

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM ADMINISTRATIVE LAW COURT

Hon. Deborah Brooks Purden

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Appellate Case No. 2014-002035

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T. Terrell Bryan, 254638, Appellant,

v.

South Carolina Department of Corrections, Respondent.

APPELLANT'S BRIEF

T. Terrell Bryan

#254638, MAHS, LCI

P.O. Box 205

Ridgeville, SC 29472

PRO SE APPELLANT

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COUNSEL FOR RESPONDENT

**RECEIVED**

OCT 10 2014

**SC Court of Appeals**

# TABLE OF CONTENTS

	Page
Cover page _____	1
Table of Contents _____	2
Table of Authorities _____	3
Statement of Issues on Appeal _____	4
Statement of the Case _____	5
Join/ Consolidate _____	6
Argument	
I. THE ALS VIOLATED MY RIGHT OF ACCESS & DUE PROCESS BY DENYING ME PER HAVING NOT OFFERED NO AUTHORITY. _____	7
CONCLUSION _____	8

# TABLE OF AUTHORITIES

## I. STATUTES

Page

## II. CASES

Bryan V. SCRE, ALC DOCKET NO. 14-ALS-04-N/A-AP, Grievance No. LEE CI  
0785-14 \_\_\_\_\_

6,7,8

Gordon V. Lecke, 574 F.2d 1147, 1151 (4th Cir. 1978) \_\_\_\_\_

7

## III. COURT RULES

FRAP 12(b) \_\_\_\_\_

6

FRAP 18(a) \_\_\_\_\_

6

FRAP 39(a)(3) \_\_\_\_\_

6,7

## STATEMENT OF ISSUES ON APPEAL

I. DID THE ALJ VIOLATE MY RIGHT OF ACCESS  
& DUE PROCESS BY DENYING MY MOTION  
FOR COSTS?

## STATEMENT OF THE CASE

I was convicted of 854, case #128, on 1/06/14. I LOST 60 (SIXTY) DAYS ACCRUED GOOD TIME, plus three days. I Filed a step 1 grievance on 1/06/14, which was denied on 1/15/14. see Document #1 - step 1, grievance no. MCCZ 0019-14. I timely Filed a step 2 on 1/26/14, which was denied on 4/16/14. see Document #2 - step 2.

I timely Filed a (ALC) Notice of Appeal to the ALC on 5/28/14. see Document #3 - (ALC) Notice of Appeal. The ALC REMAND/REVERSED ~~Document #3~~ (ALC) Notice of Appeal to the ALC but DENIED my Bill of Costs. see Document #4 - 9/15/14 (ALC) order.

# JOIN/CONSOLIDATE

I hereby move the court to join/consolidate this case with Bryan V. SLOC, ALC  
Docket No. 14-ALJ-04-N/A-AP, Grievance No. Lee CI 0785-14, see FRAP 12(b), 18(a),  
39(a)(3).

WHEREFORE, such relief I pray.

# ARGUMENT

I. THE ALS VIOLATED MY RIGHT OF ACCESS & DUE PROCESS BY DENYING ME PER HAVING NOT OFFERED NO AUTHORITY.

I filed a pro se "Bill of Costs" in this case, where the decision was **REMAND** &/or **REVERSED**. I asked that the court order SCOE to pay to the ALC the \$25 Filing Fee & the court's record reflect that I can file two (2) appeals before I have to pay the Filing Fees. The ALS denied me holding that I have "... offered no authority in support of [my] request." see Document #4 - 9/15/14 (ALC) order.

Per FRAP 39(a)(3) COSTS, if a judgment is **REVERSED**, costs are taxed against the Appellee [in this case Respondent SCOE].

PRO SE RIGHTS. Pro se pleadings [ & motions ] are held to a less stringent standard than those drafted by attorneys. Gordon v. Leek, 574 F.2d 1149, 1151 (4th Cir. 1978), & a court is charged with liberally construing pleading [ & motions ] Filed by a pro se litigant.

The ALS erred &/or violated my access to the ALC & violated my due process rights by denying for "... offer[ing] no authority in support of [my] request." I am pro se & do not have to offer authority. The court is to liberally construe my "Bill of Costs," for the strongest argument that it suggests. It was clear that I wanted the court to order SCOE to pay the court a \$25.00 Fee where the judgment was **REVERSED**.

**WHEREFORE**, the ALS abused its' discretion by not granting the "Bill of Costs" in this case. In the interest of judicial economy, this court should join &/or consolidate this appeal with the appeal to this court of Bryan v. SCOE, ALC Docket No. 14-ALS-04-N/A-AP, Grievance No. Lee CI 0785-14, **REVERSE** the denial of the "Bill of Costs" & **REMAND** with instructions to the ALS to liberally construe the motion, & for the ALC court's record to reflect that I can file two (2) more appeals before I have to pay the Filing Fees.

## CONCLUSION

I. Join/Consolidate this case with Bryan v. SCDC, ALC Docket No. 14-ALJ-04-N/A-AP, Grievance No. Lee CI 0785-14.

II. REVERSE the denial of the "Bill of Costs" & REMAND with instructions to the ALC to liberally construe the motion, & for the ALC court's record to reflect that I can file two (2) more appeals before I have to pay the Filing Fees.

III. &/or For any relief this court deems just & proper.

10/25/14, SC  
dated

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