(8)

The State of South Carolina
In The Court of Appeals

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SC Court of Appeals

Appeal From Greenville County
Court of Common pleas
Ms. Letitia H. Verdin Circuit Court Judge
Case No. 2014-CP-23-04985

Benjamin Heyward #165514... Appellant

V.

South Carolina Dept of Corrections... Respondent

Notice of Appeal

Benjamin Heyward #165514
Lieber Corr Inst
P.O. Box 205
Ridgeville, SC 29472
pro se Appellant

Doull, Tate, / McDade, P.A.
MR. J. Victor McDade
P.O. Box 2125
Anderson, SC 29622
Attorney for Defendant / Respondent

Appellant

Appellant Benjamin Heyward, hereby appeals the order of Judgment dated April 8, 2015 of Judge Verdin. A Copy of this order is attached as Exhibit A and B.

BackGround

Appellant is A state prisoner within the south Cardina Department of corrections (SCDC). Appellant filed An South Carolina Tort claim Act 15-78-10 et seq, upon the basis of gross negligence and the tort of being placed naked on control cell For 94 hours. on march 21, 2013, while at perry Correctional institution appellant was placed in the special management unit on control cell naked For 94 hours. After lying on A metal framed bed for three days appellant back started hurting and he suffered back pain For nine weeks. Appellant seeks relief on punitive and Compensatory damages. per SCDC policy OP-22.12 special management unit, 29.2. states the only items that the inmate will be Allowed to have in the control cell will be: "one pair of underwear and one security blanket." Also, per SCDC policy "the wardens Duty Warden or major may placed An inmate in A control cell up to 72 hours."

Conclusion

Based on the foregoing statements of facts, The appellant respectfully requests this court to reverse the Circuit Court's decision.

Benjamin Heqward

Benjamin Heqward #165514
Lieber Corr Inst
P. O. Box 205
Ridgeville, SC 29472

Date: April 30, 2015

Benjamin Heyward #165514
Appellant

V.

South Carolina Dept of Corrections

Respondent

The State of South Carolina
In The Court of Appeals

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SC Court of Appeals

Case No. 2014-CP-23-07780

Certificate of Service

The undersigned Appellant Benjamin Heyward hereby declare that on April 30, 2015 A true and accurate copy of the notice of Appeal was placed in An envelope with first class postage thereon prepaid through the united states postal service and mailed to the Respondent Attorney as follows:

DOYLE, TATE, & McDade, P.A.
Mr. J. Victor McDade
P.O. Box 2125
Anderson SC 29622
Attorney for Respondent SCDC

Benjamin Heyward
pro se Appellant

Date: April 30, 2015

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

April 30, 2015

RE: Heyward V. SCDC
Case No. 2014-CP-23-04985

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Dear Clerk:

Enclosed please find the original notice of appeal in the above-referenced case. I have also enclosed a motion to proceed in forma pauperis. Please file the original and return the docked-in copy to me. I appreciate your assistance and thank you for your kind attention to this matter.

With kindest regards, I am

Sincerely

Benjamin Heyward

cc: Mr. J. Victor McDade
P.O. Box 2125
Anderson, SC 29622
Attorney for Respondent SCDC