

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

SHAWN J. BURRIS
APPELLANT,
v.
S.C. DEPT. OF CORRECTIONS,
RESPONDENT.

CASE NO: 2015-000477

CERTIFICATE OF SERVICE

I, SHAWN J. BURRIS, CERTIFY THAT I HAVE SERVED THE MOTION TO PROCEED IN-
FORMA PAUPERIS AND THE LOWER COURT'S ORDERS OF DISMISSAL FOR THE CASES APPEALED
FROM TO CORRECT DEFICIENCIES, AS REQUIRED BY THE COURT, ON THE RESPONDENTS
AND THE CLERK'S OFFICE FOR THE S.C. COURT OF APPEALS, BY DEPOSITING COPIES OF THE
SAME IN THE U.S. MAIL, POSTAGE PRE-PAID, VIA T.C.I. MAIL ROOM, ADDRESSED TO:

SCDC, OFFICE OF GENERAL COUNSEL
P.O. BOX 21787, 4444 BROAD RIVER Rd.
COLUMBIA, SC 29221-787

S.C. COURT OF APPEALS
JENNY ABBOTT KITCHING, CLERK
P.O. BOX 11629
COLUMBIA, SC 29211

(NOTE: ALL PARTIES HAVE BEEN SERVED.)

THIS 23RD DAY OF MARCH, 2015

S/ Shawn J. Burris
SHAWN J. BURRIS #191562

T.C.I.,
P.O. BOX 252

TURBEVILLE, SC 29162

RECEIVED

MAR 25 2015

MAILROOM
TURBEVILLE CI

RECEIVED

MAR 31 2015

SC Court of Appeals

To:

S.C. COURT OF APPEALS
JENNY ABBOTT KITCHINGS, CLERK
P.O. Box 11629
COLUMBIA, SC 29211

OFFICE OF GENERAL COUNSEL (S.C.D.C.)
P.O. Box 21787; 4444 BROAD RIVER Rd.
COLUMBIA, SC 29221-787

RE: BURRIS V. S.C.D.C., CASE NO. 2015-000477

TO ALL PARTIES,

ENCLOSED PLEASE FIND THE MOTION TO PROCEED IN FORMA PAUPERIS AND THE LOWER COURT'S ORDERS OF DISMISSAL (OR COPIES OF) FOR THE ABOVE REFERENCED CASE, NEEDED TO CORRECT DEFECIENCIES, AS REQUIRED BY THE COURT, INCLUDING CORRECTED CERTIFICATE OF SERVICE.

SINCERELY,
John R. Lee

RECEIVED

MAR 31 2015

SC Court of Appeals

In THE COURT OF APPEALS

SOUTH CAROLINA

SHAWN J. BURRIS #191562,

APPELLANT,

v.

SOUTH CAROLINA DEPT. OF CORRECTIONS,

RESPONDENT.

CASE No: 2015-000477

MOTION TO PROCEED INFORMA
PAUPERIS

APPELLANT PRESENTS THIS MOTION TO PROCEED INFORMA PAUPERIS, ON THE GROUNDS THAT HIS STATUS IS OFFICIALLY INDIGENT, AS HE RECEIVES 'NO INCOME' FROM ANY SOURCE, OUTSIDE OR OTHERWISE, AND AS SUCH, HE IS A WARD OF THE STATE.

SECONDLY, APPELLANT IS CURRENTLY HOUSED IN THE ADMINISTRATIVE SEGREGATION UNIT (LOCK UP) FOR AN INDETERMINATE AMOUNT OF TIME, THEREFORE, HE MAY ONLY OBTAIN WHAT IS SUPPLIED TO HIM BY S.C.D.C.

FINALLY, ONE OF THE ISSUES ON APPEAL IS DENIAL OF ACCESS TO THE COURTS, BY TURBEVILLE CORR. INST. EMPLOYEES, WHICH DENIED APPELLANT THE OPPORTUNITY TO FILE HIS BRIEF ON THE APPEALABLE ISSUES. (SEE ENCLOSED MOTION TO SET ASIDE DEFAULT JUDGMENT AND REOPEN CASE(S)) THIS DENIAL CAUSED A DEFAULT JUDGMENT TO BE MADE AGAINST APPELLANT.

I SWEAR THE ABOVE IS TRUE UNDER PENALTY OF PERJURY.

RESPECTFULLY SUBMITTED,

S/ *Shawn J. Burris*

SHAWN J. BURRIS

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MAR 31 2015

SC Court of Appeals

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Shawn J. Burris, #191562,

) Docket No. 14-ALJ-04-0604-AP

)
)
) Appellant,

)
)
) vs.

