

Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

Date: 27 August 2014

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

RECEIVED

SEP 02 2014

SC Court of Appeals

Dear Clerk of Court:

I have not received any confirmation on the notice of appeal (Case No. above).


I sent the \$100.00 Filing Fee on 14 August 2014 and have enclosed a copy of that receipt. I have also enclosed a copy of all final orders (again) and my last attempt to send these to you by letter (dated 12 August 2014).

I was informed (in front of witnesses) by the mailroom staff that I cannot send a check "of any kind" to "any P.O. Box," and was instructed to send the \$100.00 Filing Fee and appropriate correspondence to the Sumter Street location.

Please inform me of the status of this appeal.

I have enclosed a copy of all enclosed, would you please "stamp/date" them and return them to me for my records? Please, as I'm having much trouble with my mail here at Lieber Correctional Institution.
Thank You,

Yours Truly,


Matthew B. Fullbright
#349468
Appellant, Pro Se


NOTE I received two pieces of legal mail on 11 August 2014 at the same time, both were dated August 06, 2014. One was from my appellate attorney notifying me that an oral argument is scheduled for appellate case no. 2012-207553 at the Sumter Street location, the other letter was from the Clerk of Court, S.C. Court of Appeals notifying me of the final order(s)/judgment(s) and \$100.00 Filing Fee deficiencies. M.B.F.

To Clerk of Court of the South Carolina Court of Appeals:

The enclosed cover letter dated 27 August 2014 also requests humbly that this Court to please stamp and return a courtesy copy of all enclosed, I am, and have had severe trouble, delays, and other problems with my incoming and outgoing legal mail, which is the very reason for appellate Case No. 2014 - 001684

For your aid, to ensure accuracy, here is a list of every item enclosed:

1. This Itemized list, . pg. , 28 August 2014
2. Cover Letter , 1 pg. , 27 August 2014
3. Affidavit , 6 pgs. , 28 August 2014
4. Certificate (Proof) , 1 pg. , 28 August 2014
5. ORDER, REMAND , 2 pgs. , 21 May 2014
6. Letter, SCOC , 6 pgs. , 28 May 2014
7. Letter, Motion, From Appellant, including 10 June Certificate (Proof), and affidavit of Terry L. Hurto , 10 pgs. , 10 June 2014
8. Letter, Appellant , 3 pgs. , 26 June 2014
9. Letter, ALC , 1 pg. , 7 July 2014
10. Copy of Envelope , 1 pg. , 11 August 2014
11. Letter, Appellant , 2 pgs. , 13 August 2014
12. Copy of Receipt , 1 pg. , 14 August 2014


Matthew B. Fullbright
Ridgeville, S.C. 29472,

28 August 2014

Affidavit of Matthew B. Fullbright on 27 August 2014.

I, Matthew B. Fullbright, SCDC # 349468, the undersigned, swear under the penalty of perjury, the foregoing is true and correct:

1. At all times herein mentioned, I am incarcerated at Lieber Correctional Institution ("L.C.I.");
2. I am currently on Direct Appeal, Susan B. Hackett, Esq. representing which is Appellate Case No. 2012-207553 ("Appeal; 2012");
3. The record on appeal in Appeal; 2012 is incomplete and also inaccurate;
4. I have provided my appellate attorney, Susan B. Hackett, Esq. (Ms. Hackett) with multiple affidavits, discrepancies in 'missing time' from the Court Reporter's notes, as well as the affiants attempting to contact Ms. Hackett regarding my testimony from a Jackson v. Denno Hearing, held on 17 November 2011, before the Honorable Judge Lawton R. McIntosh, in Anderson County; the testimony has been completely removed from record;
5. The testimony in 4. above regards the Sheriff of Anderson County placing his knee in my chest while I was in the floor of an interrogation room surrounded by Anderson County Sheriff's Deputies on the night of 28 October 2009, several witnesses were present at the Jackson v. Denno Hearing ("Denno") and have verified and sworn under oath, that in fact I did testify at the Denno and that the testimony has been arbitrarily removed;

6. Ms. Hackett contacted my counsel at the Denno, Scott D. Robinson, Esq. by phone to inquire whether I testified or not, as Ms. Hackett's correspondence reveals, there were several attempts to contact Scott D. Robinson ("Mr. Robinson"), and, without answering Ms. Hackett by letter, or checking the file, Mr. Robinson didn't "recall that Mr. Fullbright testified at the Denno."

