



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA SOUTH CAROLINA 29201
TELEPHONE (803) 734-1890
FAX (803) 734-1839
www.sccourts.org

August 06, 2014

Matthew B. Fullbright, 349468
Lieber Correctional Institution
P. O. Box 205
Ridgeville SC 29472

Re. Matthew Fullbright v. SCDC
Appellate Case No. 2014-001684

RECEIVED
AUG 18 2014
SC Court of Appeals

Dear Mr Fullbright.

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/HTMLFiles/2014-04-15-02.htm. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

Matthew B. Fullbright, Appellant,

v.

South Carolina Department of Corrections, Respondent.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads "Jonny Abbott Kitchings". The signature is written in a cursive style with a long, sweeping tail on the final letter.

CLERK

cc: Christopher D. Florian, Esquire
Jana E. Shealy



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 734-1890
FAX (803) 734-1839
www.sccourts.org

August 06, 2014

Matthew B. Fullbright, 349468
Lieber Correctional Institution
P. O. Box 205
Ridgeville SC 29472

RECEIVED
AUG 18 2014
SC Court of Appeals

Re: Matthew Fullbright v. SCDC
Appellate Case No. 2014-001684

Dear Mr. Fullbright:

Upon reviewing your notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The notice of appeal is not accompanied by the order(s) and/or judgment(s) challenged on appeal.
- The required filing fee has not been submitted. The correct filing fee is \$100.

Very truly yours,

Jenny Abbott Kitchings

CLERK

cc Christopher D. Florian, Esquire



South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS CLERK
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

11011
SC 250
05 AUG '14
744 4 1

Hasler
03/06/2014
US POSTAGE

FIRST-CLASS MAIL
\$00.48⁰



ZIP 29201
011D12602824

RECEIVED

AUG 07 2014

WARDEN'S OFFICE
LIEBER C. I.

MATTHEW B. FULLBRIGHT, 349468
LIEBER CORRECTIONAL INSTITUTION
P. O. BOX 205
RIDGEVILLE SC 29472

EBS

Signed for by me, the
undersigned on AUG 11, 2014,

Matthew B. Fullbright,

Matthew B. Fullbright

29472020505



STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Matthew Fullbright, #349468,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent

Docket No. 13-ALJ-04-0926-AP

Grievance No LCI 1590-13

RECEIVED
AUG 18 2014
SC Court of Appeals

This matter is before the Administrative Law Court ("ALC") pursuant to the Notice of Appeal filed by Matthew Fullbright ("Appellant"), an inmate incarcerated with the South Carolina Department of Corrections ("SCDC"). The Appellant filed a Step One Grievance on November 10, 2013, which requested the same action as found in Grievance No. LCI 1552-13.¹ Grievance No. LCI 1552-13 was returned to Appellant on November 4, 2013 for failure to attach the answered Request to Staff Form. The grievance in this Appeal, Grievance No. LCI 1590-13, was returned to Appellant unprocessed on November 12, 2013 with the instructions to re-file with corrections. The Appellant was informed, through the returned Grievance, that the unprocessed Grievance "may be appealed, utilizing SCDC Form 19-11 'Inmate Request to Staff Member', to the Branch Chief within ten (10) days of the grievance being returned to the inmate."

The ALC dismissed the case on April 8, 2014 for Appellant's failure to exhaust all administrative remedies prior to filing this appeal. Appellant filed a Motion to Reinstate on April 17, 2014, which was granted on April 24, 2014. The ALC granted Appellant's Motion because the Appellant was not given ten (10) days to respond to Respondent's Motion to Dismiss as required by ALC Rule 63.

The Appellant claims that his grievance qualifies as an 'emergency grievance'. However, according to SCDC Policy GA-01.02 § 14.1, "[a]n emergency will encompass, but is not limited to, situations, actions, or conditions in which any person's health, safety, or welfare is threatened or in serious danger." The Appellant states that he has his underlying criminal case before the

¹ In Grievance No LCI 1552-13, Appellant requested that "all seized documents be returned to me immediately and that all copies thereof in the possession of SCDC General Counsel and the SC Attorney General's Office be destroyed and the originals secured and sent to me "

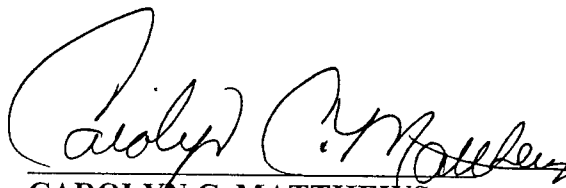
FILED
AUG 27 2014

SC ADMIN. LAW COURT

South Carolina Court of Appeals and needs access to his complete record in order to effectively argue his case to the Court of Appeals. Appellant contends that “[h]olding and withholding papers” he needs for his appeal rises to the level of an ‘emergency grievance’ While the Court does understand that the case before the Court of Appeals is a matter of utmost importance to the Appellant, the allegations of withholding papers does not meet the level of an ‘emergency grievance’ as the Appellant’s health, safety, or welfare is not being threatened. Although the grievance filed by the Appellant does not rise to an ‘emergency grievance’, the issue does require a prompt conclusion Therefore, to expedite the situation, the ALC will remand the grievance as a Request of Staff to Ann Hallman, Branch Chief of Inmate Grievance, to determine what papers and discovery Appellant is entitled to A timely decision is necessary to make certain the Appellant has access to everything he is entitled to, in order to allow him the ability to proficiently argue his case to the Court of Appeals.

IT IS THEREFORE ORDERED that this matter is **REMANDED** as a Request of Staff to Ann Hallman, Branch Chief of Inmate Grievance, to determine what papers and discovery Appellant is entitled to.

AND IT IS SO ORDERED.


CAROLYN C. MATTHEWS
Administrative Law Judge

May 21, 2014
Columbia, South Carolina

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, postage paid, in the United States mail addressed to the party(ies) or their attorney(s).

This 21st day of May 2014

BY NWELRZ

Judicial Law Clerk

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Matthew Fullbright, #349468

Appellant,

vs

South Carolina Department of Corrections,

Respondent

Docket No 13-ALI-04-0926-AP
Grievance No LCI 1590-13

ORDER OF REMAND

RECEIVED

AUG 18 2014

SC Court of Appeals

This matter is before the Administrative Law Court ("ALC") pursuant to the Notice of Appeal filed by Matthew Fullbright ("Appellant"), an inmate incarcerated with the South Carolina Department of Corrections ("SCDC"). The Appellant filed a Step One Grievance on November 10, 2013, which requested the same action as found in Grievance No LCI 1552-13.¹ Grievance No LCI 1552-13 was returned to Appellant on November 4, 2013 for failure to attach the answered Request to Staff Form. The grievance in this Appeal, Grievance No LCI 1590-13, was returned to Appellant unprocessed on November 12, 2013 with the instructions to re-file with corrections. The Appellant was informed, through the returned Grievance, that the unprocessed Grievance "may be appealed, utilizing SCDC Form 19-11 'Inmate Request to Staff Member', to the Branch Chief within ten (10) days of the grievance being returned to the inmate."

The ALC dismissed the case on April 8, 2014 for Appellant's failure to exhaust all administrative remedies prior to filing this appeal. Appellant filed a Motion to Reinstate on April 17, 2014, which was granted on April 24, 2014. The ALC granted Appellant's Motion because the Appellant was not given ten (10) days to respond to Respondent's Motion to Dismiss as required by ALC Rule 63.

