

THE STATE OF SOUTH CAROLINA

In the South Carolina Court of Appeals

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APPEAL FROM RICHLAND COUNTY

G. Thomas Cooper, Jr., Circuit Court Judge

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Civil Action No. 13-CP-40-0301

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Basil W. Akbar, #065498,

Appellant,

v.

South Carolina Department of Corrections,  
Bill Byers, Martha Roof, Debrah Long,  
Lisia Johnson, Ann and John Doe,

Respondents.

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**RESPONDENTS' RETURN TO APPELLANT'S MOTION FOR ORDER  
COMPELLING DISCOVERY**

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Appellant has filed a "Motion for Order Compelling Discovery" (hereinafter "Motion") requesting that this Court issue an Order compelling discovery from Respondents pursuant to Rule 37 of the South Carolina Rules of Civil Procedure. Additionally, Appellant requests "leave to amend" pursuant to Rule 15 of the South Carolina Rules of Civil Procedure "after completion of discovery." For the reasons stated herein, Appellant's Motion should be denied.

Appellant's Motion is incoherent and does not make sense. In his Motion, Appellant moves for an Order compelling discovery from Respondents pursuant to Rules 33, 34, and 36 of the South

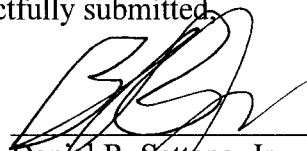
Carolina Rules of Civil Procedure. Appellant argues that Respondents have “shown to be evasive and answers incomplete.” Furthermore, Appellant argues that he “cannot adequately defend against Respondents’ Motion to Dismiss; and Summary Judgment.” Appellant also seems to request that any orders issued on Respondents’ Motion to Dismiss and/or Motion for Summary Judgment be set aside pursuant to Rule 60, SCRCP. Appellant further seeks “leave to amend” pursuant to Rule 15, SCRCP, “after completion of discovery.”

Initially, Respondents note that Appellant’s Motion appears to be a reiteration of the issues raised in his Initial Brief previously filed with this Court. Therefore, to the extent that Appellant’s Motion reiterates his arguments as set forth in his Initial Brief, this Motion should be denied as improper and duplicative of his Initial Brief. Additionally, Appellant is requesting this Court rule on matters previously ruled upon by the lower Court. Such requests are improper.

To the extent that the Appellant seeks leave to amend pursuant to Rule 15, SCRCP, Respondents note that Appellant does not specifically detail what he is seeking to amend in this matter. Consequently, this request is incoherent and cannot adequately be addressed.

WHEREFORE, Respondents respectfully ask this Court to deny Appellant’s Motion for Order Compelling Discovery.

Respectfully submitted,



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Attorneys for Respondents

Columbia, South Carolina  
May 29, 2014

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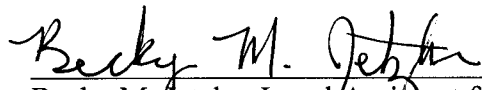
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CERTIFICATE OF SERVICE

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The undersigned hereby certifies that on May 29, 2014, a copy of the foregoing **RESPONDENTS' RETURN TO APPELLANT'S MOTION FOR ORDER COMPELLING DISCOVERY** was served on Pro Se Plaintiff by mailing a copy of same in the United States Mail, via certified mail, return receipt requested, proper postage prepaid, addressed as follows:

Basil W. Akbar, #65498  
Lee Correctional Institute  
990 Wisacky Hwy, Ker. 2224-N  
Bishopville, SC 29010



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Meghan H. Hall

May 29, 2014

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

Re: Basil Akbar v. SCDC, Bill Byers, Martha Roof, Debrah Long,  
Lisia Johnson, Ann and John Doe  
SC Appeal No.: 2013-002306  
Richland Co. Case No: 2013-CP-40-0301  
Claim No: 75046  
Our File No: 9-372

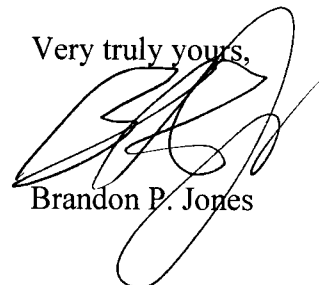
Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of **Respondents' Reply to Appellant's Objection to Respondents' Motion to Challenge Appellant's Record on Appeal and Respondents' Return to Appellant's Motion for Order Compelling Discovery** in reference to the above matter. Please return one (1) clocked-in copy of each of these documents to me via my courier.

Thank you for your assistance. Should you have any questions or concerns, do not hesitate to contact me.

With kindest regards, I am,

Very truly yours,



Brandon P. Jones

BPJ/bmj  
Enclosures

cc: Basil Akbar, #65498 (via Certified/Return Receipt Requested)

**RECEIVED**

MAY 29 2014

**SC Court of Appeals**