



JAMES C. DUFF
Director

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

JILL C. SAYENGA
Deputy Director

WASHINGTON, D.C. 20544

SHERYL L. WALTER
General Counsel

May 22, 2015

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Calvin Lyndale Gaddy, 323551
Lieber Correctional Institution
Edisto b-54
P.O. Box 205
Ridgeville, SC 29472

RECEIVED
JUN 11 2015
SC Court of Appeals

Dear Mr. Gaddy:

This will serve as formal notification that the Administrative Office of the United States Courts has denied in full your tort claim dated September 26, 2014, arising from your litigation in the United States District Court for the District of South Carolina.

It is this agency's conclusion that, because your claim arise entirely from the performance of official duties integral to the judicial process, the claim may not be settled under authority of the Federal Tort Claims Act, 28 U.S.C. § 2671 *et seq.* The United States may assert absolute immunity from liability. 28 U.S.C. § 2674. In addition, you have not proven negligence on the part of a federal officer or employee that could give rise to tort liability under state law. 28 U.S.C. § 2672. To the extent you allege violations of your constitutional rights, your claim is excluded from the coverage of the Federal Tort Claims Act. 28 U.S.C. § 2679(b)(2).

I am required by regulations of the Department of Justice to advise you that, if you are dissatisfied with this agency's disposition of your claim, you have the right to file suit in an appropriate United States district court within six months of the date of mailing of this notification.

OFFICE OF THE GENERAL COUNSEL
ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

The South Carolina Court of Appeals

Calvin Gaddy, 323551, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2015-000685

The Honorable John D. McLeod
Trial Court Case No. 2015ALJ040105AP

ORDER

Appellant has failed to file a proper notice of appeal, a proof of service, a clean copy of the order being challenged on appeal, and submit the notice of appeal filing fee, as required by Rule 203 of the South Carolina Appellate Court Rules, and the Court's letter dated April 6, 2015. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

FILED

SF 5/26/15

cc:

Calvin Lyndale Gaddy, 00323551

Daniel John Crooks, III, Esquire

SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender
Joseph L. Savitz, III, Senior Appellate Defender

* Exhibit (A) *

April 28, 2010

NO ASSISTANCE'S

NO MORE STATE REMEDIES

EXISTING ADMINISTRATIVE

REMEDIES TO RESOLVE

* THE GREAT WRITS OF HABEAS CORPUS

Mr. Calvin Lyndale Gaddy #323551
McCormick Correctional Institution
386 Redemption Way
McCormick, SC 29899

FILED, JULY 6th 2010

* NO, FINAL AFFIRMING OF, THIS CONVICTION OR SENTENCE

Dear Mr. Gaddy:

Enclosed please find a copy of the order of the South Carolina Supreme Court denying our petition for writ of certiorari. This means that the lower court's decision in your case stands and you have exhausted your state remedies. Note the time limits for filing future actions based on the date of the denial of this PCR appeal action via the federal habeas statute of limitations.

Should you have any questions concerning this matter, please contact me.

(US PRECEDENT)
SEE JOHNSON 28 USC § 2242
-vs-

AVERY 393 US 483 (1969)

Sincerely,

DE FAULTE

Wanda H. Carter
Deputy Chief Appellate Defender

AHC:mwl

Signature

(19) A, B, C, D
B, Z

Next page
I

Exhibit (B) 2nd + (31)
1-15-15
19 (A) (B) 1-15-15

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Calvin Lyndale Gaddy,)
PROSE)
Appellant,)

vs.)
* WARDEN LARRY CARTLEDGE *)
South Carolina Department of Corrections,)
Respondent.)

NOTICE OF APPEAL

DOCKET NO. -ALJ-04-
GRIEVANCE NO.: P.C.L. 921-13
2013, CASE 2nd YEARS DELAYED

Notice is hereby given that I Calvin Lyndale Gaddy doe's PROSE does hereby appeal the final decision of the South Carolina Department of Corrections dated 5-06-15 and received on 5-06-15, a copy of which is attached. A general statement of the grounds for appeal is (See S.C. Code Ann. § 1-23-380(A)(6)): PROSE Aggrieved has Right declined WARDEN DISGRACE, discretion * discussion * it belated. OF
"matter" Subject matter Jurisdiction Inmate, had substantial
Right Liberty interest loss For "damages" issues That
Administrative Law, can't give for * punitive damages * Ad
Compensation B.H.H. Inmate FORWARD ISSUE TO Federal COURT'S
Abn State Administrative has Existing defaulted REMEDIE -
State can't cure damage. SEE Calvin Gaddy -v- Captain deGeorgis
8:13-cr-0158b - B. H. H. Appeal number docket
15-6660- matter was TURN OVER * department of Justice, *
RESOLVE issues NEGLIGENCE OF WARDEN ACTION, DELAYED *

Calvin L Gaddy #S.C.D.C.#323551
Appellant's Name
Lieber Correctional Edisto "Eb 54,

Calvin Gaddy
Signed
MAY 06 2015
Dated

Mailing Address P.O. Box 205
Ridgville SC. 29412^H
City, State, Zip Code

CERTIFICATE OF SERVICE

I hereby certify that I, Calvin Gaddy (your name), on the 6th day of May, 20 15, in Ridgville (city), South Carolina, served a copy of the foregoing Notice of Appeal on all parties to this matter by depositing the same in the United States Mail, postage paid, or in the mail room of the undersigned's institution and addressed as follows:
Name of person/Agency served: STATE OF SOUTH CAROLINA OFFICE OF GENERAL COUNSEL
Address: P.O. Box 21787 / 4444 Broad River Rd.
City, State, Zip Code: COLUMBIA SOUTH CAROLINA 29221-1787

Print your name: Calvin Lyndale Gaddy
(See reverse side for instructions)

Sign your name: Calvin Gaddy

Instructions for filing an appeal of the final agency decision from the South Carolina Department of Corrections:

- 1) You must complete the **Notice of Appeal** on the reverse side of these instructions and mail it to the Administrative Law Court at the following address:

**Clerk's Office
South Carolina Administrative Law Court
1205 Pendleton Street, Suite 224
Columbia, SC 29201**

A copy of the Notice of Appeal must also be forwarded to the Office of General Counsel at the Department of Corrections.

- 2) **In order for your case to be processed by the ALC, a copy of the final decision from the Department of Corrections must be attached to the Notice of Appeal.**

TO STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT
Edgar A. Brown building 1205 Pendleton Street suite 224
COLUMBIA, SOUTH CAROLINA 29201

TO, THE HONORABLE ADMINISTRATIVE JUDGE LENSKI.

CASE NO P.C.I. 921-13. Filed date 5-08-15.

(SEE) MEMORANDUM OF LAW OF SUPPLEMENTAL BRIEF.
OF, NEW STANDARD - RE-VIEW - FOR DE NOVO, REVIEW.

KEY - 683 ADMINISTRATIVE LAW - AND - PROCEDURE.

OF, PROSE PLIGANT CALVIN LYNDALE GADDY - S.C.D.C. 323551.
HAS, ESTABLISHED COLORABLE CLAIM OF (ANY) REMEDIE EXISTING.
UNDER BELL - V - S - WOLPISH. 441 U.S. 520. (1979)

PRETRAIL DETAINEE, UNDER CRUEL AND UNUSUAL - PUNISHMENT
(STATE) HAS (NO) SUBJECT MATTER JURISDICTION. Hold in
STATE CUSTODY. Violation, Code CONON Rule REGULATION

PROCEDURE, PRINCIPAL - RULE, PRISON SYSTEM POLICY
TO: DISCIPLINE STATE INMATE, HAS NEVER, BEEN CONVICTED.
OF CRIME by legal GRAND JURY PROCESS. Voting CITIZENS.

SEE: Grounds 1 (A) 2 (A) 3 (A)

OF, SUPPLEMENTAL BRIEF - (WITH AFFIDAVIT) OF (SERVICE'S)

~~Start~~
(Opening)
x STATEMENT x

Grounds

1[#]

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT'S

EdGAR A. BROWN Building 1205 Pendleton Street Suite 224
Columbia South Carolina 29201

MEMORANDUM OF LAW

Calvin Lyndale Gaddy
PROSE LITIGANT

STATE OF SOUTH CAROLINA
DEFENDANT ET AL.

PROSE LITIGANT ESTABLISHED
OF COLORABLE CLAIM DOUBLE JEOPARDY CLAUSE
TO THE MR HONORABLE JUDGE HENSKI
OF CLAIM CAUSE CAUSATION
COLORABLE CLAIM DOUBLE JEOPARDY
ALL STATE REMEDIES EXHAUSTED
ON F.R.A.P. RULE 41 LOCAL RULE 41
PENDING (MANDATE STATE LAW QUESTION)

RULE 60 OF S.C.C.R.P. STATE RULE CIVIL PROCEDURE

OPENING MEMORANDUM SUPPLEMENTAL BRIEF

APPEAL OF ERROR'S KEY 1008(1) KEY 1010(2) KEY 1012(1)

F.R.A.P. 41

STAYED OF MANDATE RULE 41

SEE STATE EX. REL. ROGER RAY PINGLEY
- V -

IRA COINER WARDEN OF THE WEST VIRGINIA PENITENTIARY

HABEAS CORPUS KEY 109

A STATUTORY - POST-CONVICTION HABEAS CORPUS

THAT CONCERNS CRUEL AND UNUSUAL PUNISHMENT RISK AT STAKE
IN THIS CASE. NO. 921-13 P.C.I. 5-08-15

PROSE LITIGANT GADDY, STATE INMATE, ALL STATE REMEDIES HAS RAN, THERE,
COURSE EXHAUSTED, FOR HABEAS CORPUS KEY 25.2(3)

VIOLATION OF PROVISION OF CONSTITUTION

CODE CANON LAWS RULE REGULATION S.C.D.C. POLICY PRISONS KEY (4)