The Appellant claims that his grievance qualifies as an 'emergency grievance'. However, according to SCDC Policy GA-01 02 § 14 1, "[a]n emergency will encompass, but is not limited to, situations, actions, or conditions in which any person's health, safety, or welfare is threatened or in serious danger." The Appellant states that he has his underlying criminal case before the

¹ In Grievance No LCI 1552-13, Appellant requested that "all seized documents be returned to me immediately and that all copies thereof in the possession of SCDC General Counsel and the SC Attorney General's Office be destroyed and the originals secured and sent to me."

FILED

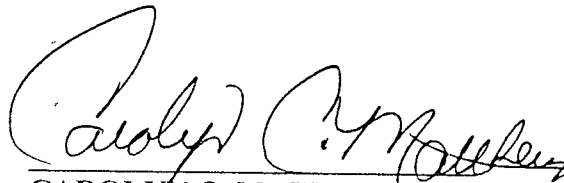
27 2014

SC ADMIN. LAW COURT

South Carolina Court of Appeals and needs access to his complete record in order to effectively argue his case to the Court of Appeals. Appellant contends that "[h]olding and withholding papers" he needs for his appeal rises to the level of an 'emergency grievance'. While the Court does understand that the case before the Court of Appeals is a matter of utmost importance to the Appellant, the allegations of withholding papers does not meet the level of an 'emergency grievance' as the Appellant's health, safety, or welfare is not being threatened. Although the grievance filed by the Appellant does not rise to an 'emergency grievance', the issue does require a prompt conclusion. Therefore, to expedite the situation, the ALC will remand the grievance as a Request of Staff to Ann Hallman, Branch Chief of Inmate Grievance, to determine what papers and discovery Appellant is entitled to. A timely decision is necessary to make certain the Appellant has access to everything he is entitled to, in order to allow him the ability to proficiently argue his case to the Court of Appeals.

IT IS THEREFORE ORDERED that this matter is **REMANDED** as a Request of Staff to Ann Hallman, Branch Chief of Inmate Grievance, to determine what papers and discovery Appellant is entitled to.

AND IT IS SO ORDERED.


CAROLYN C. MATTHEWS
Administrative Law Judge

May 21, 2014
Columbia, South Carolina

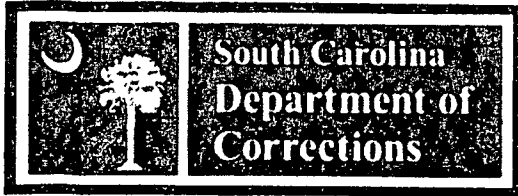
CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, postage paid, in the United States mail addressed to the party(ies) or their attorney(s).

This 21st day of May 2014

BY R. Welch

Judicial Law Clerk



NIKKI R HALEY, Governor
BRYAN P STIRLING, Director

OFFICE OF GENERAL COUNSEL

May 28, 2014

The Honorable Carolyn C. Matthews
South Carolina Administrative Law Court
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

Re: Order of Remand in Case No.: 13-ALJ-04-0926-AP

Dear Judge Matthews:

This letter is in response to the Court's May 21, 2014 Order of Remand in the above-referenced case. In the Order, the Court remanded the case as a Request to Staff to Ann Hallman. However, because the documents were sent directly to the Department's Correspondence Review Committee (CRC), Ms. Hallman was not privy to the contents of the mailing Mr. Fullbright received. Therefore, I have construed the Court's Order as one requiring the Department to respond to Mr. Fullbright's access to the materials taken on August 20, 2013. Please allow this letter to address this issue.

As an initial matter, and in response to Mr. Fullbright's allegations, the Department unequivocally denies withholding anything more than crime scene photographs and bank statements from the legal materials about which Mr. Fullbright filed his October 28, 2013 grievance. As the Court is aware, inmates are not permitted to maintain crime scene photographs in their cells; instead, the entire package containing the photographs is forwarded to the CRC. Furthermore, inmates are not permitted to

PS-10.08, § 19.1 9 ("Crime Scene Photos.") provides

- Legal materials containing crime scene and/or autopsy photos will be reviewed through the CRC process. Any crime scene photos and/or autopsy photos will be separated from the rest of the legal material by the CRC and denoted as such. The package of legal material will then be sent to the institution to the attention of the Warden.
- Upon arrival at the institution, the Warden will ensure that the denoted material is removed from the package and secured in such a way as to ensure confidentiality (i.e. Property Control, Warden's safe, etc.). The Warden will ensure that a process is in place that allows the inmate to request access to the material.

PO Box 21787 - 4444 Broad River Road - Columbia, SC 29221-1787 - Telephone (803) 896-8555

<http://www.doc.sc.gov> E-mail: corrections_info@doc.sc.gov

maintain copies of bank statements in their cells.² In cases where the bank statements are sent as part of an inmate's legal material—as was the case here—these statements are forwarded to the CRC and, when sent back to the institution, maintained by the warden of the institution in the same secure location as the crime scene photographs. Finally, once the CRC has received the legal materials that include the photographs and bank statements, it has 60 days from receipt of the materials to render a decision as to what documents the inmate is permitted to receive.³

Here, the CRC received the materials on August 30, 2013, and the committee approved the materials on October 21, 2013, with two exceptions pursuant to SCDC Policy PS-10.08: (1) personal information was redacted, and (2) crime scene photographs and bank statements were removed and sent to the warden for safekeeping. On May 28, 2014, I asked Angela Hardin, the Department's Mailroom Coordinator, to provide me with exactly where these photographs and bank statements are presently being kept. She replied with the following:

The above inmate's crime scene photos (3 photos) and bank statements (showing debits from an account) are in the Warden's Area. Per Ms. Booser, [the warden's administrative assistant] she does not recall this inmate ever asking to review them, only asked where they would be stored when they were returned from the CRC.

Additionally, I have attached a copy of the CRC's October 21, 2013 approval of the materials, with the notes indicating that "personal information [was] redacted" and that "crime scene photos [were] separated and bank statements [were put with] crime scene [photos]." Exhibit "A". As the documentation shows, the CRC approved the legal materials on October 21, 2013. Id. These materials were sent back to the institution and received by Mr. Fullbright at approximately 10:53 a.m. on October 24, 2013. Exhibit "B".

To be sure, the Department acknowledges the importance of an inmate's ability to timely communicate with the courts

² PS-10 08, § 6 1 13 provides:-

Inmates will be prohibited from maintaining possession of any financial statements that show a balance of funds and/or provide information on financial assets that may be available to the inmate (bank deposit books, checking, savings, or other fund statements, credit reports, except for E 4 Cooper statements, and year-end statements for the purpose of filing tax returns, etc)

³ PS-10 08, § 19 4 provides

Upon receipt, the CRC will have 60 working days to review the correspondence

Nevertheless, it is incumbent upon the inmate and the inmate's attorney (in this case, Scott D Robinson, Esquire) to communicate as to those materials that are permitted and those that are prohibited. In the case of the latter, the inmate and inmate's counsel must bear in mind SCDC's policies and delays in processing of certain mail when attempting to coordinate filings in active court cases

I hope that this letter has fulfilled the Court's Order and has answered any questions about this case that the Court may have. If there is any additional information the Court would like, I will be happy to provide that information upon request. I am copying Mr. Fullbright on this letter so he can maintain a copy for his records in the event that this issue or a similar one arises in the future.

