-00502-AP,  
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08-ALJ-04-01045-IJ, 09-ALJ-04-00304-IJ, 07-ALJ-04-00826-AP.\*

Francis Ackerman, #266928, Malik Aljalil, #219551, Linso Allen, #269378,  
Michael Benninger, #264212, Fredrick Brown, #289602, Timothy Brown, #238461,  
Terrell Buchanon, #277262, Christopher Bush, #300690, Rudy Cassady, #238732,  
Sheldon Clark, #264772, Zawaski Cobb, #187136, Kamathene Cooper, #145333,  
Gladstone Cummings, #267450, Patrick Curtis, #175139, Quintin Daniels, #196284,  
Curtis Davis, #238776, Heyward Dempsey, #134171, Phillip Denney, #240678,  
Paul Durham, #219573, Jerome Durham, #270393, Keith Eigner, #299153,  
Bernard Felder, #122099, Jermaine Garriett, #191274, Fred Gatewood, #289775,  
Dennis Goff, #177506, Gregory Grant, #109656, Nelson Hampton, #286427,  
James Hartman, #219770, Gary Hayes, #263985, Michael Hood, #279897,  
Nikia Law, #260855, Stephen Lease, #137016, Harry Leonard, #249996,  
Herbert McFadden, #184297, Michael McFarland, #266870, Earl Mack, #216237,  
John Moultrie, #276527, Matin Muntaqim, #142282, Tony Pitts, #280579,  
Germaine Pringle, #250390, Gene Richardson, #93614, Dennis Richey, #233472,

\* Docket No. 07-ALJ-04-00826-AP is probably assigned to an unrelated case.  
See June 8, 2012 letter to the ALC with copy to the Court of Appeals. The  
number remains in this caption because it appears in the ALC Second Amended  
Order caption, line 6, and has not yet been deleted by the Court of Appeals.

Ignacio Rivera, #300424, Vondell Sanders, #241308, James Sattler, #235043,  
Joseph Schmitz, #173987, Arthur Scott, #251957, Jerome Scott, #153381,  
Roosevelt Scott, #275631, Archie Simmons, #161419, Robert Smith, #199324,  
James Williams, #282929, Gary Bryant, #258972, Harlon Edger, #261866,  
Johnny Holden, #245199, Don Hughes, #256862, Michael Key, #266890,  
Archie Lee, #226354, Isaac Richardson, #232574, Larkland Richards, #281768,  
John Wojcik, #219463, James Bogan, #288111, Larry Burke, #281911,  
Jammie Gaymon, #208922, David Harrell, #260004, Jeff Stinson, #260047,  
Ricky Libby, #274681, Alain Lareau, #128014, Quentin Baker, #297868,  
Frank Corley, #292975, James Jackson, #267718, Quintin Linen, #238553,  
Thomas Miles, #246763, Chauncy Orr, #177069, Isaiah Scott, #228008,  
Eric Youmous, #281091, Derek Carter, #275938, Willie Hare, #256641,  
Ernest Miller, #235474, Robert Norris, #266101, Ronald Simmons, #267937,  
Samuel Simmons, #302393, William Thomas, #272501, Anthony Murphy, #295893,  
Anthony Murray, #237867, Johnny Hayes, #267910, Roy Morris, #288777,  
Daniel Dewey, #276678, Nehemiah Greene, #243339, Leroy Choice, #113990,  
James McFadden, #235419, Francis Prioleau, #268813, Darrell Rochester, #146731,  
Wilbur Jordan, #272264, Alvin Stewart, #278595, Kevin Poston, #266083,  
Kevin Smith, #272440, Donald Robinson, #277520, Douglas Bude, #263537,  
Willie Elder, #246208, Rogelio Zavala, #245106, Dennis Knight, #286981,  
Jacob Beach, #301270, Francis Ackerman, #266928, Darrin Miller, #259593,  
Edward Bryant, #255998, Sherman Austin, #300028, Michael Baylor, #265682,  
Taurus Bowman, #252745, Kenneth Carter, #243538, Calvin Drummond, #236322,  
David Feggins, #287157, Terry Ferguson, #299080, Willie House, #257820,  
Peter Jenkins, #257321, Percy Martin, #270035, James Murray, #165487,  
Stephone Simmons, #300422, Larry McClam, #282972, Tyrone Aiken, #244428,  
Tyrone Aiken, #248367, Frank Anderson, #282800, Ronald Brewer, #285756,  
Keith Brown, #295762, Pete Bryant, #242370, Michael Busques, #191961,  
Richard Butler, #162467, Gary Davis, #106144, Anthony English, #238474,  
Kerlan Etheredge, #236635, James Evans, #267837, Jose Flores, #240563,  
Robert Garrett, #291096, Reginald Geddis, #183851, Richard Graham, #228235,  
Gary Grooms, #283860, Wayne Harlen, #245705, Johnny Hayes, #267910,  
Steven Hickenbottom, #196263, Alfred Joyner, #260442, Donald Lyles, #296135,  
Henry Baker, #263398, Thomas Carter, #249362, Thomas Butler, #257552,  
Bobby Williams, #261486, Ray Wells, #173651, Rodney Pressley, #177947,  
Keith Kelly, #257556, Maxie Gamble, #254413, James Enriquez, #215539,  
Perry Deveaux, #109601, James Wells, #180458, Cedric Martino, #291396,  
Donald McAteer, #292961, Robert Wydman, #260331, Anthony Wright, #214007,  
Derrick Williams, #272958, Kenneth White, #228409, James Trumper, #247429,  
Jeffrey Spears, #281697, Timothy Smith, #296539, David Sims, #278067,  
Virgil Simpson, #281888, Edward Simpson, #220017, Kenneth Simmons, #278911,  
George Shine, #292391, Ralph Sellers, #164295, Laron Richardson, #258786,  
Frank Patterson, #283098, Tony McNeil, #235846, Larry McClam, #282972,  
Lavanza Mack, #189340, Raymond Livingston, #277133, Nicholas Lambrose, #215080,