PRISON (13) SUPPORT CLAIM OF COLORABLE DOUBLE JEOPARDY CLAUSE

42 U.S.C.A. § 1983. U.S.C.A. CONST. AMEND 8.

EIGHTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

PROSE LITIGANT CALVIN LYNDAL GADDY, S.C.D.C. 323551, ON STAY OF MANDATE

F.R.A.P. RULE 41 AND LOCAL RULE 41 HAS CLEARLY

ETS. ESTABLISHED CRUEL AND UNUSUAL PUNISHMENT

CLAIM ON S.C.D.C. STATE OFFICER WORKING UNDER

COLOR OF STATE LAWS - UNCONSTITUTIONAL REVERSIBLE ERROR.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT EDGAR A. BROWN BUILDING
1205, PENDLETON STREET, SUITE 224.
COLUMBIA, SOUTH CAROLINA 29201

Calvin Lyndale Gaddy 323551 S.c.d.c.
PROSE LITIGANT

- VS -

STATE OF SOUTH CAROLINA
DEFENDANT'S. AI

MEMORANDUM OF LAW.
TO: MR HONORABLE Judge LENSKI
Filing date 921-13. p.c.T. 5-08-15
NEWLY ESTABLISHMENT COLORABLE CLAIM
DOUBLE-JEOPARDY CLAUSE RISK
(Ahh) STATE ADMINISTRATIVE REMEDIE

CLEARLY ESTABLISHED CASE CAUSE.
OF VIOLATION CODE POLICY CANON

HAS EXHAUSTED NO MORE REMEDIE
42 U.S.C. § 1997(E)(A)

RULE REGULATION PRISON ISSUE'S
** ILLEGALLY-FOR DOUBLE JEOPARDY RISK *

DEPRIVATION OF LIBERTY OF INTEREST
LOSS OF RIGHTS. CLEARLY ESTABLISHED

* UNCONSTITUTIONAL DISCIPLINE ILLEGALLY-(CONVICTION-SENTENCE) *

* ESTABLISHED * BACK GROUND FOR NEW-STANDARD-REVIEW *

* COLORABLE * FOR ESTABLISHMENT-NEW-DE-NOVO DOUBLE-JEOPARDY *

* CLAIM * AT DISPUTE DAMAGE LOSS OF COMMITMENT ORDER *

* CLEARLY ESTABLISHED * OF ARCHIVE OF TRANSMITTAL, CERTIFICATE, TITLE, PROPERTY *

* OWNER SHIP OF [REDACTED] CUSTODY STATE PROPERTY *

*** KEY 683 ADMINISTRATIVE LAW ***

INMATE, PROSE LITIGANT Calvin Lyndale Gaddy S.C.D.C. 323551 HAS

* ESTABLISHMENT * FOR STANDARD OF RE-VIEW. DE-NOVO LIBERTY OF INTEREST.

DOUBLE JEOPARDY BEING UNDER BEH-VS-WOLFISH 441 U.S. 520, (1999)

OF CRUAL-AND-UNUSUAL PUNISHMENT, UNDER (GROUND) 1, (A) AND 3(A)

PROCEDURAL-DEFECTS-OF MISSING ARCHIVE, buf STATE OF SOUTH CAROLINA.

GOVERNMENT, S.C.R.C.P. RULE 3(A). COMMITMENT-ORDER-TRANSMITTAL

CERTIFICATE OF STATE TITLE deed's OF, OWNER SHIP, AFFIRMATIVE, STATE HAS

COMFIRMATIVE, AFFIRMATIVE, PROPERTY RIGHTS HOLD (PROSE LITIGANT CALVIN GADDY)

CUSTODY AFFIRM, SENTENCE-CONVICTION LEGAL STATE, STATE OF SOUTH

CAROLINA - CODE LAWS - RULE - PROCEDURAL, PROCESS - REGULATIONS

BEING PROSE LITIGANT, TO SHOW-CAUSE-CLEARLY ESTABLISHED

SEE; KEY: 683-ADMINISTRATIVE-LAW, TRANSMITTAL-CERTIFICATE

STATE OF SOUTH CAROLINA OWNERSHIP COURT ORDER.

(STATE INMATE) UNDER UNCONSTITUTIONAL ACTS IN SOUTH CAROLINA.

FOR- CAUSE- CAUSATION- PREJUDICED- DOUBLE JEOPARDY CLAUSE.

CONTINUE NEXT PAGE. 1

CONTINUE FROM GROUND'S 1 (A)

SEE, ADMINISTRATIVE LAW AND PROCEDURE KEY - 229^H

CLICK - V - CLICK, 129 S.E. 194 (1925)

CRUEL - AND - UNUSUAL - PUNISHMENT (UNDER) THE (STATE)

(AND) FEDERAL CONSTITUTIONS U.S.C.A. CONST. AMEND - 8; CONST ART 3, § 5
PROSE LITIGANT IN THIS CASE, HAS EXHAUST ALL STATE REMEDIE.

PRIOR TO, POST-CONVICTION RELIEF, HAS FEDERAL HABEAS CORPUS.

28. U.S.C. § 2254 pending STAY OF MANDATE. QUESTION OF STATE LAWS.

(DOSE) THIS STATE OF SOUTH CAROLINA GOVERNMENT PRISON - CONDITION OF
LIBERTY OF INTEREST / LIBERTY PROPERTY / AT STAKE. FOR, COLORABLE
CLAIM, OF UNCONSTITUTIONAL ACTS / DOUBLE-JEOPARDY - AT STAKE

ILLEGALITY OF CUSTODY RESTRAINT'S. TO CHALLENGE. (THE ADMINISTRATIVE)

(BODY.) AGENCY. OF STATE DEPARTMENT OF CORRECTIONAL, OF GENERAL COUNSEL.

THE STATE OF ATTORNEY GENERAL. PROSECUTION. STATE REMEDIE'S HAS EXHAUSTED.

SEE: STATE EX. REL, FIELDS - V - WARDEN - MC BRIDE. OF MOUNT OLIVE.

LIFE AS 609. S.E. 2d 884. W.VA. 2004.

⊗ ⊗ ⊗ GROUND'S 2 (A) START BELOW.

PROSE LITIGANT, CALVIN LYNDALE GADY, S.C.D.C. 32355 (OFFICIAL),

(HAS) EXHAUSTED, HIS ADMINISTRATIVE BODY REMEDIE. (SEE) NEW FEDERAL COURT'S

* COLORABLE CLAIM, OF CRUEL - AND - UNUSUAL - PUNISHMENT. OF CAUSE FOR

* NEW. ESTABLISHMENT GROUND'S CAUSE FOR NEW-STANDARD RE-VIEW-DE NOVO.

KEY. 683 ADMINISTRATIVE LAW AND PROCEDURE DEFECT. NEGLIGENCE OF
JOB DUTY. PROTECTION, FROM, UNCONSTITUTIONAL ACTS IN.

STATE DEPARTMENT OF CORRECTIONAL - BIASED - UNCONSTITUTIONAL. PRISON-SYSTEMS

UNCONSTITUTIONAL. S.C.D.C. POLICY, THAT NOT MANDATED, ENFORCEMENT ON
STATE INMATE, BEING (DEPRIVATED) OF LIBERTY OF INTEREST, AT STAKE.

SERVING, ILLEGALLY, ~~STAY~~ (SENTENCE) ? (CONVICTION) IN VIOLATION.
DUE PROCESS, HABEAS CORPUS KEYS 201, 513, 277.

ADMINISTRATIVE LAWS - AND - PROCEDURE OF BODY KEY 229^H

DE NOVO. STANDARD-RE-VIEWS. OF FACTUAL FINDING MADE BY LOWER.

COURT'S ALLEGED PROCEDURE DEFECT'S, NO COMMITAL-TRANSMITTAL.

ARCHIVE, CERTIFICATE PROCESS BY S.C.R.C.P. RULE 3 (A) PROCESS OF

WARRANT K 124617, PROPER PROCEDURE, 15^H DAYS. TRANSMITTAL PROCESS.

CERTIFICATE COPIE TRUE FILED DATE'S. ????. ARCHIVE'S. MISSING

CHALLENGER, CRUEL - AND - UNUSUAL - PUNISHMENT. DOUBLE-JEOPARDY.

CLAUSE, AT (STATE LIBERTY) OF (INTEREST) LIFE DEATH LIABILITY

GROUND'S 3 (A) CONTINUE. NEXT PAGE.

CONTINUE GROUND, FOR GROUND 3rd(A)

THE STATE OF South CAROLINA. REMEDIE, HAS RAN, it's COURSE.
OF UNCONSTITUTIONAL. STATE depratment of CORRECTION REMEDIE
OF CRUEL-AND- UNUSUAL punishment, That's PROHIBITED.
IN South CAROLINA Constitution/ FEDERAL COURT'S CONSTITUTIONAL.
OF Eighth Amendment's (ALSO), THE Fourteenth Amendment's of
DUE PROCESS, OF Equal Right. FROM deprivation.

* UNTIL THIS STATE, OF South CAROLINA & STATE South CAROLINA DEPT CORR
& OUR STATE. OF South CAROLINA GOVERNOR (GOVERNMENT)
NIKKI R. HAILEY. PROVE, THE BURDEN OF PROOF. COMMITIAL ORDER'S
TRANSMITTAL CERTIFICATE. MR. CALVIN LYNDALE GADDY. UNDER (SLAVER)
PRISON-CONDITIONS. CAUSE CAUSATION OF DOUBLE JEOPARDY CLAUSE.

SEE PORTER -V- NUSSIE 534. U.S. 516 (2002) CASE U.S. 516
* THE UNITED STATE SUPREME COURT HELD. THAT "PRISON CONDITION",
REFER'S TO. EVERYTHING THAT HAPPENS IN PRISON, INCLUDING
SINGLE INCIDENTS OF GUARD BRUTALITY.

SEE SUPREME COURT CASE BOOTH-V-CHURNER, 532 U.S. 731 (2001)
* PRISON'S GRIEVANCE SYSTEM: EXHAUSTED CLAIMS
PROSE LITIGANT CALVIN L GADDY S.C.D.C. 323551.
HAS EXHAUSTED EXHAUSTION REQUIREMENT.