Respectfully,

A handwritten signature in cursive script, appearing to read "D. Crooks", with a long horizontal flourish extending to the right.

Daniel J. Crooks III
Staff Attorney

Cc: Matthew Fullbright, #349468, Lieber CI
Ann Hallman, Chief, Inmate Grievance
Angela Hardin, Agency Mailroom Coordinator
ALC File

DIVISION OF INMATE SERVICES

NOTICE TO WITHHOLD INCOMING/OUTGOING CORRESPONDENCE
AND
DISPOSITION OF CORRESPONDENCE

INMATE NAME	SCDC #	DATE
<i>M. H. ...</i>	<i>...</i>	<i>...</i>

This notice is to advise you that you have received/attempted to send correspondence to/from ... which contained ...

This is deemed questionable and requires further review by the Correspondence Review Committee (CRC) pursuant to SCDC Policy PS-10 08, "Inmate Correspondence Privileges" The Committee has 60 days (excluding weekends and holidays) to advise you of the decision

DISP

*Personal information
Crime scene photos
Separate & out
Bul. students w/
Crime scene*

Yes

Yes

that the Correspondence Review Committee (CRC) has the following correspondence _____

g returned to sender at your expense by using "Debit E H Cooper Account" (Attached)

unds in your E. H. Cooper Trust Account to cover the correspondence You have 30 days to advise the funds or provide a pre-paid envelope If funds are not ondence will be disposed of pursuant to SCDC Policy ed Inmate Property and Disposition of Unauthorized

RECEIVED

AUG 30 2013

GENERAL COUNSEL

Postal Director/Staff/Designee

Institution

White - Inmate
Canary - Mailroom
Pink - CRC/Sender/Property Control

APPROVED
OCT 21 2013
SCDC CORRESPONDENCE
REVIEW COMMITTEE

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
 DIVISION OF INMATE SERVICES

Exhibit "B"

NOTICE TO WITHHOLD INCOMING/OUTGOING CORRESPONDENCE
 AND
 DISPOSITION OF CORRESPONDENCE

INMATE NAME	SCDC #	DATE
-------------	--------	------

This notice is to advise you that you have received/attempted to send correspondence to/from _____ which contained _____

This is deemed questionable and requires further review by the Correspondence Review Committee (CRC) pursuant to SCDC Policy PS-10 08, "Inmate Correspondence Privileges". The Committee has 60 days (excluding weekends)

APPROX 10:53 AM

To pick up his legal mail from the CRC Oct 24, 2013

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
 Operations

ORDER TO REPORT

SCDC #	Name	Area
		EB 56
REPORT TO _____ AT _____		
Bring All Belongings <input type="checkbox"/> Bring State Clothing <input type="checkbox"/> Bring Nothing <input type="checkbox"/>		
Date	Signed	
Date	Inmate's Signature	
Date	Staff Member's Signature	

SCDC 19-45 (Rev August 1997)

CRC Security/Property Control

SCDC Form 10 6 (January 2005)

RECEIVED RECEIVED

OCT 23 2013

OCT 23 2013

MAINTAINING CRIME SCENE PHOTOS AND/OR AUTOPSY PHOTOS

RECEIVED OCT 28 2013 MAIL ROOM JEBER C.I.

ROOM

MAIL ROOM

JEBER C.I.

JEBER C.I.

LEGAL MATERIALS CONTAINING CRIME SCENE AND/OR AUTOPSY PHOTOS WILL BE REVIEWED THROUGH THE CORRESPONDENCE REVIEW COMMITTEE (CRC) PROCESS.

-ANY CRIME SCENE PHOTOS AND/OR AUTOPSY PHOTOS WILL BE SEPARATED FROM THE REST OF LEGAL MATERIAL BY THE CRC AND DENOTED AS SUCH. THE PACKAGE OF LEGAL MATERIAL WILL THEN BE SENT TO THE INSTITUTION TO THE ATTENTION OF THE WARDEN.

-UPON ARRIVAL AT THE INSTITUTION, THE WARDEN WILL ENSURE THAT THE DENOTED MATERIAL IS REMOVED FROM THE PACKAGE AND SECURED IN SUCH A WAY AS TO ENSURE CONFIDENTIALITY (IN PROPERTY CONTROL, WARDEN'S SAFE, ETC). ***NOTE: THE MATERIAL SHOULD NOT BE MAINTAINED IN THE INMATE RECORD.*** THE WARDEN WILL ENSURE THAT A PROCESS IS IN PLACE THAT ALLOWS THE INMATE TO REQUEST ACCESS TO THE MATERIAL. THE INMATE SHOULD REVIEW THE MATERIAL IN A CONTROLLED ENVIRONMENT AND IT SHOULD BE RETURNED INTACT.

-IF THE INMATE IS TRANSFERRED TO ANOTHER INSTITUTION, THE MATERIAL WILL BE SECURED WITH THE INMATE'S PROPERTY AND TRANSFERRED WITH THE INMATE. IT SHOULD BE CLEARLY MARKED SO THAT THE RECEIVING INSTITUTION CAN ACT ACCORDINGLY. IF THE INMATE IS RELEASED/PAROLED, THE MATERIAL SHOULD THEN BE GIVEN TO HIM/HER.

Inmate Fullbright the ID-6 Dated August 20, 2013 was approved by the CRC w.th stipulation. Please be advice [redacted] personal information and other was redacted.

Matthew Fullbright

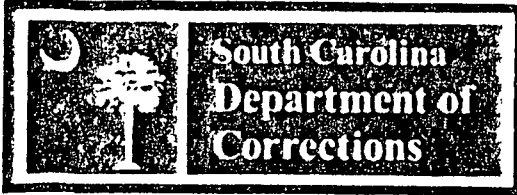
349468

The Crime Scene photos were Separated and the bank statement were placed with the Crime Scene photos because of Policy 6.1.13 photos and Bank Statement Crime Scene have been forwarded to Warden Office Oct 23, 2013.

APPROVED

OCT 21 2013

SCDC CORRESPONDENCE REVIEW COMMITTEE



NIKKI R. HALFY Governor
BRYAN P. STIRLING Director

OFFICE OF GENERAL COUNSEL

May 28, 2014

The Honorable Carolyn C. Matthews
South Carolina Administrative Law Court
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

Re Order of Remand in Case No.: 13-ALJ-04-0926-AP

Dear Judge Matthews:

This letter is in response to the Court's May 21, 2014 Order of Remand in the above-referenced case. In the Order, the Court remanded the case as a Request to Staff to Ann Hallman. However, because the documents were sent directly to the Department's Correspondence Review Committee (CRC), Ms. Hallman was not privy to the contents of the mailing Mr. Fullbright received. Therefore, I have construed the Court's Order as one requiring the Department to respond to Mr. Fullbright's access to the materials taken on August 20, 2013. Please allow this letter to address this issue.

As an initial matter, and in response to Mr. Fullbright's allegations, the Department unequivocally denies withholding anything more than crime scene photographs and bank statements from the legal materials about which Mr. Fullbright filed his October 28, 2013 grievance. As the Court is aware, inmates are not permitted to maintain crime scene photographs in their cells; instead, the entire package containing the photographs is forwarded to the CRC.¹ Furthermore, inmates are not permitted to

PS-10 08, § 19 1 9 ("Crime Scene Photos ") provides

- Legal materials containing crime scene and/or autopsy photos will be reviewed through the CRC process. Any crime scene photos and/or autopsy photos will be separated from the rest of the legal material by the CRC and denoted as such. The package of legal material will then be sent to the institution to the attention of the Warden.
- Upon arrival at the institution, the Warden will ensure that the denoted material is removed from the package and secured in such a way as to ensure confidentiality (i.e. Property Control, Warden's safe, etc.). The Warden will ensure that a process is in place that allows the inmate to request access to the material.

