

The State of South Carolina
In The Court of Appeals

Appeal From Administrative Law Court
Administrative Law Judge Deborah Brooks Duerden

Appellate Case NO. 2013-000852

Billy Lee Lisenby JR; #200273 Appellant,

v.
South Carolina Department of Corrections Respondent

Appellant's Reply Brief (Final)

Dated: April 7th 2014

Billy Lee Lisenby, JR; #200273
McCormick Corr. Inst.
386 Redemption Way
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Christopher D. Florian
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SC Court of Appeals

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Appellant has received the initial brief and Final Brief from the Respondent in case 12-AZJ-04-0547-AP. Although it has been consolidated with case 12-AZJ-04-0546 they only addressed case 12-AZJ-04-0547-AP.

Again Appellant argues in Christopher Florian's Respondent's Brief at the AZC dated Oct. 2, 2012 he never argued that "It is clear from the record appellant's requested witnesses would have given testimony that was repetitive to the evidence that had already been presented." But the AZJ Ruled this was her reason for ruling against the Appellant. Here again the Respondent's are arguing that they didn't allow Appellant to call the officers from the Agency Search Team because their statements would be "repetitive." The Respondent have argued this in the initial brief and Final brief.

This was not a defense in the lower courts or in the Step 1 or Step 2 grievance, it cannot become a defense now.

Dated: April 7th 2014

Respectfully Submitted,

Billy Lee Lisenby
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South Carolina Department of Corrections Respondent

PROOF OF SERVICE

I am the Appellant in the above action. I have sent (1) copy of Motion For Leave To File Reply Brief Out of Time, to Christopher D. Florian PO Box 21787 Columbia S.C. 29221 The Attorney For Respondent.

Dated: April 7th 2014

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