Joseph Kelsey, #217218, Keith Eugene, no number, Chuck Jackson, #266425, James Foye, #211523, Timothy Inman, #151123, Marvin Gilbert, #273934, Demetrius Wheeling, #264976, Leon Wilson, #155867, Jeffrey Tevis, #216442, Darryel Beasley, #222388, Curtis Thompson, #266448, Baron Cobbs, #280479, James Tino, #145030, Harold Roberson, #117001, Ray Gadsden, #187527, Tony Witt, #242918, Jonathan Singleton, #287670, Joe Pannell, #89592, Charles Graham, #294453, Lazarus Brannon, #227847, Darrell Williams, #219730, Wilbert Mills, #244004, Howard Grant, #255473, Timothy Wilson, #261971, Rodney Elliott, #251337, Henry Rivers, #219118.....Appellants,

v.

South Carolina Department of Corrections.....Respondent.

Appellate Case No. 2012-210588

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

Appellants propose the following additional matters to be included in the Record on Appeal:

1. January 11, 2001 step 1 grievance of Darrell Williams, containing May 24/29, 2001 SCDC step 1 response
2. June 26, 2001 step 2 grievance of Darrell Williams, containing August 3, 2001 SCDC step 2 final decision
3. December 5, 2001 ALC Order of Dismissal of Darrell Williams' wage appeal
4. May 23, 2011 appellants' cover letter and ALC motion to supplement record and extend filing date of appellants' brief, with Exhibits 1, 2 (with proposed record documents attached), and 3, and Certificate of Service. The following proposed record documents are specifically designated:

- (a) Document #8, August 8, 2008 SCDC spreadsheet
- (b) Document #9, Earned Work Credit (EWC) sample record for

