

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE
IN THE COURT OF COMMON PLEAS

FILED

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2014CP2100015

Shaheen Cabbagestalk

2015 FEB 26 AM 9:17

CONNIE REEL-SHEARIN
CCJP & RS
FLORENCE COUNTY, SC

Lee Correctional
Institution
Angela Smith
Peggy Yobs
Willie F Smith

Willie Davis
L Johnson
William R Byars

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. Shaheen Cabbagestalk's motion to renew all motions has been denied.. The issues have been reviewed and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON): Rule 12(b), SCRCP; Rule 41(a), SCRCP (Vol. Nonsuit);
 Rule 43(k), SCRCP (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON): Rule 40(j) SCRCP; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
 Affirmed; Reversed; Remanded; Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow); Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.
Additional Information for the Clerk: _____

RECEIVED

MAR 12 2015

SC Court of Appeals

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.


Circuit Court Judge

2157
Judge Code

2/25/2015
Date

CERTIFIED: A TRUE COPY
CONNIE REEL-SHEARIN
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

For Clerk of Court Office Use Only

This judgment was entered on Feb. 26,, 2015, and a copy mailed first class or placed in the appropriate attorney's box on Feb. 26,, 2015, to attorneys of record or to parties (when appearing pro se) as follows:

Shaheen Cabbagestalk Lieber Correctional Institution P O
Box 205 Ridgeville, SC 29472

Steven Michael Pruitt PO Box 1547 Greenwood, SC 29648
Shanika Kenyetta Johnson PO Box 21787 4444 Broad River
Road Columbia, SC 29210

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Connie Reel-Shearin

Court Reporter

Connie Reel-Shearin - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

Shaheen Cabbagestalk's motion to renew all motions has been denied. The issues have been reviewed and a decision rendered on

the written record only.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FORM

STEP 1

7
DEC 29 2014

INMATE NAME: <u>Sheheen Cabbaigestalle</u> <u>without prejudice case 1-207</u>	OFFICE USE ONLY Grievance No. <u>LCI-1514-14</u>
SCDC NUMBER: <u>295567</u>	Code: General _____
INSTITUTION: <u>Lieber C.F.</u>	Policy <u>PL/RS</u>
HOUSING UNIT: <u>Smu # 103-A</u>	Disc. Hear. _____
WORK ASSIGNMENT: <u>N/A</u>	Class. _____
	PREA _____
	Date Received <u>12.30.14</u>
	IGC Initials <u>md</u>

STATEMENT OF GRIEVANCE (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.)

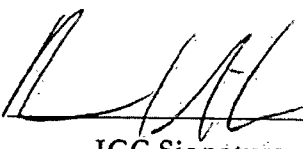
~~My access to courts~~ ~~policy~~ ~~has been~~ ~~enforced~~ ~~by~~ ~~mail room coordinators~~ ~~and~~ ~~ms. manallegas~~ ~~is~~ ~~unconstitutional~~ ~~and~~ ~~interferes~~ ~~with~~ ~~my~~ ~~access~~ ~~to~~ ~~courts~~ ~~to~~ ~~properly~~ ~~serve~~ ~~all~~ ~~defendants~~ ~~in~~ ~~my~~ ~~court~~ ~~actions~~ ~~by~~ ~~limiting~~ ~~whom~~ ~~I~~ ~~may~~ ~~send~~ ~~certified~~ ~~mail~~ ~~to~~ ~~regardless~~ ~~of~~ ~~its~~ ~~alleged~~ ~~privileges~~ ~~or~~ ~~what~~. My ACCESS to courts right is a constitutional right which was established before this Agency provisions/policy there for I ask it be made that long as you can prove the individual you serving certified mail to it a part of a legal action then it will be allowed to be done as certified mail to any where the united states. This has recently damaged one of my court cases there fore I ask it be immediately changed.

Sheheen Cabbaigestalle 1/1/15
~~without prejudice case 1-207~~
 Grievant Signature Date

ACTION REQUESTED: TO Remove the un constitutional Mail Room policy from interfering with my access to courts and Damaging my constitutional right to address my accusers or those of an Action that I'm addressing a Grievance against in the courts. Allow certified mail to be sent to anyone that's a part of a legal @lock stamped filed action in my Courts anywhere in the USA. Immed!