7. I have requested of Ms. Hackett to obtain a letter from Mr. Robinson, and to attempt a prima facie showing to the court in order to obtain leave to reconstruct the portions removed from the Denno hearing, she has refused;

8. Appeal; 2012 is scheduled for oral argument on 10 September 2014 at 10 a.m. in courtroom #1, S.C. Court of Appeals;

9. ALL OF THE ABOVE NOW TIES IN TO CURRENT MATTERS BELOW:

10. As well as an incomplete record, inaccuracies in the record of Appeal; 2012, there are other meritorious issues, etc. which relate to Appeal; 2012;

11. In order to aid Ms. Hackett, not sleep on my rights, perfect my appeal regarding Appeal; 2012, I have been overly diligent to obtain a complete copy of my discovery from Mr. Robinson, said discovery which would contain Mr. Robinson's working file, my working file, attorney notes, and other proof that I testified at the Denno;

12. Said discovery would also contain potential evidence regarding pending charges in Anderson County against me; SLED reports, evidentiary photographs, privileged correspondence, etc.;
13. After several attempts by my family, friends, and myself, after discovering Matter of Haddock, 321 S.E.2d 601 S.C.(1984) after writing the S.C. Bar Association, after sending several certified letters and other phone calls, Mr. Robinson sent the entire discovery (approximately three thousand or so pages) which arrived at L.C.I. on 19 August 2013;
14. The discovery regarded everything aforementioned, and more;
15. SCDC seized the discovery, in its entirety, on 19 August 2013, I did note its contents on the spot as mailroom employee L. Bryant flipped through it, reluctantly, at my request, on paper;
16. My entire discovery was sent to SCDC headquarters, held for over sixty days, where it was spread out on tables, heavily censored with magic marker and pen, copied, edited, redacted, had parts removed, and parts were sent around our great State, an anonymous package even arrived at my father's (Marshall H. Fullbright) house with a note informing that the enclosed documents would not be in the discovery when it returned to me;
17. That portion sent to my father was missing upon its return;
18. My father wrote affidavits, letters, made phone calls to the Warden of L.C.I. (Joseph L. McFadden) about these matters;

19. I filed emergency grievances with SCDC regarding the seized discovery because of the pending timelines of Appeal; 2012;
 20. I wrote letters, affidavits, requests to staff, and tried every avenue available in order to get the discovery back, in its entirety;
 21. Every single attempt to remedy, to avoid damage to myself or Appeal; 2012, by my family, my friends, or myself fell on the deaf ears of SCDC and its employees;
 22. I filed an appeal regarding these matters with the S.C. Administrative Law Court ("ALC"), and timely;
 23. During that appeal in the ALC, SCDC used administratively unrecognizable documents, misquoted policy, changed arguments over-and-over, asked for a certain motion to be granted based on specific grounds, get that motion granted (by the Honorable Cardyn C. Matthews), and then refuse the same order to do so;
 24. The Honorable Cardyn C. Matthews, refused to adjudicate on the merits, address my constitutional invadative claims (against SCDC), enforce her Order for SCDC to "fix this quickly," etc., leaving me no choice but to appeal to the S.C. Court of Appeals;
- MBF
~~15. On 12 August MBF~~
25. I appealed, informed through my interpretation of the law and rules that there was no \$100.00 filing fee due to the S.C. Court of Appeals ("Ct. App.");

26. However, on 6 August 2014 I received a three page letter from the Ct. App. Clerk of Court, The Honorable Jenny A. Kitchings, informing me that the Ct. App. received my notice of appeal;
27. This appeal is from the ALC, the Appellate Case No. 2014-001684 has been given and this is "Appeal-2014";
28. Ms. Kitchings further informed me that, within ten (10) days, I needed to send to the Ct. App. all final order(s) and/or judgment(s) from the ALC and also send a \$100.00 filing fee;
29. On 11 August 2014 the above letter in 26., 27., and 28. was officially delivered to me and when I signed for it;
30. On 12 August 2014, I went to the mailroom (having found nothing in policy) to inquire as to how I send a \$100.00 check to the S.C. Ct. App.; I was informed by mailroom employee L. Bryant: "that check must be sent to 1015 Sumter St., Columbia, S.C. 29201";
31. On 14 August 2014, I mailed out all final orders and sent the \$100.00 filing fee;
32. I have received no answer, reply, or response as to the Appeal-14.