T. Aiken, #244428

- (c) Document #10, Inmate Job/School Assignment (19-54) sample record for T. Aiken, #244428
- (d) Documents #12-14, Original and two class action complaints of January 29, 2002, July 1, 2002 and February 12, 2003 in Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134 (Dorchester County)
- (e) Document #15, September 9, 2004 remittiturs for Adkins, et al. v. SCDC 2000-CP-40-04761 and Wicker v. SCDC 2001-CP-30-00330
- (f) Document #16, Judge Goodstein's April 19, 2005 order, corrected June 23, 2005, in Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134 (Dorchester County)
- (g) Documents #19-20, May 25 and 26, 2005 notices of appeal in Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134
- (h) Document #21, June 7, 2005 L. Summers' letter to D. Westbrook re automatic stay during appeal
- (i) Document #22, March 22, 2007 remittitur for class action appeal in Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134 (Dorchester County)
- (j) Documents #23-24, April 19, 2007 transcript pages and April 20, 2007 order in In re Inmate Grievances of Gene Richardson, et al. v. SCDC No. 02-CP-18-134 (Dorchester County)
- (k) Document #26, December 8, 2008 L. Summers' fax/e-mail
- (l) Document #30, April 25, 2007 D. Westbrook's letter

(m) Document #31, June 4, 2007 D. Westbrook letter to L. Summers  
re Amendments/Exhibits

(n) Documents #36-48, Certificates of Service for inmates Lyles,  
L. Mack, Stephone Simmons, Jordan, Bogan, Busques, R. Butler, K. Carter,  
Clark, Hare, A. Murphy, J. Scott, R. Simmons

(o) Document #50, substitute September 22, 2004 Certificate of  
Service for multiple filings

5. September 13, 2011 appellants' cover letter and Level Two ALC brief  
with Appendices 1 and 2 (with proposed record documents attached), and  
Certificate of Service. The following Appendix 2 proposed record documents  
are specifically designated:

(a) Document #8, August 8, 2008 SCDC spreadsheet

(b) Document #9, SCDC Earned Work Credit (EWC) assignment records  
whose work dates are reflected in Appendix 1 column 9, consist-  
ing of 125 pages

(c) Document #10, SCDC Inmate/Job Assignment (19-54) records whose  
work dates are reflected in Appendix 1 column 9, consisting of  
87 pages

(d) Document #12, original complaint of January 29, 2002 in  
Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134  
(Dorchester County)

Document #13, class action amended complaint of July 1, 2002  
in Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134  
(Dorchester County)

- Document #14, class action amended complaint of February 12, 2003 in Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134 (Dorchester County)
- (e) Document #15, September 9, 2004 remittiturs for Adkins, et al. v. SCDC 2000-CP-40-04761; and Wicker v. SCDC 2001-CP-30-00330
- (f) Document #16, Judge Goodstein's April 19, 2005 order, corrected June 23, 2005, in Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134 (Dorchester County)
- (g) Documents #19-20, May 25 and 26, 2005 notices of appeal in Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134 (Dorchester County)
- (h) Document #21, June 7, 2005 L. Summers' letter to D. Westbrook re automatic stay during appeal
- (i) Document #22, March 22, 2007 remittitur for class action appeal in Darrell Williams, et al. v. SCDC, et al. No. 02-CP-18-134 (Dorchester County)
- (j) Documents #23-24, April 19, 2007 transcript pages and April 20, 2007 order in In re Inmate Grievances of Gene Richardson, et al. v. SCDC No. 02-CP-18-134 (Dorchester County)
- (k) Document #26, December 8, 2008 L. Summers' fax/e-mail
- (l) Document #30, April 25, 2007 D. Westbrook letter to L. Summers re Amendments/Exhibits
- (m) Document #31, June 4, 2007 D. Westbrook letter to L. Summers re Amendments/Exhibits

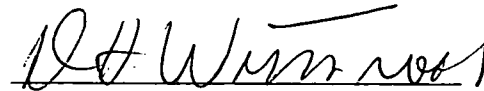
(n) Documents 41-48, Certificates of Service for inmates Busques,  
R. Butler, K. Carter, Clark, Hare, A. Murphy, J. Scott, R. Simmons

6. June 17, 2011 SCDC Response to Appellants' Motion to Supplement  
Record of May 23, 2011

7. November 30, 2011 SCDC Level Two ALC brief

8. December 22, 2011 SCDC Level Two ALC supplemental brief

I certify that this designation contains no matter which is irrelevant  
to this appeal.