42. U.S.C.A. § 1991(e) (A) HABEAS 197 KEY 406
1971 (D) FEDERAL COURT'S REVIEW OF petition by STATE
PRISONER. UNDER BELH -V-S- WOLFISH 441. U.S. 520. (1979)
SLAVERY. OF CRUEL-AND- UNUSUAL- PUNISHMENT OF Eighth Amed.
VIOLATION. 197 K- 405. CAUSE- SLAVERY- CASE CAUSATION
DOUBLE JEOPARDY CLAUSE. HAS BEEN * CLEARLY ESTABLISHED *

* SEE. AL-SHABAZZ -V- STATE 527 S.E.2d 742, 754. (2000) CASE.
FOR DAMAGES- DOUBLE JEOPARDY CLAUSE DEPRIVATION
THAT CRUEL- AND- UNUSUAL- PUNISHMENT PROHIBIT. IN South CAROLINA.
CONSTITUTION/ FEDERAL CONSTITUTION/ it's AGAINST SLAVERY.

SEE CONCLUSION / AFFIDAVIT.
OF NEWLY CLEARLY ESTABLISHMENT
* PROSE CLAIM *

TO: THE STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT'S
1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201-3756

CALVIN LYNDALE GADDY S.C.D.C. 323551
- VS - PROSE LITIGANT
STATE OF SOUTH CAROLINA AGENCY.
ADMINISTRATIVE BODIES
DEFENDANT'S ET AL.

FACILITIES ARE STATE FUNCTIONS
SUBJECT TO FEDERAL AUTHORITY

MEMORANDUM OF LAW.
OF DEPRIVATION - NEGLIGENCE
SEE ADMINISTRATIVE LAW & PROCEDURE
KEY 229. PRISON-CONDITIONAL DISTRICT
OF HABEAS CORPUS: PENDING.
PROSE, LITIGATION RULE'S AT DISPUTED.
OF F.R.A.P. 41, & LOCAL RULE 41.
CANON CODE, RULE'S STATUTE,
REGULATION PRIVILEGES OF RIGHT'S DISPUTED.
OF VIOLATION OF FOURTEENTH AMENDMENT

42 U.S.C. § 1983 BACK GROUND'S OF ESTABLISHED - COLORABLE CLAIM.

PROSE, LITIGANT, CALVIN LYNDALE GADDY, #323551, S.C.D.C.
THAT HAS ESTABLISHED COLORABLE CLAIM. THAT ALL STATE, [REDACTED] TO [DISPUTED]
OF REMEDY. THERE'S NO ADMINISTRATIVE HELP, IN STATE COURTS, OF SOUTH CAROLINA
THEREFOR, THIS, WELLS- ESTABLISHMENT. THIS STATE, OF SOUTH HAS (NO) BURDEN
OF PROOF, OF CONVICTION OR SENTENCE, AFFIRMED, AFFIRMATIVE, STATE LAW.
FELONY CRIME STATUTE OF STATE LAWS, PENDING. F.R.A.P. RULE 41.

AND LOCAL RULE'S F.R.A.P. 41. STAYED OF MANDATES QUESTION LAWS.

THEREFORE, THE SOUTH CAROLINA APPELLANT COURTS, (RETURN) AND.

ORDER OF RE-MEMITTUTURT. (BACK LOWER COURTS) ALL STATE REMITTED, WAS

EXHAUSTED SEE EXHIBIT'S,

ALL REMEDIE, WAS OVER.

WHEN, PROSE LITIGANT, FILED FIRST INSTANCE, 28. U.S.C. § 2254. STATE
LAW VIOLATION ILLEGALLY RESTRAINT. THEREFORE, WHILE, THESE ISSUE'S COMPLAINT
BEING FILED IN THE STATE OF SOUTH CAROLINA, ADMINISTRATIVE BODIES

IN THE, MATTER OF PENDING LITIGATION, OF NO, FINALITY RULING IN PROSE,
PENDING DISPOSITION, SETTLEMENTS, THEREFORE, ALL PROSE CLAIM,
OF GRIEVANCE, ALL (ADMINISTRATIVE) JUDGE, ARE LIABLE, OF COLORABLE,
*** DOUBLE JEOPARDY. CLAIM'S *** BIASED, PREJUDICED. RULING.

REASON, THERE'S NO. REMEDIE. IN STATE OF SOUTH CAROLINA APPEALS COURTS.

THEREFORE, TO, THIS DISPOSITION, PENDING STATE LAWS QUESTION ON AND
STAYED OF MANDATE. RULE OF F.R.A.P. 41. & LOCAL RULE 41.

THERE'S NO EXCEEDING EXTRAORDINARY REMEDIES. (LEFT.)

NO STATE COURT HAS EXISTING IN THE ADMINISTRATIVE BODY. OFFERER'S

RESOLVE. SEE BEHNS VS - WOLFISH 441. U.S. 520 1979. PRETRIAL, DETAINEE

OF CRUEL AND - UNUSUAL - PUNISHMENT NO FINAL JUDGMENT'S

"CONTINUE" ——— NEXT "PAGE"

"CONTINUE" FROM "PAGE A"

OF, CONVICTION, STENCIL, JUDGEMENT'S FINALITY:
OF ANY PLAINLY WRONG IN THE DEPARTMENT CORRECTION, PRISON POLICY OF
BIASED, CAUSE CAUSATION, TAKE, TO FEDERAL COURT'S JURISDICTION, ANY
FILED GRIEVANCE, OR APPEALS WHILE ON FEDERAL STAYED OF MANDATE. OF
F.A.A.P. 41. AND LOCAL RULE 41. STATE ARE PHASE, OF PROHIBIT'S OF
OF STATE OR FEDERAL OF CONSTITUTIONAL VIOLATION EIGHTH AMENDMENT TO
THE CONSTITUTION OF THE UNITED STATES. VIOLATION THAT CRUEL AND UNUSUAL PUNISHMENT
IS PROHIBIT IN SOUTH CAROLINA CONSTITUTIONAL AND FEDERAL CONSTITUTIONAL.
RULE, CODE, LAWS, CANON REGULATION. STATUTE. 42 U.S.C. § 1983
OF PLAINLY WRONGS IN FACILITIES ARE STATE FUNCTIONS, THAT'S
SUBJECT TO. FEDERAL AUTHORITY. PARAMOUNT. CONSTITUTIONAL OR STATUTORY
RIGHTS OF SUPERVENE. NO ONE ABOVE THE SUPREMACY CLAUSE.
EVEN THE ADMINISTRATIVE LAW COURTS. OF SOUTH CAROLINA
NOT, ABOVE, THE LAWS OF FEDERAL CONSTITUTIONAL STATUTE RULE.

AFFIDAVIT OF SERVICE.

TO: THE ADMINISTRATIVE LAW COURT 1205
PENDLETON STREET COLUMBIA S.C. 29201. 37-56.
IN THE OPEN CAPTION DEFENDANT'S
NO. CLAIMS AS BEEN DISMISSED, FAILURE STATE CLAIM. FRIVOLOUS
OR MERITORIOUS.

SWORN AND SUBSCRIBED ON THIS DATE 3rd BEFORE ME.
OF JUNE 2015

William S. Glown
NOTARY PUBLIC FOR STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES MARCH 4, 2025

* Calvin Gaddy
CALVIN LYNDALE GADDY 323551
EDISTO B 54
LIEBER CORRECTIONAL INST
P.O. BOX 205
RIDGEVILLE S.C. 29472

Three

#

C

FILED

FILED
OFFICE OF CLERK
OF COURT
2015 MAY 13 PM 2:13
CLERK OF COURT
LANCASTER, SC

I REFUSE be deprived
OF Liberty OF my interest
being DISCRIMINATED
by S.C. dc^H 2015^H

GENERAL Session WAS in Chester
County July (30)(31) (1)(2)(3) Chester County
2007 ← → August 2007

see 2007 terms of COURT'S

Dear Appellant:

5/14/2015

Page 1

Below is information regarding your case which has been filed with the ALC. Please refer to the Rules of Procedure (enclosed) for the time frames on filing briefs and other matters.

Case number	Inmate number	Inmate first name	Inmate last name	Grievance No	Respondent	Filing date	Date Assigned	Judge last name
15C0223	323551	CALVIN	GADDY	PCI 921-13	DOC	5/8/2015	5/14/2015	LENSKI



You must file all original documents and correspondence regarding this case directly with the above-named Judge and serve a copy on the Dept. of General Counsel, S.C. Dept. of Corrections, PO Box 21787, Columbia, SC 29221.



FILED

MAY 14 2015

ADMIN. LAW COU



MRS Bouch #

GRIEVANCE ISSUE'S

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1387

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender
Joseph L. Savitz, III, Senior Appellate Defender

SEE Taylor-V-pegelaw
335 F.2d. 4th Cir 1964
1-22-2015

*28. U.S.C. § 1915(d)
1-22-15

April 28, 2010

(I) delayed

Mr. Calvin Lyndale Gaddy #323551
McCormick Correctional Institution
386 Redemption Way
McCormick, SC 29899

The great writ of Habeas Corpus
Filed, July 6th 2010 #

Dear Mr. Gaddy:

NO Final Affirming
of this conviction or sentence

Enclosed please find a copy of the order of the South Carolina Supreme Court denying your petition for writ of certiorari. This means that the lower court's decision in your case stands and you have exhausted your state remedies. Note the time limits for filing future actions based on the date of the denial of this PCR appeal action via the federal habeas statute of limitations.

Should you have any questions concerning this matter, please contact me.

Sincerely,

PART 1(A)

Wanda H. Carter
Deputy Chief Appellate Defender

AFFIRMATIVE
OPINION
28. U.S.C. § 1915
(1-22-2015)

WHC:mwl

Enclosure

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Calvin Gaddy, #323551
Appellant,
 vs.
 South Carolina Department of Corrections,
 Respondent.