ACTION TAKEN BY IGC: PROCESSED UNPROCESSED OTHER

exceed limit in month


 IGC Signature 12/31/14
 Date

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
OFFICE OF GENERAL COUNSEL
RESPONSE TO INMATE CORRESPONDENCE

INMATE: Shaheen Cabbagestalk #295567
Lieber Correctional Institution

FROM: Beth Tidwell, Admin. Assistant to the Agency Mailroom Coordinator

SUBJECT: RTSM received in Mailroom 2/11/13

DATE: October 08, 2014

Your correspondence has been received in the Agency Mailroom Coordinator's office. Your allegations regarding mail issues with the staff at Lee CI has already been addressed in our response dated 9/25/14. Since you are no longer at Lee CI, you are not affected by the conditions or procedures of Lee CI. In the future, if you have issues with the mailroom hours, you need to address your concerns to the institution. We do not set the mailroom hours. Also, for issues regarding legal mail, please refer to Policy 10.8, section 8.3, Subsections 8.31 through 8.3.5.

8.3 Legal, Privileged, and Certified Mail: The Postal Director/Designee will be responsible for date-stamping and documenting all incoming legal, privileged, and certified correspondence on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log." The disposition of such mail (e.g., inmate picked up mail, inmate refused mail - returned to sender, inmate released from the SCDC-mail forwarded, etc.) must be documented on the Legal/Privileged/Certified Mail Delivery Log. The "Legal/Privileged/Certified Mail Delivery Log" will be maintained by the Postal Director/Designee for six (6) years. The Postal Director will be responsible for verifying the identity of the inmate by his/her SCDC identification card prior to delivering the mail. Legal, privileged, and certified mail will be distributed to inmates as follows: (4-ACRS-6A-02, 4-ACRS-6A-01,4-4275, 4-4276, 4-4280)

8.3.1 General population inmates will be notified on SCDC Form 19-45, "Order to Report," when any legal, privileged, or certified mail has been received. SCDC Form 19-45, "Order to Report," will be delivered to the inmate at the same time the general mail is delivered to the unit, but no later than **48** hours after receipt of the mail at the institution (excluding weekends, holidays *and emergencies*). (**NOTE:** The Postal Director/Designee will keep one [1] copy of the "Order to Report" with the incoming legal, privileged, or certified mail until the inmate comes to the mailroom to pick up his/her mail.) If the mail is unclaimed after five (5) working days and if the inmate is still at the institution, a second "Order to Report" will be sent to the inmate. If still unclaimed after five (5) working days of the second "Order to Report" the mail will be marked "Unclaimed - Return to Sender" and it will be mailed to the Post Office. **NOTE: The inmate will be**


required to sign SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log," acknowledging the mail was inspected in his/her presence before he/she received it. If the inmate fails to report to the mailroom and the mail is unclaimed, the log will be documented in the inmate signature block as "Unclaimed, Return to Sender" and it will be returned to the Post Office. The log will be signed by the Postal Director/designee.

8.3.2 SMU, MSU, R&E, Death Row, Safekeeper, and YOIP inmates' legal, privileged, or certified mail will be delivered by the Postal Director/designee and the inmate will be required to sign SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log," acknowledging the mail was inspected in his/her presence before he/she received it. (NOTE: Should a staff member encounter any behavioral problems with an inmate assigned to MSU, refer to SCDC Policy OP-22.11, "Maximum Security Unit (MSU)" for additional information.

8.3.3 Pre-Release and Work Center inmates' legal, privileged, or certified mail will be delivered at the same time as their general mail. The officer on duty will be responsible for ensuring the inmate will sign SCDC Form 10-12 acknowledging the mail was inspected in his/her presence before he/she received it.

8.3.4 If an inmate refuses to acknowledge receipt/delivery of legal, privileged, or certified mail, the refusal will be documented on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log." The log will be signed and witnessed by two (2) employees. The correspondence will be stamped "Return to Sender, Refused" and will then be returned to the U.S. Post Office.

8.3.5 *If an inmate is on Crisis Intervention, the mailroom staff will check with medical on a daily basis to assess whether the inmate can receive his legal mail. If the inmate is going to be on Crisis Intervention more than ten (10) days, General Counsel should be contacted for further instructions.*

S/ 
Beth Tidwell
Admin. Assistant to the Agency Mailroom Coordinator

BMT

cc: electronic file

Shabean Gabbageta II # 295567

P.O. Box 205

Ridgeville S.C. 29472

Lieberc, F.
SMU #103-A

Inter Agency
Free of Charge

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MAR 12 2015

SC Court of Appeals

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MAR 09 2015

**MAIL ROOM
LIEBER C.J.**

S.C. Court of Appeals
Jenny Abbott Kitting's clerk
P.O. Box 11629
Columbia S.C. 29211

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