Affiant has no further.

SWORN TO AND SUBSCRIBED BEFORE ME
 On this 28th day of August, 2014
Judream Bryant
 Notary Public for South Carolina,
 My Commission Expires:
May 26, 2014

I am
 s/ Matthew B. Fullbright
 Matthew B. Fullbright
 #349468
 Affiant

In The State of South Carolina
In The Court of Appeals

PROOF OF SERVICE

Appellate Case No. 2014-001684

I certify that I have served a copy of all enclosed to the following parties, to these best known addresses, on the below date, by me, the undersigned:

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

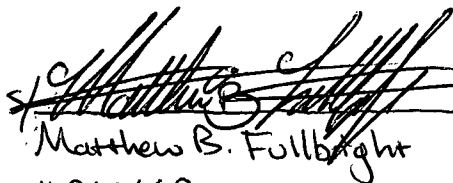
2) S.C. Admin. Law Court
Clerk of Court
Edgar A. Brown Bldg., Suite 224
1205 Pendleton St.
Columbia, S.C. 29201

3) Marshall H. Fullbright
Power-of-Attorney
106 Dogwood Dr.
Belton, S.C. 29627

4) Wanda M. Shearer
Power-of-Attorney
P.O. Box 212243
Columbia, S.C. 29211

On This 28th day of August, 2014,

By:


Matthew B. Fullbright

#349468

Appellant, Pro Se

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.

ORDER OF REMAND

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

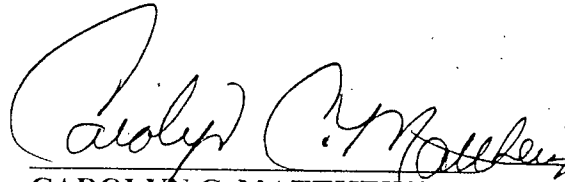
APR 27 2014

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

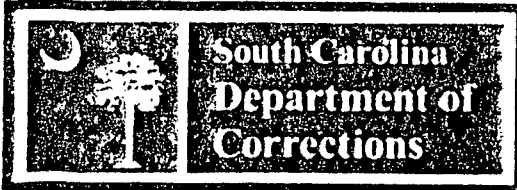
CERTIFICATE OF SERVICE

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. Walker

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.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.

P.O. 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." 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. H. 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,



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: <i>Matthew Fullbright</i>	SCDC #: <i>102110</i>	DATE: <i>August 20, 2013</i>
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This notice is to advise you that you have received/attempted to send correspondence to/from *Matthew Fullbright* which contained *102110*

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.

DISJ

*Personal information
Crime scene photos
Separate cell
Sent students w/ case*

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

RECEIVED RECEIVED

FOR MAINTAINING CRIME SCENE PHOTOS AND/OR AUTOPSY PHOTOS

OCT 23 2013

OCT 23 2013

RECEIVED
OCT 23 2013
MAIL ROOM
WEBER C.I.

ROOM

MAIL ROOM

WEBER C.I.

WEBER 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 IO-6 Dated August 20, 2013 was approved by the CRC with stipulation. Please be advice ~~██████████~~ 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

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:
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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
		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)

The Honorable Carolyn C. Matthews
Administrative Law Court
Edgar A. Brown Bldg., Suite 224
1205 Pendleton Street
Columbia, S.C. 29201

Date: 8 June 2014

Re: Matthew B. Fullbright v. SCDC; Docket No.: 13-ALJ-04-0926-1P.
Order of Remand Dated May 21, 2014, SCDC's Response To Remand.

Dear Judge Matthews:

SCDC refuses to comply with this Court's 21 May 2014 Order to have Ann Hallman determine what I'm entitled to have when it pertains to legal mail/discovery from my former trial attorney.