) Docket No. 15-ALJ-04-0233-IJ
) *DECLINE SEE: Exhibit #A+
) *Pending 28 U.S.C. 2254
) ORDER OF DISMISSAL
) *STAYED MANDATE Rule 4
) STATE REMEDIE DEFAULTED

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). The Appellant filed a Step One Grievance on March 16, 2015, which was returned to Inmate unprocessed. Appellant then proceeded to file this Appeal on May 14, 2015, without pursuing a Step Two Grievance.

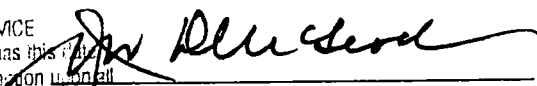
An appellant is required to ^{ARE} exhaust administrative remedies prior to filing an appeal. Howard v. Mutz, 315 S.C. 356, 434 S.E.2d 254 (1993). There is no evidence Appellant has exhausted his administrative remedies through the SCDC grievance process. The ALC has appellate review jurisdiction over final decisions rendered by SCDC in non-collateral or administrative matters. Slezak v. S.C. Dep't of Corr., 361 S.C. 327, 605 S.E.2d 506 (2004).

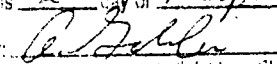
Because Appellant has not exhausted administrative remedies prior to filing this appeal, this matter is dismissed. ¹ Hyde v. S.C. Dep't of Mental Health, 314 S.C. 207, 442 S.E.2d 582 (1994); see also S.C. Code Ann. § 1-23-380.

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

CERTIFICATE OF SERVICE
 This is to certify that the undersigned has this order served in the above entitled action and 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).

May 29, 2015
 Columbia, S.C.


 John D. McLeod, Judge
 South Carolina Administrative Law Court

This 29 day of May, 2015
 By: 
 Judicial Law Clerk

FILED

MAY 29 2015

¹ Inmate also failed to timely file his appeal to the ALC. Inmate's Step One Grievance was returned to him, unprocessed, on March 16, 2015. Inmate had thirty (30) days from March 16, 2015 to file his appeal to the ALC. Pursuant to ALC Rule 59, this case would also be dismissed for failure to timely file an appeal. SC ADMIN. LAW COURT

TO STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT
Edgar A. Brown building 1205 Pendleton Street suite 224
COLUMBIA, SOUTH CAROLINA 29201

TO, THE HONORABLE ADMINISTRATIVE JUDGE LENSKI.

CASE NO. P.C.I. 921-13. FILED DATE 5-08-15.

(SEE) MEMORANDUM OF LAW OF SUPPLEMENTAL BRIEF.
OF, NEW STANDARD - RE-VIEW - FOR DE NOVO, REVIEW.

KEY - 683 ADMINISTRATIVE LAW AND PROCEDURE.

OF, PROSE LITIGANT CALVIN LYNDALE GADDY - S.C.D.C. 323551.
HAS, ESTABLISHED COLORABLE CLAIM OF (ANY) REMEDIE EXISTING.
UNDER BELL - V - S - WOLFISH. 441 U.S. 520. (1979)

PRETRIAL DETAINEE, UNDER CRUEL AND UNUSUAL PUNISHMENT
(STATE) HAS (NO) SUBJECT MATTER JURISDICTION. HOLD IN
STATE CUSTODY. VIOLATION, CODE CONON RULE REGULATION

PROCEDURE, PRINCIPAL - RULE, PRISON SYSTEM POLICY
TO: DISCIPLINE STATE INMATE, HAS NEVER, BEEN CONVICTED.
OF CRIME BY LEGAL GRAND JURY PROCESS. VOTING CITIZENS.

SEE: GROUNDS 1 (A) 2 (A) 3 (A)

OF, SUPPLEMENTAL BRIEF - (WITH AFFIDAVIT) OF (SERVICE'S)

~~Start~~

(Opening)
x STATEMENT x

Grounds

1st

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT'S

Edgar A. Brown Building 1205 Pendleton Street Suite 224
Columbia South Carolina 29201

MEMORANDUM OF LAW

Calvin Lyndale Gaddy
PROSE LITIGANT

STATE OF SOUTH CAROLINA
DEFENDANT ET AL.

PROSE LITIGANT ESTABLISHMENT ESTABLISHED
OF COLORABLE CLAIM DOUBLE JEOPARDY CLAUSE
TO THE MR HONORABLE JUDGE HENSKI
OF CLAIM CAUSE CAUSATION
COLORABLE CLAIM DOUBLE JEOPARDY
ALL STATE REMEDIES EXHAUSTED
ON F.R.A.P. RULE 41 LOCAL RULE 41
PENDING (MANDATE STATE LAW QUESTION)

RULE 60 OF S.C. CRIP. STAT. RULE CIVIL PROCEDURE
OPENING MEMORANDUM SUPPLEMENTAL BRIEF

APPEAL OF ERROR'S KEY 1008(1) KEY 1010(2) KEY 1012(1)
F.R.A.P. 41. Stayed of MANDATE RULE 41.

SEE STATE EX. REL. ROGER RAY PINGLEY
- V -

IRA. COINER WARDEN OF THE WEST VIRGINIA PENITENTIARY
Habeas Corpus KEY 109.

A STATUTORY - POST-CONVICTION HABEAS CORPUS
THAT CONCERNS CRUEL AND UNUSUAL PUNISHMENT RISK AT STAKE
IN THIS CASE. NO. 921-13 P.C.I. 5-08-15

PROSE LITIGANT GADDY. STATE INMATE, ALL STATE REMEDIES HAS RAN, THERE,
COURSE EXHAUSTED, FOR HABEAS CORPUS KEY 25. 2 (3)

VIOLATION OF PROVISION OF CONSTITUTION
CODE CANON LAWS RULE REGULATION S.C.D.C. POLICY PRISONS KEY (4)
PRISON (13) SUPPORT CLAIM OF COLORABLE DOUBLE JEOPARDY CLAUSE
42 U.S.C.A. § 1983. U.S.C.A. CONST. AMEND 8.

EIGHTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.
PROSE LITIGANT CALVIN LYNDAL GADDY. S.C.D.C. 323551, ON STAY OF MANDATE
F.R.A.P. RULE 41. AND LOCAL RULE 41. HAS CLEARLY

ETS. ESTABLISHED CRUEL AND UNUSUAL PUNISHMENT
CLAIM ON S.C.D.C. STATE OFFICER WORKING UNDER
COLOR OF STATE LAWS. UNCONSTITUTIONAL REVERSIBLE ERROR.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT EDGAR A. BROWN BUILDING
1205, PENDLETON STREET, SUITE 224.
COLUMBIA, SOUTH CAROLINA 29201

CALVIN LYNDALE GADDY 323551 S.C.D.C.
PROSE LITIGANT

- VS -

STATE OF SOUTH CAROLINA
DEFENDANT'S A1

CLEARLY ESTABLISHED CASE CAUSE
OF VIOLATION CODE POLICY CANON

RULE REGULATION PRISON ISSUES
** ILLEGALLY - FOR DOUBLE JEOPARDY RISK *

MEMORANDUM OF LAW.

TO: MR HONORABLE JUDGE LENSKI
FILING DATE 9-21-13. P.C.I. 5-08-15
NEWLY ESTABLISHED COLORABLE CLAIM
DOUBLE JEOPARDY CLAUSE RISK

(A1) STATE ADMINISTRATIVE REMEDIE

HAS EXHAUSTED NO MORE REMEDIE
42 U.S.C. § 1997(E)(A)

DEPRIVATION OF LIBERTY OF INTEREST
LOSS OF RIGHTS CLEARLY ESTABLISHED

* UNCONSTITUTIONAL DISCIPLINE ILLEGALLY (CONVICTION - SENTENCE) *

* ESTABLISHED * BACK GROUND FOR NEW STANDARD REVIEW *

* COLORABLE * FOR ESTABLISHMENT - NEW DE NOVO DOUBLE JEOPARDY *

* CLAIM * AT DISPUTE DAMAGE LOSS OF COMMITMENT ORDER *

* CLEARLY ESTABLISHED * OF ARCHIVE OF TRANSMITTAL, CERTIFICATE, TITLE, PROPERTY *

* OWNER SHIP OF [REDACTED] CUSTODY STATE PROPERTY *

*** KEY 683 ADMINISTRATIVE LAW ***

INMATE, PROSE LITIGANT CALVIN LYNDALE GADDY S.C.D.C. 323551 HAS

* ESTABLISHMENT * FOR STANDARD OF RE-VIEW. DE-NOVO LIBERTY OF INTEREST

DOUBLE JEOPARDY BEING UNDER BELL-VS-WOLFISH 441 U.S. 520 (1979)

OF CRUAL AND UNUSUAL PUNISHMENT UNDER (GROUND) 1, (A) (2) 3 (A)

PROCEDURAL DEFECTS OF MISSING ARCHIVE, BUT STATE OF SOUTH CAROLINA

GOVERNMENT S.C.R.C.P. RULE 3(A). COMMITMENT ORDER - TRANSMITTAL

CERTIFICATE OF STATE TITLE DEED'S OF, OWNER SHIP AFFIRMATIVE, STATE HAS

CONFIRMATIVE, AFFIRMATIVE, PROPERTY RIGHTS HOLD (PROSE LITIGANT CALVIN L GADDY)

CUSTODY AFFIRM, SENTENCE - CONVICTION LEGAL STATE, STATE OF SOUTH

CAROLINA - CODE LAWS - RULE - PROCEDURAL, PROCESS - REGULATIONS

BEING PROSE LITIGANT, TO SHOW CAUSE - CLEARLY ESTABLISHED

SEE; KEY: 683 - ADMINISTRATIVE - LAW, TRANSMITTAL - CERTIFICATE

STATE OF SOUTH CAROLINA OWNERSHIP COURT ORDER

(STATE INMATE) UNDER UNCONSTITUTIONAL ACTS IN SOUTH CAROLINA

FOR - CAUSE - CAUSATION - PREJUDICED - DOUBLE JEOPARDY CLAUSE

CONTINUE NEXT PAGE. 1

CONTINUE FROM GROUND'S 1 (A)

SEE, ADMINISTRATIVE LAW AND PROCEDURE KEY - 229^H

CLICK - V - CLICK, 121 SE. 194 (1925)

CRUEL - AND - UNUSUAL - PUNISHMENT (UNDER) THE (STATE)

(AND) FEDERAL CONSTITUTIONS U.S.C.A. CONST - AMEND - 8; CONST ART 3, § 5
PROSE LITIGANT IN THIS CASE, HAS EXHAUST ALL STATE REMEDIE.