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23 Broad St.

Charleston, SC 29401

(843) 853-9600

Attorney for Appellants

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Ralph K. Anderson, III, Chief Administrative Law Judge

Dock. Nos. 07-ALJ-04-00444-AP, 07-ALJ-04-00445-AP, 07-ALJ-04-00446-AP,  
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08-ALJ-04-01045-IJ, 09-ALJ-04-00304-IJ, 07-ALJ-04-00826-AP.\*

Francis Ackerman, #266928, Malik Aljalil, #219551, Linso Allen, #269378,  
Michael Benninger, #264212, Fredrick Brown, #289602, Timothy Brown, #238461,  
Terrell Buchanon, #277262, Christopher Bush, #300690, Rudy Cassady, #238732,  
Sheldon Clark, #264772, Zawaski Cobb, #187136, Kamathene Cooper, #145333,  
Gladstone Cummings, #267450, Patrick Curtis, #175139, Quintin Daniels, #196284,  
Curtis Davis, #238776, Heyward Dempsey, #134171, Phillip Denney, #240678,  
Paul Durham, #219573, Jerome Durham, #270393, Keith Eigner, #299153,  
Bernard Felder, #122099, Jermaine Garriett, #191274, Fred Gatewood, #289775,  
Dennis Goff, #177506, Gregory Grant, #109656, Nelson Hampton, #286427,  
James Hartman, #219770, Gary Hayes, #263985, Michael Hood, #279897,  
Nikia Law, #260855, Stephen Lease, #137016, Harry Leonard, #249996,  
Herbert McFadden, #184297, Michael McFarland, #266870, Earl Mack, #216237,  
John Moultrie, #276527, Matin Muntaqim, #142282, Tony Pitts, #280579,  
Germaine Pringle, #250390, Gene Richardson, #93614, Dennis Richey, #233472,

\* Docket No. 07-ALJ-04-00826-AP is probably assigned to an unrelated case.  
See June 8, 2012 letter to the ALC with copy to the Court of Appeals. The  
number remains in this caption because it appears in the ALC Second Amended  
Order caption, line 6, and has not yet been deleted by the Court of Appeals.