PO Box 21787 - 444 Broad River Road - Columbia, SC 29221-1787 - Telephone (803) 896-8555

<http://www.doc.sc.gov> E-mail: corrections.info@doc.sc.gov

maintain copies of bank statements in their cells. In cases where the bank statements are sent as part of an inmate's legal material—as was the case here—these statements are forwarded to the CRC and, when sent back to the institution, maintained by the warden of the institution in the same secure location as the crime scene photographs. Finally, once the CRC has received the legal materials that include the photographs and bank statements, it has 60 days from receipt of the materials to render a decision as to what documents the inmate is permitted to receive.

Here, the CRC received the materials on August 30, 2013, and the committee approved the materials on October 21, 2013, with two exceptions pursuant to SCDC Policy PS-10 08: (1) personal information was redacted, and (2) crime scene photographs and bank statements were removed and sent to the warden for safekeeping. On May 28, 2014, I asked Angela Hardin, the Department's Mailroom Coordinator, to provide me with exactly where these photographs and bank statements are presently being kept. She replied with the following:

The above inmate's crime scene photos (3 photos) and bank statements (showing debits from an account) are in the Warden's Area. Per Ms. Booser, [the warden's administrative assistant] she does not recall this inmate ever asking to review them, only asked where they would be stored when they were returned from the CRC.

Additionally, I have attached a copy of the CRC's October 21, 2013 approval of the materials, with the notes indicating that "personal information [was] redacted" and that "crime scene photos [were] separated and bank statements [were put with] crime scene [photos] "Exhibit "A". As the documentation shows, the CRC approved the legal materials on October 21, 2013. Id. These materials were sent back to the institution and received by Mr. Fullbright at approximately 10:53 a.m. on October 24, 2013. Exhibit "B".

To be sure, the Department acknowledges the importance of an inmate's ability to timely communicate with the courts.

PS-10 08, § 6 1 13 provides

Inmates will be prohibited from maintaining possession of any financial statements that show a balance of funds and/or provide information on financial assets that may be available to the inmate (bank deposit books, checking, savings, or other fund statements, credit reports, except for E. H. Cooper statements, and year-end statements for the purpose of filing tax returns, etc.)

PS-10 08, § 19 4 provides

Upon receipt, the CRC will have 60 working days to review the correspondence.

Nevertheless, it is incumbent upon the inmate and the inmate's attorney (in this case, Scott D. Robinson, Esquire) to communicate as to those materials that are permitted and those that are prohibited. In the case of the latter, the inmate and inmate's counsel must bear in mind SCDC's policies and delays in processing of certain mail when attempting to coordinate filings in active court cases.

I hope that this letter has fulfilled the Court's Order and has answered any questions about this case that the Court may have. If there is any additional information the Court would like, I will be happy to provide that information upon request. I am copying Mr. Fullbright on this letter so he can maintain a copy for his records in the event that this issue or a similar one arises in the future.

Respectfully,



Daniel J. Crooks III
Staff Attorney

Cc: Matthew Fullbright, #349468, Lieber CI
Ann Hallman, Chief, Inmate Grievance
Angela Hardin, Agency Mailroom Coordinator
ALC File

DIVISION OF INMATE SERVICES

NOTICE TO WITHHOLD INCOMING/OUTGOING CORRESPONDENCE AND DISPOSITION OF CORRESPONDENCE

INMATE NAME	SCDC#	DATE
-------------	-------	------

This notice is to advise you that you have received/attempted to send correspondence to/from _____ which contained _____

This is deemed questionable and requires further review by the Correspondence Review Committee (CRC) pursuant to SCDC Policy PS-10 08, "Inmate Correspondence Privileges" The Committee has 60 days (excluding weekends and holidays) to advise you of the decision

DIS)

Personal information redacted
Crime scene photos
Separate & out
Bank statements w/
one in

Yes

Yes

that the Correspondence Review Committee (CRC) has following correspondence. _____

g returned to sender at your expense by using "Debit E H Cooper Account" (Attached)

nds in your E H Cooper Trust Account to cover the correspondence You have 30 days to advise the funds or provide a pre-paid envelope If funds are not ondence will be disposed of pursuant to SCDC Policy ed Inmate Property and Disposition of Unauthorized

RECEIVED

AUG 30 2013

GENERAL COUNSEL

Postal Director/Staff/Designee

Institution

White - Inmate
 Canary - Mailroom
 Pink - CRC/Sender/Property Control

APPROVED
 OCT 21 2013
 SCDC CORRESPONDENCE REVIEW COMMITTEE

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
 DIVISION OF INMATE SERVICES

Exhibit "B"

NOTICE TO WITHHOLD INCOMING/OUTGOING CORRESPONDENCE
 AND
 DISPOSITION OF CORRESPONDENCE

INMATE NAME	SCDC #	DATE
-------------	--------	------

This notice is to advise you that you have received/attempted to send correspondence to/from _____ which contained _____

This is deemed questionable and requires further review by the Correspondence Review Committee (CRC) pursuant to SCDC Policy PS-10 08, "Inmate Correspondence Privileges". The Committee has 60 days (excluding weekends)

APPROX 10 53/2m

To Pick up his legal mail from the CRC Oct 24, 2013

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
 Operations

ORDER TO REPORT

SCDC #	Name	Area
		E.B. 56
REPORT TO _____ AT _____		
Bring All Belongings <input type="checkbox"/> Bring State Clothing <input type="checkbox"/> Bring Nothing <input type="checkbox"/>		
Date	Signed	
Date	Inmate's Signature	
Date	Staff Member's Signature	

SCDC 19-45 (Rev August 1997)

CRC Security/Property Control

SCDC Form 10 6 (January 2005)

RECEIVED

OCT 23 2013

OCT 23 2013

MAINTAINING CRIME SCENE PHOTOS AND/OR AUTOPSY PHOTOS

RECEIVED
OCT 28 2013
MAIL ROOM
LIEBER C.I.

ROOM MAIL ROOM
LIEBER C.I.

LEGAL MATERIALS CONTAINING CRIME SCENE AND/OR AUTOPSY PHOTOS WILL BE REVIEWED THROUGH THE CORRESPONDENCE REVIEW COMMITTEE (CRC) PROCESS

-ANY CRIME SCENE PHOTOS AND/OR AUTOPSY PHOTOS WILL BE SEPARATED FROM THE REST OF LEGAL MATERIAL BY THE CRC AND DENOTED AS SUCH THE PACKAGE OF LEGAL MATERIAL WILL THEN BE SENT TO THE INSTITUTION TO THE ATTENTION OF THE WARDEN

-UPON ARRIVAL AT THE INSTITUTION, THE WARDEN WILL ENSURE THAT THE DENOTED MATERIAL IS REMOVED FROM THE PACKAGE AND SECURED IN SUCH A WAY AS TO ENSURE CONFIDENTIALITY (IN PROPERTY CONTROL, WARDEN'S SAFE, ETC). *****NOTE: THE MATERIAL SHOULD NOT BE MAINTAINED IN THE INMATE RECORD.***** THE WARDEN WILL ENSURE THAT A PROCESS IS IN PLACE THAT ALLOWS THE INMATE TO REQUEST ACCESS TO THE MATERIAL. THE INMATE SHOULD REVIEW THE MATERIAL IN A CONTROLLED ENVIRONMENT AND IT SHOULD BE RETURNED INTACT.