PRIOR, TO, POST - CONVICTION RELIEF, HAS FEDERAL HABEAS CORPUS.

28. U.S.C. § 2254. pending STAY OF MANDATE. QUESTION OF STATE LAWS.

(DOSE) THIS STATE OF SOUTH CAROLINA GOVERNMENT PRISON - CONDITION OF
LIBERTY OF INTEREST / LIBERTY PROPERTY / AT STAKE. FOR, COLORABLE
CLAIM, OF UNCONSTITUTIONAL ACTS / DOUBLE - JEOPARDY - AT STAKE

ILLEGALITY OF CUSTODY RESTRAINT'S. TO CHALLENGE. (THE ADMINISTRATIVE)

(BODY) AGENCY OF STATE DEPARTMENT OF CORRECTIONAL, OF GENERAL COUNSEL.

THE STATE OF ATTORNEY GENERAL. PROSECUTION. STATE REMEDIE'S HAS EXHAUSTED.

SEE: STATE EX. REL, FIELDS - V - WARDEN - MC BRIDE. OF MOUNT OLIVE,

LIFE AS 609. S.E. 2d 884. W.VA. 2004.

⊗ ⊗ ⊗ GROUND'S 2 (A) START BELOW.

PROSE LITIGANT, CALVIN LYNDAE GADY, S.C.D.C. 32355 (OFFICIAL)

(HAS) EXHAUSTED, HIS ADMINISTRATIVE BODY REMEDIE. (SEE) NEW FEDERAL COURT'S

* COLORABLE CLAIM, OF CRUEL - AND - UNUSUAL - PUNISHMENT. OF CAUSE FOR

* NEW. ESTABLISHMENT GROUND'S CAUSE FOR NEW - STANDARD RE - VIEW - DE NOVO.

KEY. 683 ADMINISTRATIVE LAW - AND - PROCEDURE DEFECT. NEGLIGENCE OF
JOB DUTY. PROTECTION, FROM, UNCONSTITUTIONAL ACT'S IN

STATE DEPARTMENT OF CORRECTIONAL - BIASED - UNCONSTITUTIONAL. PRISON - SYSTEMS

UNCONSTITUTIONAL. S.C.D.C. POLICY, THAT NOT MANDATED, ENFORCEMENT ON
STATE INMATE, BEING (DEPRIVATED) OF LIBERTY OF INTEREST, AT STAKE.

SERVING, ILLEGALLY, ~~SENTENCE~~ (SENTENCE) ? (CONVICTION) IN VIOLATION.

DUE PROCESS. HABEAS CORPUS KEYS, 201, 513, 277.

ADMINISTRATIVE LAWS - AND - PROCEDURE OF BODY KEY 229^H

DE NOVO. STANDARD - RE - VIEWS OF FACTUAL FINDING MADE BY LOWER.

COURT'S ALLEGED PROCEDURE DEFECT'S, NO COMMITTEE - TRANSMITTAL.

ARCHIVE, CERTIFICATE PROCESS BY S.C.R.C.P. RULE 3 (A) PROCESS OF

WARRANT K 124617, PROPER PROCEDURE, 15th DAYS TRANSMITTAL PROCESS.

CERTIFICATE COPIE TRUE FILED. DATE'S. ?????? ARCHIVE'S. MISSING

CHALLENGER, CRUEL - AND - UNUSUAL - PUNISHMENT. DOUBLE - JEOPARDY.

CLAUSE, AT (STATE LIBERTY) OF (INTEREST) LIFE DEATH LIABILITY

GROUND'S 3rd (A) CONTINUE. NEXT PAGE.

CONTINUE GROUND, FOR GROUND 3rd (A)

THE STATE OF SOUTH CAROLINA. REMEDIE, HAS RAN, IT'S COURSE.
OF UNCONSTITUTIONAL STATE DEPARTMENT OF CORRECTION REMEDIE
OF CRUEL-AND-UNUSUAL PUNISHMENT, THAT'S PROHIBITED.
IN SOUTH CAROLINA CONSTITUTION / FEDERAL COURT'S CONSTITUTIONAL.
OF EIGHTH AMENDMENT'S (ALSO), THE FOURTEENTH AMENDMENT'S OF
DUE PROCESS, OF EQUAL RIGHT. FROM DEPRIVATION.

* UNTIL THIS STATE, OF SOUTH CAROLINA & STATE SOUTH CAROLINA DEPT CORR
& OUR STATE OF SOUTH CAROLINA GOVERNOR (GOVERNMENT)
Nikki R. Haley. PROVE, THE BURDEN OF PROOF. COMMITTING ORDER'S
TRANSMITTAL CERTIFICATE. MR. CALVIN LYNDALE GADDEY. UNDER (SLAVER)
PRISON-CONDITIONS. CAUSE CAUSATION OF DOUBLE JEOPARDY CLAUSE.

SEE PORTER -V- NUSSIE 534. U.S. 516 (2002) CASE U.S. 516
* THE UNITED STATE SUPREME COURT HELD THAT "PRISON CONDITION",
REFER'S TO EVERYTHING THAT HAPPENS IN PRISON, INCLUDING
SINGLE INCIDENTS OF GUARD BRUTALITY.

SEE SUPREME COURT CASE BOOTH -V- CHURNER, 532 U.S. 731 (2001)
* PRISON'S GRIEVANCE SYSTEM: EXHAUSTED CLAIMS
PROSE LITIGANT CALVIN L GADDEY S.C.D.C. 323551.
HAS EXHAUSTED EXHAUSTION REQUIREMENT.

42. U.S.C.A. § 1997(e) (A) HABEAS 197 KEY 406
1971 (D) FEDERAL COURT'S REVIEW OF PETITION BY STATE
PRISONER, UNDER BELK -V- S. WOLFISH 441. U.S. 520. (1979)
SLAVERY, OF CRUEL-AND-UNUSUAL-PUNISHMENT OF EIGHTH AMED.
VIOLATION. 197 K-405. CAUSE-SLAVERY-CASE CAUSATION
DOUBLE JEOPARDY CLAUSE. HAS BEEN * CLEARLY ESTABLISHED *

* SEE. AL-SHABAZZ -V- STATE 527 S.E.2d 742, 754. (2000) CASE.
FOR DAMAGES - DOUBLE JEOPARDY CLAUSE DEPRIVATION
THAT CRUEL-AND-UNUSUAL-PUNISHMENT PROHIBIT. IN SOUTH CAROLINA.
CONSTITUTION / FEDERAL CONSTITUTION / IT'S AGAINST SLAVERY.

SEE CONCLUSION / AFFIDAVIT.
OF NEWLY CLEARLY ESTABLISHMENT
* PROSE CLAIM *

CONCLUSION OF Grounds 1 (A) 2 (A) 3 (A)

THEREFORE, FACTS AT DISPUTE CONFLICT'S - OF LIBERTY INTEREST
DOUBLE JEOPARDY RISK OF STATE PRISON, IN STATE OF SOUTH
CAROLINA HANDS, NEVER CONVICTED BY STATE LAW PARTY BELOW ARE LIABLE.

TO: STATE OF SOUTH CAROLINA ADMINISTRATIVE LAW COURT'S
EDGAR A. BROWN Building 1205 Pendleton Street Suite 204
Columbia, South Carolina 29201

TO: South Carolina Department of Correctional
P.O. Box 21787, 1444 Broad River Road
Columbia South Carolina 29221-1787

I, do PROSE litigant STATE illegally PRISON - CONDITION OF FACTS IN
THIS SUPPLYMENTAL BRIEF THIS DATE OF JUNE 02 2015 2015
SO, IS DECLARED, CERTIFY VERIFY BE TRUE & CORRECT FOR COLORABLE
CLAIM OF DOUBLE JEOPARDY - CAUSATION CAUSE CLAUSE, THAT ANY
PASS AND FUTURE INCIDENTS PRETRAIL DETAINEE Behaviors - WOLFISH.
441 U.S. 520 (1979) CRUEL AND UNUSUAL - PUNISHMENT CLEARLY.
* ESTABLISHED COLORABLE CLAIM *

AFFIDAVIT OF SERVICE'S

SWORN AND SUBSCRIBED BEFORE ME 2

THIS DATE OF June, 2015

Lillian S. Brown

NOTARY PUBLIC FOR STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRE March 4, 2025

RECEIVED

JUN 11 2015

SC Court of Appeals

* Cal Z Mercer

X Calvinhyn dale Gaddy, Sr. d/c #

323551, Edisto b sq.

LIEBER CORRECTIONAL INST

P.O. Box 205

Bridgeville Sc 29472 #

PAGE AT
ORIGINAL

Three

RECEIVED

JUN 11 2015

SC Court of Appeals

#

FILED

FILED
OFFICE OF CLERK
OF COURT
2015 MAY 13 PM 2-13
CLERK OF COURT
LANCASTER, SC

I REFUSE be deprived
OF Liberty of my interest
being DISCRIMINATED
by S.C. dc^H 2015^H

GENERAL Session WAS in Chester
County July (30)(31) (1)(2)(3) Chester County
2007 ← → August 2007

see 2007 terms of COURT'S

The South Carolina Court of Appeals

Calvin Gaddy, 323551, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2015-000685

The Honorable John D. McLeod
Trial Court Case No. 2015ALJ040105AP

ORDER

Appellant has failed to file a proper notice of appeal, a proof of service, a clean copy of the order being challenged on appeal, and submit the notice of appeal filing fee, as required by Rule 203 of the South Carolina Appellate Court Rules, and the Court's letter dated April 6, 2015. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

FILED

SF 5/26/15

cc:

Calvin Lyndale Gaddy, 00323551

Daniel John Crooks, III, Esquire

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Calvin L. Gaddy, #323551,)
)
Appellant,)
)
vs.)
)
South Carolina Department of Corrections,)
)
Respondent.)

