

The State of South Carolina  
In the Court of Appeals  

---

Appeal From Administrative Law Court  
John D. McLeod Administrative Law Judge  

---

Appellate Case No. 2014-001093  

---

Perry Gilmore #344879 . . . . . Appellant

v.

South Carolina Department  
of Corrections . . . . . Respondent

---

Motion to Reinstate and Close but not Dismiss Case

Appellant moves to request that this court reinstate & close but not dismiss the abovecaptioned case pursuant to South Carolina Appellate Court Rules 231, and the courts discretionary authority to do so.

Appellant does not have any light in his cell to see in order to write & is awaiting maintenance to fix it. See Exhibit A attached. Such is causing Appellant undue strain on his eyes & is causing him pains, burning, & watering of his eyes. For this reason Appellant requests that this court grant this motion & allow him to continue litigating once his light is fixed. (Note: Appellant is in lockup)

Moreover, see Exhibit B attached. Appellant needs to conduct legal research to learn "procedural rules" & "caselaw" in order to prepare his "Designation of matter to be included in the Record" & "Brief(s)" but the law computer which the institution he is at requires him to use for such is down. Therefore, Appellant asks this court to grant this motion & allow him to continue litigating once it & his light are fixed based on the reasoning in Whalem/Hunt v. Early, 233 F.3d 1146 (9th Cir. 2000). Appellant promises to continue litigating once everything is fixed.

Thank You.

**RECEIVED**

November 6, 2014  
Ridgeville, SC

NOV 10 2014  
Daniel Crooks III  
Attorney for Respondent  
SC Court of Appeals 1787  
Columbia, SC 29221

P. J. [Signature]  
Perry Gilmore #344879  
P.O. Box 205  
Ridgeville, SC 29472  
(Appellant)

RE: "Informal Resolution Attempt" / Request to Staff Member

**RECEIVED**

Warden McFadden:

**EXHIBIT A**

OCT 06 2014

My light is broke. It's been broke for a long time fixed, so I can see to file legal documents with **WARDEN'S OFFICE** + **LIEBERO. I.**

I did not do anything to break my light. It just blew one day. I have never went into my light or even touched it. You can see for yourself, I do not tamper with my lights. It's exactly as ~~the~~ maintenance left it when he fixed it before I came in my present cell with the exception of the blown balast &/or bulbs inside the intact cover/frame.

I respectfully request that you have maintenance fix my light. If they don't have any lights, I ask that you put in for rush delivery or buy one from a local building supply store, I need to be able to see in order to write up documents I need to file with the courts.

Thank You.

October 4, 2014

Perry Gilmore #344879

**DISPOSITION OF STAFF:**

Mr Gilmore maintenance have ordered parts to repair the light.

Thank you

Warden McFadden 10/29/14

**RECEIVED**

NOV 10 2014

**SC Court of Appeals**

Date:

Signature:

CC: File; Maintenance; Warden McFadden;

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

REQUEST TO STAFF MEMBER

EXHIBIT B

- INFORMAL RESOLUTION ATTEMPT -

TO: NAME: Mrs. Ravenell	TITLE: Classification Law Computer Appointment Scheduler	DATE: 11/4/14
INMATE'S NAME: Gilmore, Perry	SCDC #: 344879	
INSTITUTION: Lieber	LIVING QUARTERS: SMN B 239	

Ms. Ravenell, I have two questions:

Received by Ms. Ravenell,  
NOV 03 2014

1. "About" how long has the computer for legal research been down (i.e. how many months now, or, since what date)???

2. "About" when do you expect the law computer to be fixed (i.e. in about how many days, weeks, months or years, or, about on what date)???

Please answer these questions for me in the space provided for your disposition below, please ma'am.

Thank you, Ms. Ravenell. Have a blessed day.

Respectfully Submitted, P.H.

DISPOSITION BY STAFF MEMBER:

1. About 2 month

2. Don't know. it is up to Columbia to fix it they have been not free.

DATE:

SIGNATURE:

11-3-14

The State of South Carolina  
In the Court of Appeals  
Appeal From Administrative Law Court  
John D. McLeod Administrative Law Judge  
Appellate Case No. 2014-001093

Perry Gilmore #344879 . . . . . Appellant

v.

South Carolina Department  
of Corrections . . . . . Respondent

PROOF OF SERVICE

This certifies service of Appellant's Motion to Reinstate and Close but not Dismiss Case was made upon below party to this action by placing same in the United States Mail postage paid on November 6, 2014:

Daniel Crooks III  
Attorney for Respondent  
P.O. Box 21787  
Columbia, SC 29221

This 6 day of November 2014  
By: PJ Gil

**RECEIVED**  
NOV 10 2014  
**SC Court of Appeals**

PJ Gil  
Perry Gilmore #344879  
P.O. Box 205  
Ridgeville, SC 29472

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

November 6, 2014

Re: Perry Gilmore #344879 v. SCDC, Appellate Case No.  
2014-001093

Dear Clerk:

Please find enclosed for filing Appellant's Motion to  
Reinstate and Close but not Dismiss Case.

cc: Daniel Crooks III  
Attorney for Respondent

*Perry Gilmore*  
Perry Gilmore  
P.O. Box 205  
Ridgeville, SC 29472

**RECEIVED**

NOV 10 2014

**SC Court of Appeals**

Perry Gilmore #344879  
P.O. Box 205  
Ridgeville, SC 29472

**RECEIVED**

NOV 06 2014  
MAIL ROOM  
WEBER CL

**FOR LEGAL USE ONLY**

9211#1629

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

FIRST CLASS

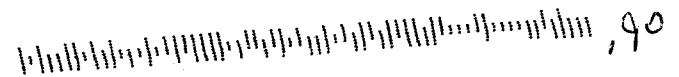


UNITED STATES POSTAGE  
EAGLE  
MINNY BOWLES  
\$ 00.90<sup>00</sup>  
02 1M NOV 06 2014  
0004238017  
MAILED FROM ZIP CODE 29472

**RECEIVED**

NOV 10 2014

**SC Court of Appeals**



,90