Ignacio Rivera, #300424, Vondell Sanders, #241308, James Sattler, #235043,  
Joseph Schmitz, #173987, Arthur Scott, #251957, Jerome Scott, #153381,  
Roosevelt Scott, #275631, Archie Simmons, #161419, Robert Smith, #199324,  
James Williams, #282929, Gary Bryant, #258972, Harlon Edger, #261866,  
Johnny Holden, #245199, Don Hughes, #256862, Michael Key, #266890,  
Archie Lee, #226354, Isaac Richardson, #232574, Larkland Richards, #281768,  
John Wojcik, #219463, James Bogan, #288111, Larry Burke, #281911,  
Jammie Gaymon, #208922, David Harrell, #260004, Jeff Stinson, #260047,  
Ricky Libby, #274681, Alain Lareau, #128014, Quentin Baker, #297868,  
Frank Corley, #292975, James Jackson, #267718, Quintin Linen, #238553,  
Thomas Miles, #246763, Chauncy Orr, #177069, Isaiah Scott, #228008,  
Eric Youmous, #281091, Derek Carter, #275938, Willie Hare, #256641,  
Ernest Miller, #235474, Robert Norris, #266101, Ronald Simmons, #267937,  
Samuel Simmons, #302393, William Thomas, #272501, Anthony Murphy, #295893,  
Anthony Murray, #237867, Johnny Hayes, #267910, Roy Morris, #288777,  
Daniel Dewey, #276678, Nehemiah Greene, #243339, Leroy Choice, #113990,  
James McFadden, #235419, Francis Prioleau, #268813, Darrell Rochester, #146731,  
Wilbur Jordan, #272264, Alvin Stewart, #278595, Kevin Poston, #266083,  
Kevin Smith, #272440, Donald Robinson, #277520, Douglas Bude, #263537,  
Willie Elder, #246208, Rogelio Zavala, #245106, Dennis Knight, #286981,  
Jacob Beach, #301270, Francis Ackerman, #266928, Darrin Miller, #259593,  
Edward Bryant, #255998, Sherman Austin, #300028, Michael Baylor, #265682,  
Taurus Bowman, #252745, Kenneth Carter, #243538, Calvin Drummond, #236322,  
David Feggins, #287157, Terry Ferguson, #299080, Willie House, #257820,  
Peter Jenkins, #257321, Percy Martin, #270035, James Murray, #165487,  
Stephone Simmons, #300422, Larry McClam, #282972, Tyrone Aiken, #244428,  
Tyrone Aiken, #248367, Frank Anderson, #282800, Ronald Brewer, #285756,  
Keith Brown, #295762, Pete Bryant, #242370, Michael Busques, #191961,  
Richard Butler, #162467, Gary Davis, #106144, Anthony English, #238474,  
Kerlan Etheredge, #236635, James Evans, #267837, Jose Flores, #240563,  
Robert Garrett, #291096, Reginald Geddis, #183851, Richard Graham, #228235,  
Gary Grooms, #283860, Wayne Harlen, #245705, Johnny Hayes, #267910,  
Steven Hickenbottom, #196263, Alfred Joyner, #260442, Donald Lyles, #296135,  
Henry Baker, #263398, Thomas Carter, #249362, Thomas Butler, #257552,  
Bobby Williams, #261486, Ray Wells, #173651, Rodney Pressley, #177947,  
Keith Kelly, #257556, Maxie Gamble, #254413, James Enriquez, #215539,  
Perry Deveaux, #109601, James Wells, #180458, Cedric Martino, #291396,  
Donald McAteer, #292961, Robert Wydman, #260331, Anthony Wright, #214007,  
Derrick Williams, #272958, Kenneth White, #228409, James Trumper, #247429,  
Jeffrey Spears, #281697, Timothy Smith, #296539, David Sims, #278067,  
Virgil Simpson, #281888, Edward Simpson, #220017, Kenneth Simmons, #278911,  
George Shine, #292391, Ralph Sellers, #164295, Laron Richardson, #258786,  
Frank Patterson, #283098, Tony McNeil, #235846, Larry McClam, #282972,  
Lavanza Mack, #189340, Raymond Livingston, #277133, Nicholas Lambrose, #215080,

Joseph Kelsey, #217218, Keith Eugene, no number, Chuck Jackson, #266425,  
James Foye, #211523, Timothy Inman, #151123, Marvin Gilbert, #273934,  
Demetrius Wheeling, #264976, Leon Wilson, #155867, Jeffrey Tevis, #216442,  
Darryel Beasley, #222388, Curtis Thompson, #266448, Baron Cobbs, #280479,  
James Tino, #145030, Harold Roberson, #117001, Ray Gadsden, #187527,  
Tony Witt, #242918, Jonathan Singleton, #287670, Joe Pannell, #89592,  
Charles Graham, #294453, Lazarus Brannon, #227847, Darrell Williams, #219730,  
Wilbert Mills, #244004, Howard Grant, #255473, Timothy Wilson, #261971,  
Rodney Elliott, #251337, Henry Rivers, #219118.....Appellants,

v.

South Carolina Department of Corrections.....Respondent.

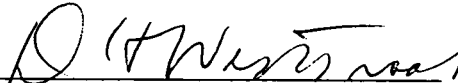
Appellate Case No. 2012-210588

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PROOF OF SERVICE

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I certify that I have served the Additional Designation of Matter to be  
Included in the Record on Appeal on the S.C. Department of Corrections by  
depositing a copy of it in the U.S. Mail, postage prepaid, on 1-<sup>7</sup>~~8~~-14 ,  
addressed to its attorneys of record, Lake Summers and Katherine Phillips,  
of Malone, Thompson, Summers & Ott, LLC, 339 Heyward St., Ste. 200, Columbia,  
S.C. 29201.

  
Douglas H. Westbrook, #6039  
23 Broad St.  
Charleston, SC 29401  
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