Docket No. 14-ALJ-04-0519-AP

ORDER OF DISMISSAL

*NEgligence
of
Job duty*

This matter comes before the South Carolina Administrative Law Court (Court or ALC) pursuant to the appeal of Calvin L. Gaddy (Appellant), an inmate incarcerated with the South Carolina Department of Corrections (Department or SCDC).

On September 3, 2014, Appellant filed a Step 1 grievance regarding the copying of legal documents. After the Warden denied the grievance, Appellant filed a Step 2 grievance that was also denied. Appellant filed this appeal on July 14, 2014, which appears to challenge the constitutionality of certain Department policies. After this case was assigned, Appellant filed multiple documents that were returned to him on September 24, 2014 because the Court was unable to determine what they were.¹ On October 20, 2014, the Department filed a Motion to Dismiss for Appellant's failure to file a brief.² *PER JURY S.C. CODE § 16-9-10*

The Court filed the Notice of Assignment on July 25, 2014. Appellant's brief was due sixty-five days after that Notice of Assignment was filed, or September 28, 2014.³ See Rule 60(A) of the South Carolina Administrative Law Court Rules (ALC Rules). As of the date of this Order, the Court has not received a response to the Motion to Dismiss, a brief, or a timely motion for an extension of time to file a brief.

¹ In the letter returning the documents, Appellant was advised that he could resubmit the documents with an appropriate Motion.

² On November 20, 2014, Appellant filed documents entitled "Memorandum of Laws (Injunction)." However, the Court is unable to decipher Appellant's argument; and those documents do not appear to be related to the Department's Motion to Dismiss. Furthermore, Appellant did not show that the documents were served on the Department.

³ Because September 28, 2014 was a Sunday, Appellant's brief was due the next business day, which was Monday, September 29, 2014.

FILED

December 15, 2014

SC ADMIN. LAW COURT

STATE OF SOUTH CAROLINA)
COUNTY OF LANCASTER)

(E)

* (INDICTMENT) *

2015

At a Court of General Sessions, convened on (August 2, 2007) the Grand Jurors of Lancaster County present upon their oath:

* ↓ Chester County SEE →

MURDER

That Calvin Lyndale Gaddy did at 3155 Major Evans Road, in Lancaster County on or about June 8, 2007, feloniously, willfully, and of his malice aforethought kill and murder Aretha Cunningham by choking her with his hands and the victim did die as the proximate cause thereof on June 8, 2007, in violation of Section 16-3-10 of the Code of Laws of South Carolina.

REMEMBER
Clerk of Court's
get's this
copy

06-05-2015

* CONSPIRACY FRAUD → *

(SEE) PRIMA-FACIE
FACTS NEXT FEW PAGES
COURT OF GENERAL SESSION
IN CHESTER AUGUST 2, 2007
NO GOOD OPPONENT
DEFENDANT JANUARY 20th 2013

...against the peace and dignity of the State, and contrary to the statute in such case
...and provided.

[Handwritten signature]

...SOLICITOR

(Exhibit 5) Page 5
Evidence

timeanddate.com

Case No. 8:10-cv-01743-JFA-Jda
9-01-cv-01743

Register | Log in | Customize
Search: Go

Calendar for July 2007 (United States)

Sun	Mon	Tue	July Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	Example 2013 Chester Chester Over →			

Phases of the moon: 7: ☾ 14: ● 22: ☽ 29: ☽

Holidays and Observances: 4: Independence Day

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("Exhibit ? Evidence")
(session)
general started in Chester SC. Exhibit 1963 (2) B^H 2013
2007-65-29-880
Conflict of interest 1/30/2007 to 8/03/2007
2013 #
NO general session was in Lancaster County
on 8/02/2007 → Ethical-Violation
Case No 210i-cv-01734-JFA-RSC
general session was in Chester SC the whole week
7/30/2007 to 8/03/2007 JANUARY 30th 2014
(18)

NO general session on 8/02/2007 (Exhibits)^{6#} in Lancaster County (Evidence)

Page 6[#] (B)

Calendar for August 2007 (United States)

Sun	Mon	Tue	August Wed	Thu	Fri	Sat
			1 Chester	2 Chester	3 Chester	4
5	6 LANCASTER	7	8	9	10	11
12	13 LANCASTER	14	15	16	17	18
19	20	21 E/Ample	22 2013	23	24	25
26	27	28	29	30	31	

2007-65-29-880

Phases of the moon: 5: 12: 20: 28: Calendar generated on www.timeanddate.com/calendar

(Exhibits)^{6#} (Evidence) Exhibit Page 6[#] (Case No 210-cv-01734 JFA-RSL) (Case No 8:10-cv-01743 JFA-JdA) 1963(3) = 2013 9-01-2011

CONFLICT OF INTEREST Calendar Document's JANUARY 30th 2014

August 02 2007 was in Chester SC (not)

"LANCASTER COUNTY" ON August 17th (2001) MR CALVIN GADY # 323551 guilty plea was in LANCASTER COUNTY

ON 8/17/2007 # 2007-65-29-880

by the Lancaster County grand Jury

see page 1[#] (Exhibit 1)[#]

"NO" general session on 8/02/2007 Evidence in LANCASTER County (19)

Terms of Circuit and Family Court
 August 2007

Circuit Number	8/6/2007	8/13/2007	8/20/2007	8/27/2007
6	General Sessions Chester Goldsmith, Brooks WATKINS 6, 7, 8, 9 RICH 10 General Sessions Lancaster Goode, Kenneth BARRETT	General Sessions Fairfield Nicholson, J. WATKINS General Sessions Lancaster Goode, Kenneth BROOM		Common Pleas Non- Jury/PCR Goldsmith, Brooks WATKINS General Sessions Fairfield Goode, Kenneth TRACY 27, 28, 29, 30 YOUNG 31
	Family Court Fairfield Gibbons, Brian M. PERRY	Family Court Chester McGowan, Joseph W. MITCHELL Family Court Lancaster Gibbons, Brian M. PERRY		Family Court Lancaster Gibbons, Brian M. PERRY

Conflict of interest

Exhibit 2007-65-29-880
 1963-4 & 2013

Example
 2013

CERTIFIED TRUE COPY.

By [Signature]

MOST GROSS - PROSECUTORIAL
CONDUCT EVER !!

South Carolina Court Administration

(January 30th 2014 #) ETHICAL - VIOLATION

(20)

NEVER RECEIVE it to on April 28, 2009

Filed My P.C.R. ON 2-11-08. And this was Filed 2nd months later

STATE OF SOUTH CAROLINA) FRAUD - INDICTMENT Conspiracy
COUNTY OF LANCASTER) * * * * SCANDALOUSLY * * * *

At a Court of General Sessions convened on August 2, 2007 the Grand Jurors of Lancaster County present upon their oath: Court was in Chester County 8-2, 2007

MURDER Jurisdiction see Exhibit's evidence

That Calvin Lyndale Gaddy did at 3155 Major Evans Road, in Lancaster County on or about June 8, 2007, feloniously, willfully, and of his malice aforethought kill and murder Aretha Cunningham by choking her with his hands and the victim did die as the proximate cause thereof on June 8, 2007, in violation of Section 16-3-10 of the Code of Laws of South Carolina.

[discriminating of law] no general session was in progress
* * * * * Embezzlement * * * * *

MALICE - (Trouble) (Evil) (Naughtiness) (I)
* Embezzlement *

Wickedness

This Indictment WAS

Example 2013

Exhibit

1963-5-E-2013

NEVER filed in the Clerk of Courts OF SOUTH CAROLINA. because it's Bogus & FRAUD of law

Conflict of interest

[Conspiracy] of Perjury
PERJURY - SC Code § 16-9-10 of Laws

Against the peace and dignity of the State, and contrary to the statute in such cases made and provided.

(16)

Douglas A. Barfield, Jr., SOLICITOR

32 (2) Exhibit January 30th 2014

most GROSS- PROSECUTORIAL CONDUCT

WITNESSES

Lt. Wanda Owens - LCSO #07-14474

2/2/07

ARREST WARRANT NUMBER/DOA

K124617 (DOA-6-9-07)

ACTION OF GRAND JURY

TRUE BILL

[Signature]

Foreperson of Grand Jury

Date: **AUG 02 2007**

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2007-GS-24-880

The State of South Carolina

County of Lancaster

COURT OF GENERAL SESSIONS

AUGUST TERM 2007

THE STATE

vs.

Calvin Lyndale Gaddy

Indictment for

Murder

SC Code: §16-3-10

CDR Code: 0116

Class: Felony, EXM

Exhibit → *181*
page

Exhibit 8

CASE No 8:10-cv-01743

Terms of Circuit and Family Court July 2007

CASE NO: 210 cv. 01134 JFA-RSC

Circuit Number	7/2/2007	7/9/2007	7/16/2007	7/23/2007	7/30/2007
6		Common Pleas Non-Jury Goode, Kenneth TRACY " " " " Example 2013		Common Pleas Lancaster Goode, Kenneth WATKINS 23 NO CR NEEDED 24, 25, 26, 27	General Sessions Chester Goldsmith, Brooks. WATKINS Common Pleas Fairfield Goode, Kenneth TRACY 30, 31 NO CR NEEDED 23
		Family Court Fairfield / Chester Gibbons, Brian M. PERRY	Family Court Lancaster Gibbons, Brian M. PERRY	Family Court Chester Murdock, Jamie Lee Sitting With: Jenkinson, Gordon PERRY 23, 24 am GRAINGER 24 pm PERRY 25, 26, 27	Family Court Lancaster Gibbons, Brian M. PERRY

(126 documents)

Exhibit 1963 (1) "A" 2013

2007-65-29-880

(Exhibits)

"Evidence"

Example

2013

Conflict of Interest

That general session was in Chester SC ON 8/02/2007

(Not) "Lancaster County"

(17)

JANUARY 30th 2014

CERTIFIED TRUE COPY

South Carolina Court Administration

Alvin Lyndale Gaddy
Name of Defendant

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE
(Bail Proceeding Form 2)

Offense Charged: Murder

At a bail proceeding conducted by undersigned judge, for the defendant named above, it was determined by the court (check one or both)

- The release of the defendant on recognizance will not reasonably assure his appearance as required.
 - The release of the defendant on recognizance will result in an unreasonable danger to the community.
- This determination was based upon the following findings of fact:

[Considerations: Nature and circumstances of the offense charged, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.
2. That the above named defendant be released from custody provided as follows (check one):

CASH IN LIEU OF BOND

The defendant, acknowledging himself to be indebted to the State of South Carolina, deposits \$ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

The defendant acknowledges himself to be indebted to the State of South Carolina in the sum of \$ _____, his release to be obtained by payment to the court of _____ (%) of this bond in cash, this amount being \$ _____. The defendant will be obligated to the State in the full amount of \$ _____, such sum to be levied on his real and personal property for the use of the State, should he fail to perform the conditions of this Order.

