

SC Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211-1629

Re: T. Terrell Bryan v. SCOC (24)  
Appellate Case No. 2014-002035

Dear Clerk,

Enclosed for your filing is a petition for rehearing en banc.

12/15/14, SC  
dated

Thank you,  
T. Terrell Bryan  
#254638, MB141, LCII  
P.O. Box 205  
Ridgeville, SC 29472

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DEC 18 2014

**SC Court of Appeals**

THE SOUTH CAROLINA COURT OF APPEALS

T. Terrell Bryan, #254638, Appellant,

v.

South Carolina Department of Corrections, Respondent.  
Appellate Case No. 2014-002035

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SC Court of Appeals

PETITION FOR REHEARING  
EN BANC

I hereby petition this Court, pursuant to Rule 221(a), SEARCH, for Rehearing En Banc & states:

FINAL JUDGMENT

1. In the Court's 12/22/14 order the Court is saying the judgment is not final & leaves open questions of fact, but the Court does not say what. If the Court is speaking on the Re-hearing of these charges, per attached EXHIBIT #356-Disciplinary Report & Hearing Record, I've been found not guilty. I AM LOST as to what I overlooked. I pray a full panel Court specify what I overlooked, & on REMAND to the ALC with instructions to issue a final Judgment in the interest of fundamental fairness & due process.

2. WHEREFORE, such relief I pray.

JOIN/CONSOLIDATE

3. on page 6 of my brief I moved this Court for several reliefs to include to join/consolidate this case with Bryan v SCOC, ALC Docket No. 14-ALJ-04-NIA-AP, Grievance No. Lee CI 0785-M, see attached letter to Judge McDonald, see also Local Rule 28(a). These cases entwine together, where being the decision in this case was REMAND & or REVERSED, then on REHEARING I was found not guilty, see EXHIBIT #356. By law, Rule 39(a)(3), SEARCH, if the judgment is

REVERSED, Costs are taxed against the Appellee. This is the law in this Court & should be in the ALC.

4. WHEREFORE, I pray this Court issue a final Judgment ruling on all motions & issues in this case.

11/15/14, SC  
dated

x. mm b

T. Terrell Bryan  
#254236, MBM, LCS  
P.O. Box 205  
Ridgeville, SC 29472

### CERTIFICATE OF SERVICE

I hereby certify that I served a copy of this w/attachment on Daniel J. Crooks III, Staff Attorney, by Inter-Agency mail.

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**SC Court of Appeals**

Reserve for re-hearing

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
DISCIPLINARY REPORT AND HEARING RECORD

Case#: 128 Inmate Name: Bryan, Terrance SCDC#: 254638

Living Area: MA125 Job: \_\_\_\_\_ Custody: DD3

Offense Date: 12 22 13 Offense Time: 310 AM/PM Institution: McCormick CI - SMU B-wing

Offense Description: (854) Exhibitionism and Public Masturbation: (1) Engaging in acts of indecent and/or unnecessary exposure of genitals or other private body parts to a staff member or other person; or (2) engaging in acts of masturbation or any manual stimulation of one's exposed or unexposed genitals in a public setting, or in the view of a staff member or other person.

Charging Officer/Employee: Young, A Title: SGT

**INMATE NOTIFICATION:** YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

**INMATE WAIVERS:**

- I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING.
- I DO NOT WANT TO BE PRESENT AT MY HEARING
- I DO WANT MY ACCUSER PRESENT AT THE HEARING
- I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING
- I WAIVE MY RIGHT TO A HEARING
- I WAIVE MY RIGHT TO A HEARING SMU/SEGREGATION ONLY
- I WANT A COUNSEL SUBSTITUTE
- I DO NOT WANT A COUNSEL SUBSTITUTE

CS: Atchley - lockup, MH4, RL 0.0

Date & Time Notified: 9/15/14 7:30 AM/PM By (Print): Off. Allen Roberts  
Inmate Signature: Terrance Bryan SCDC#: 254638 Date: 9/15/14

**HEARING INFORMATION:**

Hearing Date: <u>9/25/14</u>	Hearing Time: <u>9:25</u> <input checked="" type="radio"/> am/pm	Tape: _____	Side: _____	Start: _____	End: _____
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EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

Mental Health Statement Provided. In stable + able to make own decisions.

OFFENSE CODES	<u>854</u>			
INMATE PLEA (G, NG, None)	<u>N.G.</u>			
FINDINGS (G, NG, DS)	<u>NG</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: \_\_\_\_\_

HEARING LENGTH: \_\_\_\_\_ (MINUTES)

**SANCTIONS:**

Loss of Privileges (Days) \_\_\_\_\_ Reprimand: \_\_\_\_\_ Loss of Good Time (days): \_\_\_\_\_

\* Property (Days) \_\_\_\_\_ Extra Duty: \_\_\_\_\_ Restitution: \$ \_\_\_\_\_ \*\*

\* Canteen (Days) \_\_\_\_\_ Visit Suspension Thru \_\_\_/\_\_\_/\_\_\_

\* Other (Days) \_\_\_\_\_ Cell Restriction (Days): \_\_\_\_\_

\* Disciplinary Detention (Days): \_\_\_\_\_

EXHIBIT #356

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Put 21 days to hear Step 2 review, was approved 8/28/14. 21st day 9/15/14

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS \_\_\_\_\_

DATE INMATE PLACED IN PHD 1/1/14

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature] DATE: 9/25/14

HEARING OFFICER (PRINT NAME) Erica [Signature]

APPROVED/REVERSE/MODIFY \_\_\_\_\_ REASON \_\_\_\_\_  
Warden

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

- White - Institutional Record
- Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)
- Canary - Inmate (Service of Disciplinary Report)
- Pink - Central Record

\*\* (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

Judge Stephanie P. McDonald  
S.C. Court of Appeals  
P.O. Box 1629  
Columbia, SC 29211-1629

Re: T. Terrell Bryan v. SEOC, ALC Docket No. 14-ALJ-04-NIA-AP  
GRIEVANCE NO. LEC C-I. 0785-14

Dear Your Honor,

I filed a Notice of Appeal & etc. to this Court on 10/01/14. As to this date I've heard nothing about the Appeal.

Please look into this & have the clerk provide me an Appellate Case No.

12/15/14, SC  
dated

cc: Daniel J. Crooks III  
Staff Attorney

Thank you,  
T. Terrell Bryan  
#254638, MB141, LCI  
P.O. Box 205  
Ridgeville, SC 29472

T. TERRY BRYAN  
#254638, MBM, LCI  
P.O. Box 205  
Ridgeway, SC 29472

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MAILROOM  
LIEBER CI

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**SC Court of Appeals**

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