)
) **ORDER OF DISMISSAL**

) South Carolina Department of Corrections,

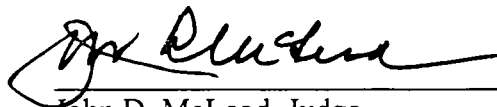
)
)
) Respondent.
)
)

This matter is before the South Carolina Administrative Law Court (ALC or Court) pursuant to the Notice of Appeal filed by Appellant (Inmate) above named, who is incarcerated with the South Carolina Department of Corrections (SCDC). Appellant appeals his conviction for Disrespect (836) SCDC Policy OP-22.14, Inmate Disciplinary System.

The time for filing Appellant's Brief was extended by Order until January 15, 2015. No such Brief has been filed as of the date of this Order set forth below. ALC Rule 62 provides that an appeal may be dismissed for failure to comply with any one of the rules of procedure for appeals. Thus dismissal is proper for failure to file the Brief required under ALC Rule 60.

THEREFORE, IT IS ORDERED that the decision appealed from is affirmed and the within appeal is hereby **DISMISSED, WITH PREJUDICE.**

Columbia, S.C.
January 26, 2015



John D. McLeod, Judge,
South Carolina Administrative Law Court

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States Mail, postage paid, or in the Interagency Mail Service addressed to the party(ies) or their attorney(s).

This 26 day of January, 2015
By: Anthony R. Bullock
Judicial Law Clerk

FILED

JAN 26 2015

SC ADMIN. LAW COURT

STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW COURT

SHAWN J. BURELS,
APPELLANT,

vs.

SOUTH CAROLINA DEPT. OF CORRECTIONS,
RESPONDENT.

Doc. No: 14C06041

14C0605.

GRIEV. No: T.C.I.-164-14;

T.C.I.-166-14

MOTION TO SET ASIDE
DEFAULT JUDGMENT AND
REOPEN CASE(S)

**Motions for Reconsideration
are Prohibited.**

See ALC Rule 65.

APPELLANT PRESENTS THIS EXTRAORDINARY MOTION TO SET ASIDE DEFAULT JUDGMENT AND REOPEN CASE(S), PURSUANT TO SCRPC, RULE 60 (b) AND RESPECTFULLY REQUESTS THAT THIS HONORABLE COURT GRANT HIS MOTION, BASED ON THE FACTS BELOW:

APPELLANT WAS PROHIBITED FROM MAIL HIS BRIEF(S) BECAUSE HE COULD NOT GET TO THE MAIL ROOM TO NOTARIZE, COPY, AND MAIL THEM.

ON 1-12-15, KIOSK NO. 15-401701, A REQUEST WAS MADE TO NOTARY SERVICES TO, SPECIFICALLY, COME TO THE MAIL ROOM TO COMPLETE THESE TASK TO MAIL THE ENCLOSED VARIOUS MOTIONS. THIS REQUEST WAS NOT ANSWERED UNTIL 1-16-15. TELLING APPELLANT TO COME AS/IF BUT THE YARD OFFICER (PERSON CONTROLS YARD MOVEMENT) STATED, NO ORDER TO REPORT, YOU COULD NOT GO!

FILED

JAN 21 2015

STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW COURT

SHAWN J. BURELS,
APPELLANT,

v.

SOUTH CAROLINA DEPT. OF CORRECTIONS,
RESPONDENT.

Doc. No: 14CO604;

14CO605.

GRIEV. No: T.C.I.-164-14;

T.C.I.-166-14

MOTION TO SET ASIDE
DEFAULT JUDGMENT AND
REOPEN CASE(S)

APPELLANT PRESENTS THIS EXTRAORDINARY MOTION TO SET ASIDE DEFAULT JUDGMENT AND REOPEN CASE(S), PURSUANT TO SCRPC, RULE 60 (b) AND RESPECTFULLY REQUESTS THAT THIS HONORABLE COURT GRANT HIS MOTION, BASED ON THE FACTS BELOW:

APPELLANT WAS PROHIBITED FROM MAIL HIS BRIEF(S) BECAUSE HE COULD NOT GET TO THE MAIL ROOM TO NOTARIZE, COPY, AND MAIL THEM.

ON 1-12-15, KIOSK no. 15-4017101, A REQUEST WAS MADE TO NOTARY SERVICES TO, SPECIFICALLY, COME TO THE MAIL ROOM TO COMPLETE THESE TASK TO MAIL THE ENCLOSED VARIOUS MOTIONS. THIS REQUEST WAS NOT ANSWERED UNTIL 1-16-15. TELLING APPELLANT TO COME ASAP, BUT THE YARD OFFICER (PERSON CONTROLS YARD MOVEMENT) STATED, NO ORDER TO REPORT, YOU COULD NOT GO!

THE ONLY REASON THAT THESE DOCUMENT (LEGAL) WERE ABLE TO BE MAILED, IS BECAUSE THE MAIL ROOM CLERK ACTUALLY BROUGHT TO APPELLANT'S LIVING UNIT AND GAVE HIM HIS LEGAL MAIL (3 PIECES), INCLUDING ORDER OF DISMISSAL FOR YOUR COURT.