-IF THE INMATE IS TRANSFERRED TO ANOTHER INSTITUTION, THE MATERIAL WILL BE SECURED WITH THE INMATE'S PROPERTY AND TRANSFERRED WITH THE INMATE. IT SHOULD BE CLEARLY MARKED SO THAT THE RECEIVING INSTITUTION CAN ACT ACCORDINGLY. IF THE INMATE IS RELEASED/PAROLED, THE MATERIAL SHOULD THEN BE GIVEN TO HIM/HER.

Inmate Fullbright the ID-6 Dated August 20, 2013 was approved by the CRC w. th stipulation. Please be advice ~~redacted~~ personal information and other was redacted.

Matthew Fullbright

349468

The Crime Scene photos were separated and the bank statement were placed with the Crime Scene photos because of Policy 6.1.13 photos and Bank statement Crime Scene have been forwarded to Warden Office Oct 23, 2013.

APPROVED

OCT 21 2013

SCDC CORRESPONDENCE REVIEW COMMITTEE

THE STATE OF SOUTH CAROLINA

Administrative Law Court

The Honorable Carolyn C. Matthews,

Panel No. 13-ALJ-04-0126-AP

CERTIFICATE OF SERVICE

I certify that I've sent all enclosed (request for a stamped copy of all documents and papers on record), via mail, on the date below to these last known addresses:

1) Honorable Carolyn C. Matthews
Administrative Law Court
Edger A. Brown Bldg, Suite 224
1205 Pendleton Street
Columbia, South Carolina 29201

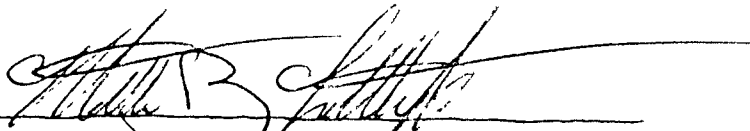
Office of General Counsel
2) SCDC Headquarters
4444 Broad River Rd
Columbia, S.C. 29221

3) Wanda M. Shearer, P.O. A.
P.O. Box 212243
Columbia, S.C. 29211

4) Marshall H. Fullbright
106 Dogwood Dr.
Belton, S.C. 29617

O. on 10, June 2014.

By:



Matthew B. Fullbright, Appellant, Pro Persona

- CDC # 344462

Lieber Correctional Institution, Dorris - Edisto B-56

P.O. Box 205

Indeaville, S.C. 29472

Page Three ;

(b) This Court wishes that Ann Hallman review the RTS/G and "determine what papers and discovery Appellant is entitled to" (ORDER OF REMAND, Carolyn C Matthews, 21 May 2014, Page Two.) which is exactly what SCDC wanted, as in "(a)" above.

(c) SCDC refuses to comply with the 21 May 2014 Order. The same SCDC Staff Attorney, Daniel Crooks, who said that Ms. Hallman never had her opportunity to review the RTS/G, now, has changed positions.

SCDC now says that "because the documents were sent directly to the Department's Correspondence Review Committee ("CRC"), Ms. Hallman was not privy to the contents of the mailing Mr. Fullbright received." (In SCDC's Reply to the The 21 May 2014 Order.)

The issue, and what this Court ordered, has nothing to do with Ms. Hallman being privy to the contents, but Ms. Hallman reviewing the RTS/Grievances themselves and "DETERMINE WHAT MR. FULLBRIGHT IS ENTITLED TO."

Besides, just as Daniel Crooks noted, it was SCDC's CRC which BECAME PRIVY TO MY ATTORNEY/CLIENT PRIVILEGED LEGAL MAIL/DISCOVERY.

To clarify: Ms. Ann Hallman should review the grievances applicable to this appeal, and, if she applies the S.C. and U.S. Constitutions and U.S. Supreme Court Precedence/Dictum, and realizes that

(a) SCDC seized my legal discovery illegally, that is, against the laws and cases that govern these issues and actions in this appeal;

(b) SCDC seized my legal discovery against and in violation of its own policy, and utilized "forms" not prescribed admini-

illustration, or found anywhere in policy,

(4) that although Appellant's PERSONAL SAFETY is not an issue on this appeal, what applies and has applied from the beginning of this appeal as per SCDC's own definition of an Emergency Grievance (obviously best cited with bold emphasized words applicable) is the following:

SCDC Policy GA-01.12 "INMATE GRIEVANCE SYSTEM"

§ 19. DEFINITIONS:

"EMERGENCY GRIEVANCE: REFERS TO ANY COMPLAINT WHICH, IF HANDLED ACCORDING TO THE REGULAR TIME LIMITS WOULD SUBJECT AN INMATE TO SUBSTANTIAL RISK OF personal injury OR TO OTHER SERIOUS HARM."

So, clearly harm, other than PERSONAL INJURY can constitute an emergency. SCDC, once again, missing the obvious.

II. SCDC has quoted policy which either doesn't exist or is restricted, but either way is irrelevant in light of the fact that the language of the policy in question (PS-10.08 § 19.1.9, below) is unconstitutional and flows through and administered by administratively unrecognizable documentation.

In Footnote one of SCDC's 28 May 2014 reply letter to this Court's 21 May 2014 ORDER OF REMAND, a section of SCDC policy is quoted: "PS-10.08 § 19.1.9" and then lays out the procedure to be followed in dealing with "crime scene photos."

Upon closer look, the alleged "policy" is simply the language (exact) of the "photos form" submitted in Appellant's 15 February 2014 designation of matter to be included in the record on appeal, and

"Exhibit F." As Applicant was advised throughout this appeal, SCDC relied on this document, with no SCDC Form Number on it, it therefore cannot be legally utilized to administer Policy.

Although I included SCDC Policy PS-10.08 "INMATE CORRESPONDENCE PRIVILEGES" as my "Exhibit J," I now have enclosed the exact page of this policy on which is shown PS-10.08 § 19.1.9 does not exist, and I've enclosed an affidavit of law library employee Terry L. Horte, SCDC# 120283 substantiating — in his more than 12 year Lieber C.I. law library experience — that PS-10.08 § 19.1.9. cannot be found in our law library.

Not can my family or friends find it online on SCDC's official website, or any other internet page. What we all do see there, is that legal mail, cannot be illegally seized, redacted, censored, outside of the inmates presence, as was done in my case — infringing on my state-created property AND liberty interests.

- Is Your Honor going to let SCDC construe the 21 May 2014 ORDER TO REMAIN other than what was clearly ordered?

SCDC wanted Ann Hallman to read the grievances, to have that chance, to decide whether to re-open the issues in the grievance, IT'S WRITTEN RIGHT THERE IN SCDC'S April 3, 2014 "Respondent's Second Motion to Dismiss," written by Daniel Crooks, SCDC Staff Attorney, on Page 3, it says:

"As this Court is aware, the purpose of allowing Ann Hallman, Inmate Grievance Branch Chief, to review the unexpressing of a grievance is to allow her to evaluate whether unique circumstances exist such that

the unprocessed grievance should be re-opened and processed.