APPEARANCE RECOGNIZANCE WITH SURETY

The defendant will provide good and sufficient surety approved by the court, in the form set forth on the reverse side, acknowledging an indebtedness to the State in the amount of \$ 100,000

3. That the defendant shall appear at (check one):

the term of the court of general sessions beginning on [Date:] Aug 6, 07 at [Time:] 9:30 o'clock, A.M. at [Place:] Courthouse Lancaster Co.

the session of magistrate/municipal (circle one) court beginning on [Date:] _____ at [Time:] _____ o'clock, _____ M., at [Place:] _____ If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Initials of Defendant CVG

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described on the reverse side, which are marked.

Lee Reed
Signature of Judge
7/28/07
Date

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, including any conditions included on the reverse side of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, an additional criminal charge will be instituted against me. If the failure to appear is in connection with a felony charge, or while awaiting sentence, or pending appeal or certiorari after conviction, the penalty is a fine of not more than \$5,000 or imprisonment for not more than five years, or both; if I fail to appear in connection with a misdemeanor charge, the penalty is a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

I acknowledge the receipt of a copy of this Order and understand the conditions of my release and the penalties applicable to me in the event I violate any condition of the Order or fail to appear as required.

3155 MATHE EWARD RD
Address

Lancaster SC 27720
City/State/Zip

251-3347 42 286-9607
Social Security Number/Telephone No.

Alvin Lyndale Gaddy
Signature of Defendant

7/28/07
Date

Attorney Representing Accused (If known)

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED.
Original copy for the Trial Court - Copy for the Defendant
FORM CONTINUES ON BACK

Alvin Lyndale Gaddy
Name of Defendant

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE
(Bail Proceeding Form 2)

Offense Charged: Murder

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- This determination was based upon the following findings of fact:

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APPEARANCE RECOGNIZANCE WITH SURETY

The defendant will provide good and sufficient surety approved by the court, in the form set forth on the reverse side, acknowledging an indebtedness to the State in the amount of \$ 100,000

3. That the defendant shall appear at (check one):

- the term of the court of general sessions beginning on [Date:] Aug 6, 07 at [Time:] 9:30 o'clock A.M. at [Place:] Courthouse Lancaster Co. and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.
- the session of magistrate/municipal (circle one) court beginning on [Date:] _____ at [Time:] _____ o'clock, _____ M., at [Place:] _____. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

2007-6s-29-880

Initials of Defendant AG

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described on the reverse side, which are marked.

[Signature]
Signature of Judge

7/28/07
Date

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It has been explained to me that if I fail to appear before the court as required, an additional criminal charge will be instituted against me. If the failure to appear is in connection with a felony charge, or while awaiting sentence, or pending appeal or certiorari after conviction, the penalty is a fine of not more than \$5,000 or imprisonment for not more than five years, or both, if I fail to appear in connection with a misdemeanor charge, the penalty is a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

I acknowledge the receipt of a copy of this Order and understand the conditions of my release and the penalties applicable to me in the event I violate any condition of the Order or fail to appear as required.

3155 MAJIE EUNDRILL
Address

Lancaster SC 29720
City/State/Zip

251-3347 ext 2869607
Social Security Number/Telephone No.

[Signature]
Signature of Defendant

7/28/07
Date

Attorney Representing Accused (If known)

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED.

(51)

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

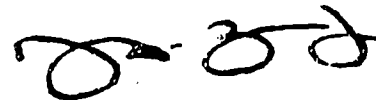
INDICTMENT

At a Court of General Sessions, convened on August 2, 2007, the Grand Jurors of Lancaster County present upon their oath:


MURDER

That Calvin Lyndale Gaddy did at 3155 Major Evans Road, in Lancaster County on or about June 8, 2007, feloniously, willfully, and of his malice aforethought kill and murder Aretha Cunningham by choking her with his hands and the victim did die as the proximate cause thereof on June 8, 2007, in violation of Section 16-3-10 of the *Code of Laws of South Carolina*.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



Douglas A. Barfield, Jr., SOLICITOR

Exhibit 

page (19th)

K- 124617

STATE OF SOUTH CAROLINA

County/ Municipality of
Lancaster 07-14474

THE STATE
against

CALVIN LYNDAL GADDDY

Address: 3155 MAJOR EVANS RD.
LANCASTER, SC

Phone: _____ SSN: _____
Sex: M Race: B Height: " _____ Weight: _____
DL State: _____ DL #: _____

DOB: 10-26-63 Agency ORI#: SC0290000

Prosecuting Agency: L.C.S.O.

Prosecuting Officer: LT. WANDA OWENS

Offense: MURDER

Offense Code: 116

Code/Ordinance Sec. 16-3-10

This warrant is CERTIFIED FOR SERVICE in the
 County/ Municipality of _____
The accused is to be arrested and brought before me to be dealt with according to law.

Signature of Judge (L.S.) _____

Date: _____

RETURN

A copy of this arrest warrant was delivered to defendant CALVIN LYNDAL GADDDY on 6-9-07

Sgt. D.E. Reese
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Central Court
101 S. Wylie Street
Lancaster, SC 29720

STATE OF SOUTH CAROLINA)

County/ Municipality of
Lancaster)

AFFIDAVIT

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 618

Personally appeared before me the affiant Inv. M.E. Adams who
being duly sworn deposes and says that defendant CALVIN LYNDAL GADDDY
did within this county and state on 6-08-07 violate the criminal laws of the
State of South Carolina (or ordinance of County/ Municipality of Lancaster)
in the following particulars:

DESCRIPTION OF OFFENSE: MURDER - 16-3-10

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

THE DEFENDANT DID UNLAWFULLY KILL ARETHA CUNNINGHAM WITH MALICE AFORETHOUGHT BY CHOKING HER TO DEATH WITH HIS HANDS. THIS INCIDENT HAPPENED AT 3155 MAJOR EVANS ROAD, LANCASTER, SC, LANCASTER COUNTY. THE DEFENDANT CAME TO THE LANCASTER COUNTY SHERIFF'S DEPARTMENT AND TURNED HIMSELF IN BY ANNOUNCING THAT HE HAD JUST KILLED HIS GIRLFRIEND, ARETHA CUNNINGHAM AND THAT SHE WAS AT HIS RESIDENCE AT 3155 MAJOR EVANS RD. DEPUTIES AND EMS RESPONDED TO THIS ADDRESS AND DID FIND ARETHA CUNNINGHAM DEAD. THE DEFENDANT DID ADMIT TO DEPUTY TAYLOR AND LT. THOMAS THAT HE HAD CHOKED HER TO DEATH.

Signature of Affiant

M.E. Adams

STATE OF SOUTH CAROLINA)

County/ Municipality of
Lancaster)

Affiant's Address P.O. Box 908

Lancaster, SC 29720

Affiant's Telephone (803) 283-3388

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on 6-08-07 defendant CALVIN LYNDAL GADDDY did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Lancaster) as set forth below:

DESCRIPTION OF OFFENSE: MURDER - 16-3-10

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me)
on 6-9-07)

Richard C. Anderson (L.S.))
Signature of Issuing Judge)

Judge Code: 972

Judge's Address 101 S. Wylie Street

Lancaster, SC 29720

Judge's Telephone (803) 283-3983

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

1-15-15
Exhibit D
PROCESS
NO

10-#
10-#
10-#
10-#
10-#

) * (COMMITMENT) *)

- Original Commitment
- Additional Charge(s)

Director County Detention Center

Date:

You are hereby commanded by this Court to hold in your custody,

(Defendant's name)

Classification Officer

(Address)

Records Clerk

DOB: Race: Sex:

Prior Charges

Arresting officer:

S.S. Officer

F.S. Officer

Case number	Charge	Magistrate	Bond Type No Bond	Amount
-------------	--------	------------	----------------------	--------

NO Commitment till the deed's
filed proof from
STATE

UNCONSTITUTIONAL
PLACED IN
DOUBLE
JEOPARDY

Bond Denied

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Case Number *

20

(E) 1-15-15

CERTIFICATE OF TRANSMITTAL

****** Rule 3 of the South Carolina Rules of Criminal Procedure requires the transmittal of a warrant to the clerk within fifteen(15) days of defendant's arrest.

The following papers pertaining to criminal proceedings were transmitted to the Clerk of Court on this date.

County: _____ of _____
 Date Transmitted: _____
 By: Code _____

NO. filed ACTION OF WARRANT

1	State vs. Defendant (Last name, First M.)	Date of Arrest	Warrant/Ticket Number (One per line)	Dismissed at Prelim.		Page Warrant or Ticket	Name/Title		
				Yes	No		Papers Being Transmitted on This Date (check only which apply)		
							Checklist	Bond	Other (describe)*
2									
3									
4									
5									
6									
7									
8									
9									
10									

* For use by Clerks only

The above listed documents were received on:		For use by Solicitors only *	
Copies transmitted to the Solicitor on:		OPTIONAL:	
	Clerk of Court	Date Received by Solicitor	
		Received by (Initials/Date)	

(4)
(2)



JAMES C. DUFF
Director

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

JILL C. SAYENGA
Deputy Director

WASHINGTON, D.C. 20544

SHERYL L. WALTER
General Counsel

May 22, 2015

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Calvin Lyndale Gaddy, 323551
Lieber Correctional Institution
Edisto b-54
P.O. Box 205
Ridgeville, SC 29472

Dear Mr. Gaddy:

This will serve as formal notification that the Administrative Office of the United States Courts has denied in full your tort claim dated September 26, 2014, arising from your litigation in the United States District Court for the District of South Carolina.

