

④ LEGAL MAIL

Court of Appeals copy

The State of South Carolina  
In The Court of Appeals

Appeal from Adm. Law Court  
The Hon. Carolyn C. Matthews  
(Adm. Law Judge)

Docket #: 14-ALJ-04-0097-AP

~~#####~~ S.C. Dept of Corr... Respondent

Dion O. Taylor... Appellant

Notice of Appeal

Dion O. Taylor, appeals the decision of the Hon. Carolyn C. Matthews, dated Sept. 10<sup>th</sup> 2014. Appellant received a copy of the decision on Sept 12<sup>th</sup> 2014, the 30<sup>th</sup> day being on a Sun.

Dated:  
10-13-14

s/ Dion O. Taylor  
#335 089-5160-224-A  
Allendale Correctional Institution  
P.O. Box 1151  
Farafax SC 29827

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OCT 16 2014

SC Court of Appeals

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The State of South Carolina  
In The Court of Appeals

Appeal from the Aelrn. Law Court  
The Hon. Candyn C. Matthews  
(Aelrn. Law Judge)

Docket #: 14-ALJ-04-0099-AP

S.C. Dept of Cor... Respondent

v.

Dion O. Taylor... Appellant

Declaration of Appellant

Declarant, appellant, herein declares the following to be true & correct: On 7-11-13, at declarant's disc hearing, evid. was introduced which contradicted DHO's finding & neutralized the evid. proffered by accuser & witnesses. The accuser alleges declarant threw ink pen at her. Declarant denies this & claimed collusion by accuser & her witnesses corroborating her claim. One of said witnesses, a supervisor who claimed to have witnessed declarant's alleged throwing action had to be alerted to alleged action by declarant's accuser. Declarant was in full restraints (ie handcuffs connected to chain around waist) & standing in front of accuser, when alleged throwing action occurred. Accuser stated she did not have to avoid being hit, nor does she claim pen came close to hitting her. Restated SCDC policy, which declarant had portion of that was confiscated by prison officials, states that if it is true what is alleged declarant did, the declarant should have been put in restraint chair, not was any other action taken commensurate to such an alleged disruptive act. DHO used portion of whole statement to support guilty finding (ie he used part "what are you going to do about it" & left out "write me up" portion). One of accuser's witnesses, in her response to questions by counsel substitute, said the ink pen hit the accuser, which was variance from her earlier written statement. At said hearing, when asked how declarant's body language was threatening, accuser couldn't close the charge convicted as was "Threatening to Inflict Harm..." Nothing in the declarant's language was threatening. On pg 6 of disc. trans, DHO can

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be found not allowing declarant to make & complete his statements & on pg 7 of same, he does the same, not adequately allowing declarant to be heard or to establish credibility issues, & thus a defense. Witness statements weren't included in declarant's copy of Record on Appeal, has no idea if said statements were before court, but disc. trans. made reference to these statements. Declarant is authentically diagnosed as mentally ill in diagnoses by psychologist & psychiatrists, suffered adversely from being falsely accused & having to deal w/ emotional & mental distress associated w/ said falsity. He was/is suffering from authentic & documented knee injury & other health issues (ie renal disease, frequent urination ect), suffered contemporaneously & as an exacerbated stressor to mental health issues & said emotional & mental distress. Declarant is indigent & has been for well over 5 yrs & this situation isn't likely to change. Declarant attests to the afore being statements of truth & veracity & as being made under the penalty of perjury & he is a witness to prove same.

Dated:  
10-13-14

executed & signed by:  
Dion D. Taylor

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The State of South Carolina  
In The Court of Appeals

Appeal from Adm. Law Court  
The Hon. Carolyn C. Matthews  
(Adm. Law Judge)

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Docket #: 14-ALJ-04-0099-AP

S.C. Dept of Corr... Respondent

v.  
Dion O. Taylor... Appellant

Proof of Service

I, Dion O. Taylor, certify that I have served a copy of the notice of appeal on S.C. Dept of Corrections, by depositing a copy of it in the U.S. Mail, postage pre-paid & addressed to: Office of General Counsel, S.C. Dept of Corrections, P.O. Box ~~21787~~ 21787/4444 Broad River Rd, Columbia SC 29221-1787. Appellant has also mailed a copy of same notice of appeal, on the same date as respondent (10-13-14), to the Administrative Law Court exacting the afore-described process & mailing to: State of South Carolina, Administrative Law Court, Edgmont Brown Building, 1205 Pendleton St., Suite 224, Columbia SC 29201.

Dated:  
10-13-14

S/Dion O. Taylor  
#335089-SMV 224-A  
Allendale Correctional Institution  
P.O. Box 1151  
FAMFAX SC 29827

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OCT 16 2014

**SC Court of Appeals**

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Court copy

To: Jenny Abbott Kitchings - Clerk  
S.C. Court of Appeals  
P.O. Box 11629  
Columbia SC 29211

Re: Filing of Notice of Appeal, ect (Adm. Law Court Appeal,  
Docket #: 14-ALJ-04-0099-AP

Dear Honorable Mrs. Kitchings,

Enclosed for filing is a notice of appeal in the above named case. Also enclosed are the following ① Proof of service ② copy of order of judgement ③ Motion To Proceed In forma Pauperis & ④ six copies ④ Declaration of Appellant. Appellant, pursuant to SCAER Rule 240 (e), petitions the court for relief of filing fee (waiver) & waiver of filing motion fee, due to appellants indigency which has not changed in over 5 yrs & the likelihood of change is minuscule. Encompassed within the motion to proceed In forma Pauperis are the reasons for request for waiver according to constitutional precepts, & Appellant supports this said position in submitted declaration. Appellant prays this Court find the Appellants situation one of 'extraordinary cases' due to said indigency & incarceration. Any response deemed necessary by this Court is appreciated.

Sincerely,

Dion D. Taylor

Dated:  
10-13-14

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OCT 16 2014

SC Court of Appeals

Mr. Dion O. Taylor

# 335089-SM 224-A

Allendale Correctional Institution

P.O. Box 1151

FANFAX SC 29827

Prisoner

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S.C. Court of Appeals SC Court of Appeals

Jenny Abbott Ketchings-Clerk

P.O. Box 11629

Columbia SC 29211