Yet Now - the very same Daniel Crooks, SCDC Staff Attorney - in SCDC's reply to this Court's Order to have Ann Hallman do what is stated directly above, SCDC writes.

"Ms Hallman was not privy to the contents of the mailing Mr. Fullbright received. Therefore, I have construed the Court's Order as one requiring the Department to respond."

Is that what was ordered by this Court? Is it about Ann Hallman determining what I'm entitled to, as this court Ordered, or is it about Ann Hallman going through the documents themselves and "becoming privy" to its contents?

Its an obvious direct refusal to comply with this Court's Order!

Based upon my need to now involve attorneys and family and other parts of our Nation's Government, on my need to remedy this and further appeal, I need to have this resolved, I need the relief I seek, I ask you to make SCDC give me the relief I seek, ORDER it with a COURT ORDER Your Honor, Send people here if need be.

wronged,
vigilant,

Date: 8 June 2014



Matthew B. Fullbright
Appellant, Pro-Persona,
SCDC #349468

Ridgeville, S.C.

DECLARATION OF TERRY LEE HUTTO #120283

I, Terry Lee Hutto, #120283, do hereby declare that the following facts are true and correct under the penalty of perjury, S.C. Code Ann. §16-9-10(A)(2) and 28 U.S.C. §1746 (unsworn declaration under penalty of perjury, to wit:

- 1) That I am an inmate confined within the South Carolina Dept of Corrections ("SCDC") and incarcerated at the Lieber Correctional Institution ("LCI") in Ridgeville, South Carolina.
- 2) That I am not a party to action.
- 3) That I freely give, render and make this "Declaration," and that it cannot benefit me in any way.
- 4) That I am a law clerk in the LCI Law Library.
- 5) That inmate Michael Fullbright came to the LCI law library at approximately 7:10 a.m. on June 06, 2014, and inquired as to an SCDC Policy "PS-10.08, §19.1.9" ("Crime Scene Photos.")
- 6) I then informed inmate Fullbright that I was familiar with SCDC Policy, PS-10.08 "INMATE CORRESPONDENCE PRIVILEGES" dated May 01, 2008, with (a) change 1, dated May 01, 2008 and dated with an actual date of October 09, 2008 that changed page #3, paragraph 4.2.1; (b) Change 2, dated May 24, 2012, that added 9.5; 9.5.2; 9.5.3; 9.5.3.1; and 9.5.3.2 and 9.6 in section 9. "PUBLICATIONS." But, that I WAS NOT familiar with a Policy "PS-10.08, §19.1.9" that the "PS-10.08 stopped at §19.3 in the policies on file for inmate review in the LCI law library. [that PS-10.08 has an Attachment "A" and "B"].
- 7) ^{12/14} I also informed inmate Fullbright that there was a June 07, 2013 revision to Policy "PS-10.08, to be enforced beginning at or on July 01, 2013, and that it was signed by Ms. Maria Leiggins, Institutional Mailroom Coordinator with copies to the following SCDC personnel: (a) Mr. Ward - Deputy Director for Operations; (b) All Regional Directors - office of Deputy Director for Operations; (c) Mr. Tatarsky - General Counsel; (d) All Warden;

721H

Declaration of Terry Lee Hutto #120203

June 05, 2014

Page 2 of 2 721H

(c) All Associate Warden; (f) All Postal Director; and (g) file.

8) That Policy "PS-10.08" revised on June 07, 2013, and signed by Ms. Leggins did not appear to comport with Policy GA-01.01 "Policies, Procedures and Forms" dated October 01, 2007, specifically with §1, "Agency Director only one authorized to change policy."

9) That I searched every policy - "PS-10.08" within the LCI law library from approximately 7:30 a.m. to 9:00 a.m. and did ~~not~~ 721H not find a §19.1.9 in the law library.

10) Inmate Fullbright gave/showed me ^{721H} a paper titled "PROCEDURES FOR MAINTAINING CRIME ^{SCENE} AND/OR AUTOPSY PHOTOS ~~AND/OR 721H~~ - I searched for this form to no avail nor any reference to it in the policies currently available for review to inmates.

11) I previously requested an "SCDC form #" for "PROCEDURES FOR MAINTAINING CRIME SCENE AND/OR AUTOPSY PHOTOS" but never received a response but as it turned out I did not have crime scene photos in my last correspondence.

By my signature below, I declare under the penalty of perjury (§16-9-10(A)(2) of the S.C. Code Ann. and 28 U.S.C. §1746), that the above stated facts are true and correct.

GIVEN on this 5th day of June, 2014.

Terry Lee Hutto

Terry Lee Hutto #120203
Lieber Corr. Inst. Stono B-13
PO Box 205
Ridgeville, S.C. 29472

IN THE STATE OF SOUTH CAROLINA

Administrative Law Court

The Honorable Carolyn C. Matthews

Docket No 13-ALJ-04-0926-AP

CERTIFICATE OF SERVICE

I certify that I've sent all enclosed (request for a stamped copy of all documents and papers on record), via mail, on the date below, to these last known addresses:

1) Honorable Carolyn C. Matthews
Administrative Law Court
Edgar A. Brown Bldg, Suite 224
1205 Pendleton Street
Columbia, South Carolina 29201

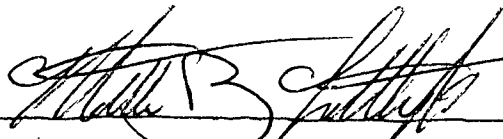
Office of General Counsel
2) SCDC Headquarters
4444 Broad River Rd.
Columbia, S.C. 29221

3) Wanda M. Shearer, P.O. A.
P.O. Box 212243
Columbia, S.C. 29211

4) Marshall H. Fullbright
106 Dogwood Dr.
Belton, S.C. 29627

On 10, June 2014,

By:



Matthew B. Fullbright, Appellant, Pro Persona

SCDC # 344462,

Lieber Correctional Institution, Dorris - Edisto - B-56

P.O. Box 205

Bridgeville, S.C. 29472

Page Three.)

(b) This Court Ordered that Ann Hallman review the RTS/G and "determine what papers and discovery Appellant is entitled to."

(ORDER OF REMAND, Carolyn C. Matthews, 21 May 2014, Page Two.)
which is exactly what SCDC wanted, as in "(a)" above.

(c) SCDC refuses, to comply with the 21 May 2014 Order. The same SCDC Staff Attorney, Daniel Crooks, who said that Ms. Hallman never had her opportunity to review the RTS/G, now, has changed positions.

SCDC now says that "because the documents were sent directly to the Department's Correspondence Review Committee ("CRC"), Ms. Hallman was not privy to the contents of the mailing Ms. Fullbright received." (In SCDC's Reply to the The 21 May 2014 Order.)

The issue, and what this Court ordered, has nothing to do with Ms. Hallman being privy to the contents, but Ms. Hallman reviewing the RTS/Grievances themselves and "DETERMINE WHAT MR. FULLBRIGHT IS ENTITLED TO."

Besides, just as Daniel Crooks noted, it was SCDC's CRC which BECAME PRIVY TO MY ATTORNEY/CLIENT PRIVILEGED LEGAL MAIL/DISCOVERY.