Your Honor, it's up to you. Order them (SCDC) to give me my complete and unredacted discovery which they unconstitutionally seized back in August of 2013. I NEED IT IN ITS ENTIRETY - NOW, I'M ON APPEAL IN THE SC COURT OF APPEALS ON DIRECT, I NEED IT TO SUPPORT MERITORIOUS ISSUES, RESOLVE CONFLICTS OF RECORD, ETC. SCDC is still taking the "fighting tooth and nail" approach as noted by Judge Barley in SCDC's mental health lawsuit, where people have died, rules and laws ignored (clearly), wasting money on appeals instead of simply fixing an obvious problem. It sounds familiar - though much less dramatic - it sounds like this very appeal. SCDC wanted you to dismiss this appeal because Ann Hallman "never got to determine the request form/grievance to see what Appellant is entitled too."

You have graciously gave them that very opportunity. You ORDERED that very thing.

They are now disobeying your ORDER and misconstruing

Your ORDER.

Let's get some justice here. I owe it to my family and my upbringing to be honest and do the best I can in all I do. I've done that in this appeal.

SCDC has been litigating far too many years not to know better. Is this my family's hard tax dollars at work? The money I paid over the years? Who needs to get involved to fix something so easy?

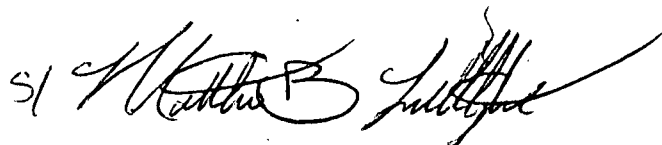
Get me a new complete copy of my discovery from my former trial attorney.

I need it. I'm entitled to all of it, UNREDACTED, UNCENSORED, PROTECTED BY OUR CONSTITUTIONS.

THEY WERE PROHIBITED BY LAW FROM TAKING IT AND DOING WHAT THEY DID TO IT, THEY BEING SCDC.

Not about to stop,

owing to all I'm grateful for,

S/ 

Matthew B. Fullbright,
Appellant, Pro-Persona,
SCDC # 349468
Lieber C.I., E-B-56
Ridgeville, S.C. 29472

Date: 8 June 2014

STATE OF SOUTH CAROLINA
IN THE ADMINISTRATIVE LAW COURT

Matthew B. Fullbright,
Appellant,

v.

SC Dept of Corrections,
Respondent.

)
) Docket No.: 13-ALJ-04-0926-1P
)

) The Honorable Carolyn C. Matthews
)

) REQUEST THAT YOU ISSUE A
) DETAILED COURT ORDER TO MAKE
) SCDC GIVE ME MY FULL DISCOVERY;
) SCDC REFUSES TO COMPLY WITH
) YOUR 21 MAY ORDER
)

This appeal has been dismissed, reinstated, argued, extended, etc. You ORDERED SCDC to determine what I'm entitled to legally have through Ann Hallman, and then to give it to me.

They (SCDC) refuse^{WOF} to do so. First, they wanted Ann Hallman to determine if the grievance(s) should be re-opened, and decide what I'm entitled to. You order them to do just that, and now SCDC simply won't do it!

Does SCDC defy a direct ORDER from this Court and get away with it?

I. SCDC Moved To Have This Appeal Dismissed Because Ann Hallman's Review and Decision Regarding The Applicable Request To Staff/Grievance(s) Was Denied; This Court Ordered That Ann Hallman Therefore Review The Request To Staff/Grievance(s) And Give Appropriate Decision, SCDC Is Now Refusing To Comply With That Order.

(a) SCDC moved to have this appeal dismissed because Ann Hallman wasn't allowed to review the Request To Staff/Grievance(s) ("RTS/G") via Respondent's Return, 6 May 2014, Page Three, by SCDC Staff Attorney Daniel Crooks. Mr. Crooks stated that Ann Hallman should "evaluate whether unique circumstances exist such that the unprocessed grievance should be re-opened and processed" (Respondent's Second Motion To Dismiss, 3 April 2014,

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 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 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. Hutto, 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 constue 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 unprocessing 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."