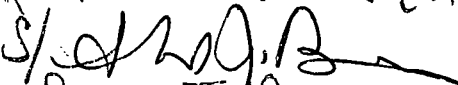
AT THIS TIME, APPELLANT REQUESTED, AND RECEIVED, AN ORDER TO REPORT, FROM THE CLERK, TO REPORT TO THE MAIL ROOM. THE DATE BEING, 1-26-15, MONDAY.

THIS HAS BEEN AN ONGING SITUATION OR PROBLEM, CONCERNING ACCESS TO THE MAIL TO COMPLETE LEGAL TASKS, ALL THE WAY BACK TO 12-16-14, WHERE THE LEGAL DEPT. (S.C.A.C.) STATED THE NOTARY SERVICES WAS TO BE USED TO GAIN ACCESS TO THE MAIL ROOM, FOR LEGAL PURPOSES.

THIS WAS BEYOND APPELLANT'S CONTROL, BECAUSE HE COULD NOT COMPLY WITH THE COURT'S DEADLINE, BECAUSE OF A FAILURE TO COMMUNICATE OR MISCOMMUNICATION, HE WAS PROHIBITED.


CONCLUSION:

BASED ON THE CIRCUMSTANCES, APPELLANT RESPECTFULLY REQUESTS THAT THE COURT SET ASIDE ITS EARLIER DEFAULT JUDGMENT AND REOPEN APPELLANT'S CASE(S) AND DECIDE ON THE MERITS

RESPECTFULLY SUBMITTED,

SHAWN J. BURRELL

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY THAT I, THE UNDERSIGNED, HAVE SERVED A TRUE COPY OF APPELLANT'S BRIEFS, DOC. NOS; 14CO604, 14CO65, ALSO THE ACCOMPANYING MOTION TO CONSIDER, AND EXPLANATION OF TARDINESS

S/ 
SHAWN J. BURRIS #191562
T.C.I.
P.O. Box 252
TURBEVILLE, SC. 29162

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JAN 27 2015

MAILROOM
TURBEVILLE CI

To:

S.C. COURT OF APPEALS
CLERK'S OFFICE.
P.O. Box 11629
COLUMBIA, SC 29211

From:

SHAWN J. BURRIS #191562
T.C.I, ASU-147
P.O. Box 252
TURBEVILLE, SC, 29162

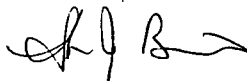
RE: SHAWN BURRIS V. S.C. D.C. APPELLATE CASE NO. 2015-000477
SUB: CORRECTION OF DEFICIENCIES, NOTICE OF CIRCUMSTANCES, & MOTION TO PROCEED
IN FORMA PAUPERIS.

DEAR CLERK,

I HAVE ENCLOSED THE ORDERS OF DISMISSAL FROM WHICH I APPEAL, ALONG WITH THE COMPLETE FILED MOTION TO SET ASIDE DEFAULT JUDGMENT AND REOPEN CASE(S), INCLUDING THE COPY SHOWING IT WAS DENIED AS A MOTION FOR RECONSIDERATION, WITHOUT IT EVER HAVING BEEN PRESENT TO THE PRESIDING JUDGE TO REVIEW.

ALSO, AS I AM IN LOCK-UP, I DON'T HAVE READY ACCESS TO LEGAL RESEARCH MATERIAL, COURT RULES, ETC. THEREFORE, I RESPECTFULLY REQUEST THAT I BE PROVIDED OR ADVISED OF ANY DEADLINES FOR FILING BRIEFS FOR MY APPEAL, SO THAT I MAY COMPLY.

SINCERELY,



P.S. I AM ALREADY ENCOUNTERING DIFFICULTY OBTAINING NOTARIZATION, COPIES, AND MAILING THESE DOCUMENTS, STATING THE MAILROOM LADY IS NOT HERE, FOR THE RECORD.

RECEIVED

MAR 31 2015

SC Court of Appeals

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY THAT I HAVE SERVED A COPY OF THE ENCLOSED PLEADINGS, ON ALL PARTIES, AT THEIR BELOW LISTED ADDRESS, BY DEPOSITING A COPY OF SAME IN THE U.S. MAIL, POSTAGE PRE-PAID, VIA T.C.I. MAILROOM ON THE DATE STAMPED BELOW.

SHAWN J. BUREIS 191562
T.C.I. ASU-147
P.O. Box. 252
TURBEVILLE, SC 29162

SCDC; OFFICE OF GENERAL COUNSEL
P.O. Box 21787
COLUMBIA, SC. 29221-787

S.C. COURT OF APPEALS
JENNY ABBOTT KITCHING, CLERK
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COLUMBIA, SC 29211

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MAR 10 2015

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