To clarify: Ms. Ann Hallman should review the grievances applicable to this appeal, and, if she applies the S.C. and U.S. Constitutions and U.S. Supreme Court Precedence/Dictum, and realizes that

(a) SCDC seized my legal discovery illegally, that is, against the laws and cases that govern these issues and actions in this appeal;

(b) SCDC seized my legal discovery against and in violation of its own policy, and utilized "Forms" not prescribed admin-

istratively, or found anywhere in policy;

(c) that although Appellant's PERSONAL SAFETY is not an issue on this appeal, what applies and has applied from the beginning of this appeal as per SCDC's own definition of an Emergency Grievance (obviously best cited with bold emphasised words applicable) is the following:

SCDC Policy GA-01.12 "INMATE GRIEVANCE SYSTEM"

§ 19. DEFINITIONS:

"EMERGENCY GRIEVANCE: REFERS TO ANY COMPLAINT WHICH, IF HANDLED ACCORDING TO THE REGULAR TIME LIMITS WOULD SUBJECT AN INMATE TO SUBSTANTIAL RISK OF personal injury OR TO OTHER SERIOUS HARM."

So, clearly harm, other than PERSONAL INJURY can constitute an emergency. SCDC, once again, missing the obvious.

II. SCDC has quoted policy which either doesn't exist or is restricted, but either way is irrelevant in light of the fact that the language of the policy in question (PS-10.08 § 19.1.9, below) is unconstitutional and flows through and administered by administratively unrecognizable documentation.

In Footnote one of SCDC's 28 May 2014 reply letter to this Court's 21 May 2014 ORDER OF REMAND, a section of SCDC policy is quoted: "PS-10.08 § 19.1.9" and then lays out the procedure to be followed in dealing with "crime scene photos."

Upon closer look, the alleged "policy" is simply the language (exact) of the "photos form" submitted in Appellant's 15 February 2014 designation of matter to be included in the record on appeal, and

is "Exhibit F." As Appellant has stressed throughout this appeal, SCDC relied on this document, with no SCDC Form Number on it, it therefore cannot be legally utilized to administer policy.

Although I included SCDC Policy PS-10.08 "INMATE CORRESPONDENCE PRIVILEGES" as my "Exhibit J," I now have enclosed the exact page of this policy on which is shown PS-10.08 § 19.1.9 does not exist, and I've enclosed an affidavit of law library employee Terry L. Hurto, SCDC# 120283 substantiating — in his more than 12 year Lieber C.I. law library experience — that PS-10.08 § 19.1.9. cannot be found in our law library.

Not can my Family or Friends find it online on SCDC's official website, or any other internet page. What we all do see there, is that legal mail, cannot be illegally seized, redacted, censored, outside of the inmates presence, as was done in my case — infringing on my state-created property AND liberty interests.

Is Your Honor going to let SCDC construe the 21 May 2014 ORDER TO REMAND other than what was clearly ordered?

SCDC wanted Ann Hallman to read the grievances, to have that chance, to decide whether to re-open the issues in the grievance, IT'S WRITTEN RIGHT THERE IN SCDC'S April 3, 2014 "Respondent's Second Motion to Dismiss," written by Daniel Crooks, SCDC Staff Attorney, on Page 3, it says:

"As this Court is aware, the purpose of allowing Ann Hallman, Inmate Grievance Branch Chief, to review the unprocessed of a grievance is to allow her to evaluate whether unique circumstances exist such that

the unprocessed grievance should be re-opened and processed."

Yet Now - the very same Daniel Crooks, SCDC Staff Attorney - in SCDC's reply to this Court's Order to have Ann Hallman do what is stated directly above, SCDC writes:

"Ms. Hallman was not privy to the contents of the mailing Mr. Fullbright received. Therefore, I have construed the Court's Order as one requiring the Department to respond."

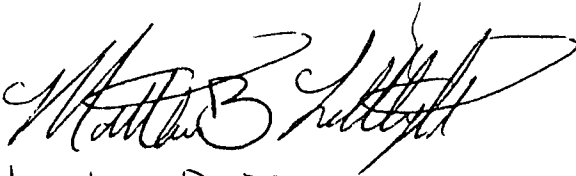
Is that what was ordered by this Court? Is it about Ann Hallman determining what I'm entitled to, as this court Ordered, or is it about Ann Hallman going through the documents themselves and "becoming privy" to its contents?

Its an obvious direct refusal to comply with this Court's Order!

Based upon my need to now involve attorneys and family and other parts of our Nation's Government, on my need to remedy this and further appeal, I need to have this resolved, I need the relief I seek, I ask you to make SCDC give me the relief I seek, ORDER it with a COURT ORDER Your Honor, Send people here if need be.

wronged,
vigilant,

Date: 8 June 2014

s/ 
Matthew B. Fullbright
Appellant, Pro-Persona,
SCDC #349468

Ridgeville, S.C.

DECLARATION OF TERRY LEE HUTTO #120283

I, Terry Lee Hutto, #120283, do hereby declare that the following facts are true and correct under the penalty of perjury, S.C. Code Ann. §16-9-10(A)(2) and 28 U.S.C. §1746 (unsworn declaration under penalty of perjury, to wit:

- 1) That I am an inmate confined within the South Carolina Dept of Corrections ("SCDC") and incarcerated at the Lieber Correctional Institution ("LCI") in Ridgeville, South Carolina.
- 2) That I am not a party to action.
- 3) That I freely give, render and make this "Declaration"; and that it cannot benefit me in any way.
- 4) That I am a law clerk in the LCI Law Library.
- 5) That inmate Michael Fullbright came to the LCI law library at approximately 7:10 a.m. on June 06, 2014, and inquired as to an SCDC Policy "PS-10.08, §19.1.9" ("Crime Scene Photos.")
- 6) I then informed inmate Fullbright that I was familiar with SCDC Policy, PS-10.08 "INMATE CORRESPONDENCE PRIVILEGES" dated May 01, 2008, with (a) change 1, dated May 01, 2008 and dated with an actual date of October 09, 2008 that changed page #3, paragraph 4.2.1; (b) Change 2, dated May 24, 2012, that added 9.5; 9.5.2; 9.5.3; 9.5.3.1; and 9.5.3.2 and 9.6 in section 9. "PUBLICATIONS." But, that I WAS NOT familiar with a Policy "PS-10.08, §19.1.9" that the "PS-10.08 stopped at §19.3 in the policies on file for inmate review in the LCI law library. [that PS-10.08 has an Attachment "A" and "B"].
- 7) ^{12/14} I also informed inmate Fullbright that there was a June 07, 2013 revision to Policy "PS-10.08, to be enforced beginning at or on July 01, 2013, and that it was signed by Ms. Maris Leiggins, Institutional Mailroom Coordinator with copies to the following SCDC personnel: (a) Mr. Ward - Deputy Director for Operations; (b) All Regional Directors - Office of Deputy Director for Operations; (c) Mr. Tatarsky - General Counsel; (d) All Warden;

1214

Declaration of Terry Lee Hutto #120283

June 05, 2014

Page 2 of 2 1214

(e) All Associate Warden's; (f) All Postal Directors; and (g) file.

8) That Policy "PS-10.08" revised on June 07, 2013, and signed by Ms. Leggins did not appear to comport with Policy GA-01.01 "Policies, Procedures and Forms" dated October 01, 2007, specifically with §1, "Agency Director only one authorized to change policy."

9) That I searched every policy - "PS-10.08" within the LCI law library from approximately 7:30 a.m. to 9:00 a.m. and did ~~not~~ 1214 not find a §19.1.9 in the law library.