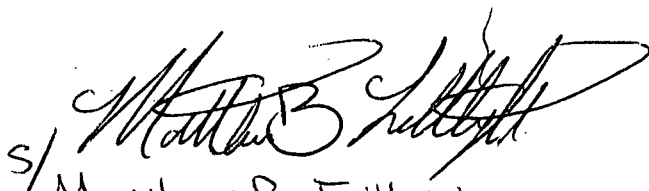
Is that what was ordered by this Court? Is it about Ann Hallman determining what I'm entitled to, as this court Ordered, or is it about Ann Hallman going through the documents themselves and "becoming privy" to its contents?

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

Ridgeway, 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"].

^{7/2/14}
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 Leggins, 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 Wardens;

12H

Declaration of Terry Lee Hutto #120283

June 05, 2014

Page 2 of 2 12H

(e) All Associate Wardens; (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~~ not find a §19.1.9 in the law library.

10) Inmate Fullbright gave/showed me ^{12H} a paper titled "PROCEDURES FOR MAINTAINING CRIME ^{SCENE} AND/OR AUTOPSY PHOTOS ~~AND/OR 12H~~ - 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 (516-9-10(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. Stono B-13
P.O. 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

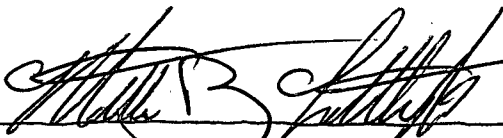
Office of General Counsel
2) SCDC Headquarters
4444 Broad River Rd.
Columbia, S.C. 29221

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 #349468,

Lieber Correctional Institution, Dorm: Edisto-B-56

P.O. Box 205

Ridgeville, S.C. 29472

The Honorable Cardyn C. Matthews
Administrative Law Court
Edgar A. Brown Bldg., Suite 224
1205 Pendleton Street
Columbia, S.C. 29201

Date June 25, 2014

Re: Matthew B. Fullbright v. SCDC; Docket No.: 13-ALJ-04-0926-AP;
Order of Remand Dated May 21, 2014; SCDC's Refusal to Comply with
the May 21, 2014; This Court's intention/further action.

Dear Judge Matthews:

The purpose of this letter is to ascertain answers from
this court regarding my two questions below, i.e., 1. and 2.:

1. Did this court receive my 10 June 2014 motion, requesting this
court to enforce this court's 21 May 2014 ORDER OF REMAND
which SCDC refuses to comply with?

2. What is this court's intentions as to any further actions and/
or ORDERS, will this court enforce its 21 May 2014 ORDER?

For Consideration:

SCDC asked to dismiss this appeal because Ann Hallman did
not have a chance to review the Request To Staff/Grievance
("RTS") in SCDC's 6 May 2014 Response, Page 3.

This court ordered SCDC to have Ann Hallman review the
RTS as SCDC wanted (This Court's 21 May 2014 ORDER).

JNE

SCDC now, in its 28 May 2014 refuses to follow this court's 21 May 2014 order because Ann Hallman is not privy to the contents of the legal discovery itself.

Ms. Matthews, it seems SCDC is throwing your order in the trash.

Ms. Matthews, you ORDERED Ann Hallman to "review the REQUEST TO STAFF/GRIEVANCE" and to "DETERMINE WHAT THE APPELLANT IS ENTITLED TO"; you did not order for Ann Hallman to go through the legal discovery or mailing, but to look at the RTS and make a determination as to what I'm legally entitled to.

The Record Has Thus, NOT SAT SILENT. My Constitutional Rights have been abridged by SCDC. I NEED ALL OF MY DISCOVERY TO PERFECT MY APPEAL within the S.C. Court of Appeals!

Ms. Matthews you said in your 21 May 2014 ORDER:

"determine what papers and discovery Appellant is entitled to," and "the issue does require a prompt conclusion."

I need you to enforce your 21 May 2014 ORDER so I can get my discovery, unredacted, uncensored, complete and full so as to perfect my appeal.

I've enclosed an unlimited Power-of-Attorney form granting Wanda M. Shearer to act, do, say, request, anything from, to, with this court on my behalf.

Determined More Than Ever,



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

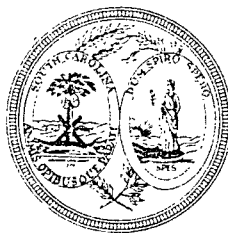
Ridgeville, S.C.,
On This Day of
25 June 2014

TWO

STATE OF SOUTH CAROLINA

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

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FIRST-CLASS MAIL

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US POSTAGE

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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,

29472020505



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

Date: 12 August 2014

RECEIVED

SEP 02 2014

Re: Matthew B. Fullbright v. SCDC; Appellate Case No. 2014-001884 **SC Court of Appeals**

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.

