

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM ADMINISTRATIVE LAW COURT

**RECEIVED**

Honorable Deborah Brooks Durden

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FEB 28 2014

Case Nos. 12-ALJ-04-0025-AP,  
12-ALJ-04-0044-AP

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**SC Court of Appeals**

Billy Lisenby, Jr., # 200273.....Appellant,

v.

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

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**RENEWED MOTION TO COMPEL APPELLANT TO  
SUPPLEMENT THE RECORD**

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Comes Now, Respondent, the South Carolina Department of Corrections, and renews its request that this Honorable Court ORDER Appellant to supplement the Record on Appeal. In support of this request, Respondent shows this Honorable Court the following:

1. On March 8, 2013 Appellant served Respondent with a copy of a document entitled "Record on Appeal" which did not contain certain items listed in Respondent's Designation of Matter.
2. Respondent subsequently filed a Motion to Compel. On August 20, 2013, this Honorable Court ordered Respondent to provide Appellant with the omitted documents, along with proof of service within ten days of the Order. Respondent complied with this Court's Order.

3. The Court's August 20, 2013 Order further required Appellant file a supplemental record within ten days of receipt of the omitted documents. Appellant did not comply with the Court's Order.
4. On February 19, 2014, Respondent received Appellant's Final Brief and Amendment to Appellant's Final Brief.
5. Appellant has failed to comply with the Court's Order to supplement the Record on Appeal.
6. Rule 210(c), SCACR, provides in part that, "The Record on Appeal shall include all matter designated to be included by any party under Rule 209."
7. Appellant has clearly not complied with the rules of this Honorable Court.
8. Respondent has cited to the materials Appellant omitted from the Record in its Initial Brief. To file a Final Brief, Respondent must have a Record on Appeal containing complete copies of all items Respondent listed in its Designation of Matter and subsequently provided to Appellant.

WHEREFORE, Respondent respectfully renews its request that this Honorable Court ORDER Appellant to supplement the Record on Appeal with the above referenced materials.

Respectfully submitted,

SOUTH CAROLINA DEPARTMENT OF  
CORRECTIONS

Attorney for Respondent

A handwritten signature in black ink that reads "Shanika K. Johnson". The signature is written in a cursive style with a horizontal line underneath the name.

Shanika K. Johnson

Staff Attorney

S.C. Dept. of Corrections

P.O. Box 21787

Columbia, SC 29221-1787

Attorney for Respondent

Columbia, SC  
February 27, 2014

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Honorable Deborah Brooks Durden

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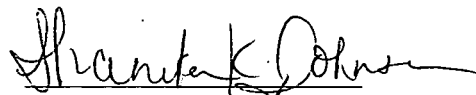
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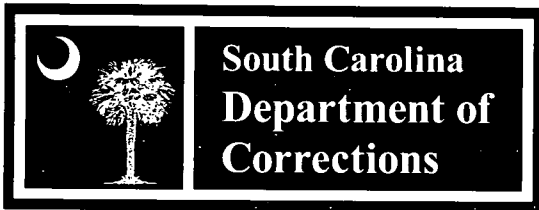
**CERTIFICATE OF SERVICE**

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I hereby certify that I have served Appellant a copy of the Respondent's Renewed Motion to Compel by depositing a copy of same in the United States Mail, postage prepaid, on February 27, 2014, addressed to the Appellant as follows:

Billy Lisenby, Jr., # 200273  
Lee Correctional Institution  
990 Wisaky Highway  
Bishopville, SC 29010

  
Shanika K. Johnson  
Staff Attorney  
S.C. Dept. of Corrections  
P.O. Box 21787  
Columbia, SC 29221-1787  
Attorney for Respondent



NIKKI R. HALEY, Governor  
BRYAN P. STIRLING, Director

February 27, 2014

Ms. Jenny Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29201

**Re: Billy Lisenby, # 200273 v. SCDC**  
**Case Tracking Nos.: 2012-213396 & 2012-213434**

Ms. Kitchings,

Please find enclosed an original and seven (7) copies of the following:

- Renewed Motion to Compel

Please stamp the extra copy "filed" and return it in the enclosed self-addressed stamped envelope. Please do not hesitate to contact me with any questions. We greatly appreciate your assistance in this matter.

Sincerely,

A handwritten signature in black ink that reads "Shanika K. Johnson". The signature is written in a cursive style with a large initial 'S'.

Shanika K. Johnson  
Attorney for Respondent

cc: File

Billy Lisenby, Jr., # 200273  
Lee Correctional Institution  
990 Wisaky Highway  
Bishopville, SC 29010

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SC Court of Appeals



Office of General Counsel  
P.O. Box 21787/4444 Broad River Road  
Columbia, South Carolina 29221-1787

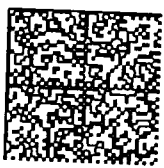
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