10) Inmate Fullbright gave/showed me ¹²¹⁴ a paper titled "PROCEDURES FOR MAINTAINING CRIME SCENE AND/OR AUTOPSY PHOTOS ~~AND/OR 1214~~" - I searched for this form to no avail nor any reference to it in the policies currently available for review to inmates.

11) I previously requested an "SCDC form #" for "PROCEDURES FOR MAINTAINING CRIME SCENE AND/OR AUTOPSY PHOTOS" but never received a response but as it turned out I did not have crime scene photos in my last correspondence.

By my signature below, I declare under the penalty of perjury (§16-9-10(A)(2) of the S.C. Code Ann. and 28 U.S.C. §1746), that the above stated facts are true and correct.

GIVEN on this 5th day of June, 2014.

Terry Lee Hutto
Terry Lee Hutto #120283
Lieber Corr. Inst. Stone B-13
P.O. Box 205
Ridgeville, S.C. 29472

Administrative Law Court

Carolyn C. Matthews
Administrative Law Judge

PHONE: (803) 734-0550
FAX: (803) 734-6400
WEB: WWW.SCALC.SCI

July 7, 2014

Mr. Matthew Fullbright
Lieber Correctional Institution
135 Wilborn Avenue, P O Box 205
Ridgeville, SC 29472

Re Matthew Fullbright v. South Carolina Department of Corrections
Docket No. 13-ALJ-04-0926-AP

Dear Mr. Fullbright:

The Court did receive your June 10, 2014 Motion, which requested the Administrative Law Court to force the South Carolina Department of Corrections to comply with the Order of Remand dated May 21, 2014. This Court no longer has jurisdiction over this matter. Further, it is the Court's understanding that the South Carolina Department of Corrections has provided you with all the legal materials you requested except for crime scene photographs and bank statements, which are not allowed in the possession of the inmate. However, an inmate is allowed to request access to the material and be able to review the material.

The Court recognizes your need to have access to all of your legal material to perfect your appeal with the South Carolina Court of Appeals. While you may not have possession of everything, you do have access to all of your legal material.

Sincerely,



The Honorable Carolyn C. Matthews

Enclosure

cc: Daniel J. Crooks, III, Esquire

Administrative Law Court

Carolyn C. Matthews
Administrative Law Judge



PHONE: (803) 734-0550
FAX: (803) 734-6400
WEB: WWW.SCALC.NET

July 7, 2014

Mr Matthew Fullbright
Lieber Correctional Institution
135 Wilborn Avenue, P O Box 205
Ridgeville, SC 29472

Re: Matthew Fullbright v. South Carolina Department of Corrections
Docket No. 13-ALJ-04-0926-AP

Dear Mr. Fullbright

The Court did receive your June 10, 2014 Motion, which requested the Administrative Law Court to force the South Carolina Department of Corrections to comply with the Order of Remand dated May 21, 2014. This Court no longer has jurisdiction over this matter. Further, it is the Court's understanding that the South Carolina Department of Corrections has provided you with all the legal materials you requested except for crime scene photographs and bank statements, which are not allowed in the possession of the inmate. However, an inmate is allowed to request access to the material and be able to review the material.

The Court recognizes your need to have access to all of your legal material to perfect your appeal with the South Carolina Court of Appeals. While you may not have possession of everything, you do have access to all of your legal material.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carolyn C. Matthews".

The Honorable Carolyn C. Matthews

Enclosure

cc: Daniel J Crooks, III, Esquire



South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS CLERK
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

SC 2507
08/06/2014
FIRST CLASS MAIL

Hasler
08/06/2014
US POSTAGE

FIRST-CLASS MAIL
\$00.48⁰



ZIP 29201
011D12602624

RECEIVED

AUG 07 2014

WARDEN'S OFFICE
LIEBER C. I.

MATTHEW B FULLBRIGHT, 349468
LIEBER CORRECTIONAL INSTITUTION
P O. BOX 205
RIDGEVILLE SC 29472

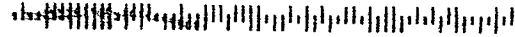
EB

*Signed for by me, the
undersigned on AUG 11, 2014,*

Matthew B. Fullbright,

[Handwritten signature]

29472020505



IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

PROOF OF SERVICE

Appellant Case No. 2014-001684

RECEIVED

AUG 18 2014

SC Court of Appeals

I certify that I have served, on the below date, on the below parties, copies of all enclosed, and that I have paid the \$100 filing fee - subject to be delivered to this court by SCDC - and I am the undersigned,

SCDC Office of General Counsel
4444 Broad River Rd.
Columbia, S.C. 29221

Marshall H. Fullbright (P.O.A.)
106 Blair Mill Rd.
Belton, S.C. 29627

on this 13th day of August, 2014

Sl. Matthew B. Fullbright

Matthew B. Fullbright, SCDC 349468

Lieber Corr. Inst., Room E-B-56

P.O. Box 205

Ridgeville, S.C. 29472

APPELLANT, PRO. SE

Clerk of Court
S.C. Court of Appeals
1015 Sumter St.
Columbia, S.C. 29201

Date: 12 August 2014

RECEIVED

AUG 18 2014
SC Court of Appeals

Re: Matthew B. Fullbright v. SCDC; Appellate Case No. 2014-001684

Dear Clerk:

Enclosed you will find a copy of your letter addressing the deficiencies of:

- \$100 Filing fee; and
- providing this court with a copy of the final order/decisions from the S.C. ALC/Lower court.

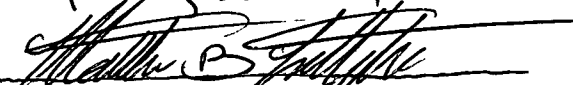
Pertaining to the \$100 filing fee, I have written, signed, and sent a check for \$100 payable to the S.C. Court of Appeals. (NOTE: Any delay experienced in this court receiving the \$100 filing fee is not caused by appellant, SCDC is in control of the mailing of the \$100 filing fee, not appellant.)

Pertaining to the final orders and decisions, find enclosed the following:

1. ORDER OF REMAND - dated May 21, 2014 (2 pgs.);
2. SCDC's reply to the REMAND - dated May 28, 2014 (6 pgs.);
3. Appellant's MOTION TO COMPEL (ORDER) - dated June 10, 2014 (8 pgs.); and
4. Final letter (decision) from ALJ, Cathryn C. Matthews - dated July 7, 2014 (1 pg.).

I have enclosed an additional copy of 1., 2., 3., and 4. above and ask that you "clock-in" those copies and send them back to my for my records.

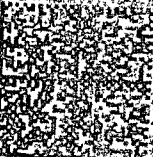
Respectfully Submitted,


Matthew B. Fullbright, SCDC # 349468
Lieber Corr. Inst., Dorm: E-B-56
P.O. Box 205
Ridgeway, S.C. 29472
APPELLANT, PRO-SE

CC: SCDC Office of
General Counsel,
File,
Family

Lieber Correctional Institution Donm. Edisto - B-56
P.O. Box 205
Ridgeville, S.C. 29472

FIRST CLASS



UNITED STATES MAIL
0.20
00
MA

RECEIVED

AUG 14 2014

MAILROOM
LIEBER CI

South Carolina Court of Appeals
1015 Sumter Street
Columbia, S.C. 29201

RECEIVED

AUG 14 2014

SC COURT OF APPEALS