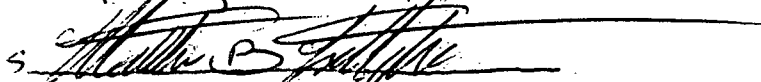
Pertaining to the \$100 Filing Fee, I have written, signed, and sent a check for \$100 payable to the S.C. Court of Appeals. (NOTE: Any delay experienced in this court receiving the \$100 Filing Fee is not caused by appellant, SCDC is in control of the mailing of the \$100 Filing Fee, not appellant.)

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, Cathalyn 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., Room: E-B-56

P.O. Box 205

Ridgeville, S.C. 29472

APPELLANT, PRO-SE

CC: SCDC Office of
General Counsel,
File,
Family

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

PROOF OF SERVICE

RECEIVED

SEP 02 2014

SC Court of Appeals

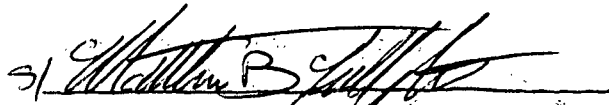
Appellant Case No. 2014-001684

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
444 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.



Matthew B. Fullbright, SCDC 349468.

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

P.O. Box 205

Ridgeville, S.C. 29472

APPELLANT, PRO SE

South Carolina Department of Corrections
Division of Resource Information and Management
COOPER TRUST FUND WITHDRAWAL

Financial Accounting
Branch Use Only:

Facility: L I E B E R

Date: 08 14 14
M M D D Y Y

ACCOUNT INFORMATION

Account Number: 3 4 9 4 6 8
Inmate # or Employee SS#

Account Name: M A T T H E W
First

B
MI

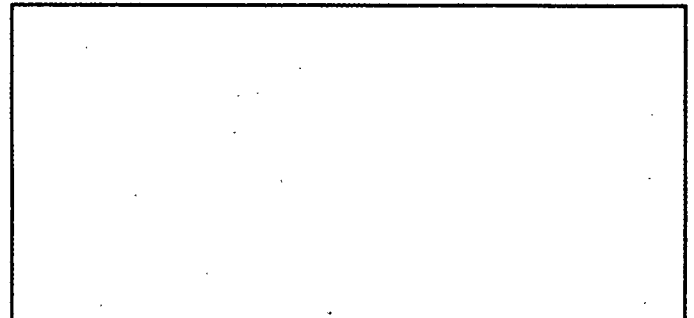
F U L L B R I G H T
Last

I request money be taken from my account to issue a check for this amount to be mailed to payee shown below.

\$, 1 0 0 . 0 0

Matthew B. Bryant
Inmate/Accountholder Signature

Bryant
Signature of Institution Staff Making Inmate ID Verification



Inmate thumb & index fingerprints required.

PAYEE INFORMATION

Payee Name: select vendor OR individual

Vendor/Business: S C C O U R T O F A P P E L S

Individual: []
First

[]
MI

[]
Last

PAYEE'S MAILING ADDRESS

Street/box: 1 0 1 5 S U M T E R S T R E E T

Street/box (optional line): []

C O L U M B I A
City

S C
State

2 9 2 0 1
Zip Code

VENDOR ATTACHMENT: Y/N

N

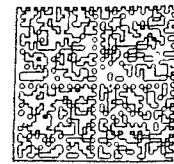
If an ORDER or REMITTANCE form is attached for mailing with a check to a vendor, enter Y - yes; if none, enter N.

NO other types of attachments (letters, cards, etc.) will be accepted.

Matthew B. Fullbright, SCDC # 349468
Lieber Correctional Institution, Darro: Edisto-B-56
P.O. Box 205
Ridgerville, SC 29472



FIRST CLASS



UNITED STATES POSTAGE
3.50
PITNEY BOWES
02 1A
0004238017 AUG 28 2014
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AUG 28 2014
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Clerk of Court
S.C. Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

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SEP 02 2014

SC Court of Appeals