It is this agency's conclusion that, because your claim arise entirely from the performance of official duties integral to the judicial process, the claim may not be settled under authority of the Federal Tort Claims Act, 28 U.S.C. § 2671 *et seq.* The United States may assert absolute immunity from liability. 28 U.S.C. § 2674. In addition, you have not proven negligence on the part of a federal officer or employee that could give rise to tort liability under state law. 28 U.S.C. § 2672. To the extent you allege violations of your constitutional rights, your claim is excluded from the coverage of the Federal Tort Claims Act. 28 U.S.C. § 2679(b)(2).

I am required by regulations of the Department of Justice to advise you that, if you (are dissatisfied) with this agency's (disposition of your claim), you have the right to file suit in an appropriate United States district court within six months of the date of mailing of this notification.

OFFICE OF THE GENERAL COUNSEL
ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

(A)(B)(C)(D)(E) 2015

**CLAIM FOR DAMAGE,
INJURY, OR DEATH**

INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.

FORM APPROVED
OMB NO. 1105-0008

1. Submit to Appropriate Federal Agency:

U.S. State Court of Appeals 4th Cir
1100, East Street Suite 501
Richmond Virginia 23219

2. Name, address of claimant, and claimant's personal representative if any. (See instructions on reverse). Number, Street, City, State and Zip code.

Lieber CORRECTIONS Institutional
Edisto bc 54th p.o. Box 205
Ridgerville S.C. 29472

3. TYPE OF EMPLOYMENT

MILITARY CIVILIAN

4. DATE OF BIRTH

10-26-63

5. MARITAL STATUS

Single

6. DATE AND DAY OF ACCIDENT

1-20-13

7. TIME (A.M. OR P.M.)

9:30 AM

8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary).

Negligence - outrageous - conduct. unconstitutional conduct
pretrial - detainee / false imprisonment /
SEE. Behk - v - s - wolfish 441 U.S. 520 1979
NO CONFIRMED / AFFIRMATIVE / Judgment filed / conviction

9. PROPERTY DAMAGE

NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code).

~~ASS~~ ASSAULTED by state officer. while on stay of mandate. F.R. Ap 41st

BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED. (See instructions on reverse side).

SEE: medical mental health documents
of January 20th 2013. Exhibit A, B, C, D.

10. PERSONAL INJURY/WRONGFUL DEATH

STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT.

This court has - negligence - this pretrial detainee never convicted
felony by laws that file Habeas Corpus 28. U.S.C. § 2254.
July 6th 2010. NO Final disposition Judgment Affirmed

11. WITNESSES

NAME

ADDRESS (Number, Street, City, State, and Zip Code)

(A) 2015

(C) 8/1 10-21-14

12. (See instructions on reverse). AMOUNT OF CLAIM (in dollars)

12a. PROPERTY DAMAGE

~~250,000~~ 4.5 million

12b. PERSONAL INJURY

TO, FACE'S ERRORS
by Hand CUFF.

12c. WRONGFUL DEATH

Any time / damage

12d. TOTAL (Failure to specify may cause forfeiture of your rights).

mental health patients

I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.

13a. SIGNATURE OF CLAIMANT (See instructions on reverse side).

Calvin Hadley

13b. PHONE NUMBER OF PERSON SIGNING FORM

14. DATE OF SIGNATURE

1-03-14

CIVIL PENALTY FOR PRESENTING
FRAUDULENT CLAIM

CRIMINAL PENALTY FOR PRESENTING FRAUDULENT
CLAIM OR MAKING FALSE STATEMENTS

The claimant is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the Government (See 31 U.S.C. 3729)

Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001)

INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.

15. Do you carry accident insurance? Yes If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number. No

in illegally state custody That This Court involve denying my Habeas Corpus. of illegally Imprisonment

16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible? Yes No 17. If deductible, state amount.

18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim? (It is necessary that you ascertain these facts).

19. Do you carry public liability and property damage insurance? Yes If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code). No

(B) 2015 (C) 8/2# 10-21-14

INSTRUCTIONS

Claims presented under the Federal Tort Claims Act should be submitted directly to the "appropriate Federal agency" whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.

Complete all items - Insert the word NONE where applicable.

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY

DAMAGES IN A SUM CERTAIN FOR INJURY TO OR LOSS OF PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN TWO YEARS AFTER THE CLAIM ACCRUES.

Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

The amount claimed should be substantiated by competent evidence as follows:

If instruction is needed in completing this form, the agency listed in item #1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of the injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

The claim may be filled by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

(b) In support of claims for damage to property, which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

If claimant intends to file for both personal injury and property damage, the amount for each must be shown in item number 12 of this form.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) Failure to specify a sum certain will render your claim invalid and may result in forfeiture of your rights.

PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

- B. *Principal Purpose:* The information requested is to be used in evaluating claims.
- C. *Routine Use:* See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.
- D. *Effect of Failure to Respond:* Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid."

- A. *Authority:* The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2871 et seq., 28 C.F.R Part 14

PAPERWORK REDUCTION ACT NOTICE

This notice is solely for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Paperwork Reduction Project, Civil Division, U.S. Department of Justice, Washington, DC 20530 or to the Office of Management and Budget. Do not mail completed form(s) to these addresses.

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

VIKKI R. HALEY
Governor



MARK A. KEEL
Chief

© 2015 February 21, 2012

Calvin Gaddy, #323551
Perry C.L. Q2A-213
430 Oaklawn Rd.
Pelzer, SC 29669

* SCANDALOUS *

* Embezzlement *
9-17-2013
August 17th inhaled
illegally imprisonment
NO WRITTEN CONTRACT

RE: Freedom of Information Act Request
2007 Charges

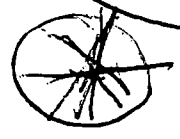
Dear Mr. Gaddy: no mention since August 2, 2007 S.C. Code § 17-23-130-140

A thorough search of our database using the information provided in your letter received February 2, 2012, revealed nothing found under the name Calvin Gaddy. We advise you to contact the arresting agency for any information they may have concerning this matter.

* SLED don't have [NO] RECORDS OF MURDER CASE 8-2-2007

JUNE 8th 2007

Sincerely, 2007-65-29-880
S.C. Code § 16-3-10 MURDER
Statute
FOIA Request Processing
Office of General Counsel



EXHIBIT

3-27-13

EXHIBIT ALI

Why REFUSE
HES' Habeas Corpus

JANUARY 30th 2014

MAY 22-2014

16th

(D)

2014-001928
2015

RECEIVED

SEP 12 2014

Petition For, writs of CONSPIRACY KEY IS C.J.S.C. SUPREME COURT
CONSPIRACY § 24. FOR PRIMA-FACIE-TORT CLAIM
STANDARD 95th into- [REDACTED] investigation:

RECEIVED
SEP 11 2014
OFFICE OF
CHIEF JUSTICE

IN THE INDICTMENT: CONSPIRACY-Cover-up. by:

* THE South Carolina Supreme Court's of South Carolina:

* THE STATE OF South Carolina ATTORNEY GENERAL OFFICE'S

ON Indictment 2007-65-29-880, MURDER S.C. Code's 16-3-10

UNDER PERJURY S.C. Code ANN'S 16-9-10 (FALSE) GRAND JURY.

TRUE billed illegally August 2, 2007

* SEE: ORDER by JEAN-H. TOAK ON FILING Indictment S.C.R.C.Rimp (3)(C)

SEE: S.C. Code ANN'S 17-27-100 1985

SEE: SOUTH CAROLINA CONSTITUTION ART. 1 § 11. ART V. § 22

SEE: Rule 71. ICFJ S.C.R.C.P.

NEEDING these COURTS (FINAL OPINION) (ORDER) OF (JUDGMENTS)

* OF: S.C. Code's 16-3-50. Voluntary MANSLAUGHTER. Filed. *

CONVICTION ORDER. Committed into STATE Custody. With CERTIFIED

Filed, WRITEN-waiver presentment: §§ 17-23-130-140, That and

due process of the Fourteenth Amendment of Equal-Fundamental Requirement

FOR lesser included of guilty pleas of ELEMENTS OF CRIME CHARGED:

That, these matter come, under Fourteenth Amendment violation. CLAUSE.

in, The beginning-And-End OF PRIMA-FACIE. Preponderance, EVIDENCE'S.

To Support PRIMA-FACIE tort claim 95th STANDARD CLAIM:

into: 2007-65-29-880: PERJURY. S.C. Code ANN'S 16-9-10

by question ??? ? ? ? ?

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* 56(F) 70; REFUTE GENERAL SESSIONS TERMS,

OF August 02, 2007. GRAND JURY IMPANELMENT

TRUE billed 2007-65-29-880 MURDER S.C. Code's 16-3-0

STATE STATUTE indictment.

STATE v- Gaddy. Final opinion AFFIRMED.

(A) (31) 1-15-15



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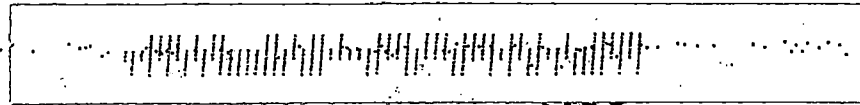
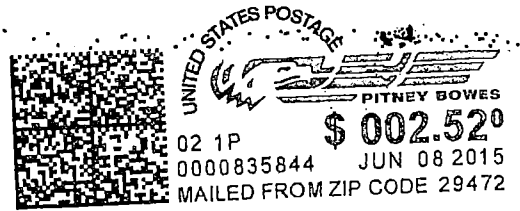
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