

The state of South Carolina
In The Court of Appeals

Appeal From Greenville County
Court of Common Pleas
Letitia H. Verdin Circuit Court Judge

Case No. 2015-000978

RECEIVED

JUL 13 2015

SC Court of Appeals

Benjamin Heyward #165514.. Appellant
V.

South Carolina Dept of Corrections.. Respondent

Final Brief

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

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

INDEX

Appellant Background	21
Statement of Facts	21
Conclusion	21
Proof of service	21

Back Ground

Appellant Filed An south Carolina Tort claim Act pursuant to 15-78-10, et seq. upon the basis of gross negligence, and the tort of being placed "Naked" on Control cell for 94 hours.

Statement of Facts

Appellant was placed "Naked" on Control cell for 94 hours. After three days of Appellant lying on A metal framed bed his back started hurting. Appellant suffered emotional distress, worry, nervousness, headaches, An head Cold, and back pain for nine weeks. 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, SCDC policy, the warden, Duty warden, or major may place an inmate in A Control cell up to 72 hours.

Conclusion

Based on the foregoing Statement of Facts and material Facts on record, Appellant requests this court to reverse the Circuit Court's decision.

Date July 7th 2015

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

The State of South Carolina
In The Court of Appeals

Appeal From Greenville County
Court of Common Pleas

Letitia H. Verdin Circuit Court Judge

Case No. 2015-000978

RECEIVED

JUL 13 2015

SC Court of Appeals

Benjamin Heyward #165574, Appellant

V.

South Carolina Dept of Corrections, Respondent

PROOF of service.

I Benjamin Heyward, do certify that on the 7th day of July 2015 have served the Respondent Attorney a copy of the Final Brief 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. McDade
P.O. Box 2125
Anderson, SC 29622

By Benjamin Heyward
Benjamin Heyward #165574
Lieber Corr Inst
P.O. Box 205
Ringeville, SC 29472

Date July 7, 2015

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

RECEIVED

JUL 13 2015

SC Court of Appeals

RE: Heyward v. SZDC
Case No. 2015-000978

Dear Clerk Kitchings

Enclosed for filing is appellant final Brief in the
above case.

Thank you for your assistance to this matter

Benjamin Heyward

Date July 7, 2015

Samir Hayward #165514
r Carr 209 - EA-31
Box 205
ville, SC 29472

RECEIVED

JUL 13 2015
MAIL ROOM
LIEBER CJ

RECEIVED

JUL 13 2015
SC Court of Appeals

RECEIVED

JUL 13 2015
MAIL ROOM
LIEBER CJ

S.C. Court of Appeals
Jenny Kitching, Clerk
P.O. Box 11629
Columbia, SC 29211