

The State of South Carolina
In The Court of Appeals

Appeal From South Carolina Administrative Law Court

The Honorable Deborah Brooks Dunder ALJ

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FEB 01 2016

SC Court of Appeals

Case NO: 15-ALJ-04-0178-AP

Billy Lee Hisenby JR, #200273 Appellant

v.

South Carolina Department of Corrections Respondent

Record ON Appeal

Jan. 23rd 2016

Billy Lee Hisenby JR, #200273

P.O. Box 2039

Ridgeland C.I

Ridgeland S.C. 29934

General Counsel

P.O. Box 21787

Columbia S.C. 29221-1787

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Respondent's Brief 1



NIKKI R. HALEY, Governor
BRYAN P. STIRLING, Director

August 10, 2015

The Honorable Deborah Brooks Durden
South Carolina Administrative Law Court
Edgar A. Brown Building, Suite 224
1205 Pendleton Street
Columbia, South Carolina 29201

Reference: Inmate Billy Lisenby, #200273 vs. SCDC
Docket No. 15-ALJ-04-0178-AP

Dear Judge Durden:

Find enclosed an original and one copy of the *Respondent's Brief* on the above referenced case. Please file the original in your office and return a clocked-in copy to me in the enclosed self-addressed envelope.

If you have any questions or concerns, please do not hesitate to contact me at (803) 896-3922.

Sincerely,

E. Dee Dee Bowers
Administrative Assistant
Office of General Counsel

Enclosures

cc: Inmate Billy Lisenby, #200273
File

1

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Billy Lisenby, #200273,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

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Certificate of Service

Docket# 15-ALJ-04-0178-AP

I hereby certify that a copy of the foregoing brief was this date served upon the following individuals by placing a copy of the same via mail to his/her last known address as follows:

Billy Lisenby, #200273
Ridgeland Correctional Institution
DRB: CA-0003-B



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Administrative Assistant
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Columbia, South Carolina 29221-1787
(803) 896-3922

August 10, 2015

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Billy Lisenby, # 200273,)	Docket No.: 15-ALJ-04-0178-AP
)	[Grievance No: LCI 0664-14]
Appellant,)	
)	<i>Hon. Deborah Brooks Durden</i>
v.)	
)	
South Carolina Department of Corrections,)	RESPONDENT'S BRIEF
)	
Respondent.)	
_____)	

STATEMENT OF THE CASE

This case is before the Administrative Law Court ("ALC") pursuant to the appeal of Billy Lisenby ("Appellant"), an inmate incarcerated with the Department of Corrections ("SCDC") serving a thirteen (13) year sentence. Appellant filed a Step One Grievance, LCI 0664-14, on June 17, 2014, claiming his sentence was not being calculated properly. This grievance was investigated and denied when it was determined SCDC was properly calculating the sentence. Appellant then filed a Step Two Grievance on August 18, 2014. This grievance was also investigated and denied on March 30, 2015. Appellant filed his Notice of Appeal April 12, 2015. Because appellant's sentence has been properly calculated, the final determination of the Department should be affirmed.

JURISDICTION

The ALC's jurisdiction to hear this matter is derived entirely from the decision of the South Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). When reviewing SCDC's decisions in inmate grievance matters, the ALC sits in

an appellate capacity. *Id.* at 377, 527 S.E.2d at 754. Subsequently, the supreme court clarified the ALC's appellate jurisdiction over inmate appeals in *Sullivan v. S.C. Dep't of Corr.*, 355 S.C. 437, 586 S.E.2d 124 (2003). In affirming, as modified, the ALC's *en banc* decision of *McNeil v. S.C. Dep't of Corr.*, 02-ALJ-04-00336-AP (September 5, 2001), the supreme court held the ALC's jurisdiction was limited to (1) cases in which an inmate contends prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; (2) cases in which SCDC has taken an inmate's *state-created* liberty interest in major disciplinary hearings; and (3) cases in which an inmate's confinement implicates a *state-created* liberty interest. *See Sullivan*, 355 S.C. at 443, 586 S.E.2d at 127 (emphasis added).

Moreover, regarding categories (2) and (3), *supra*, the supreme court has consistently emphasized that the liberty or property interest implicated must be one that is *state created*. *See Wicker v. S.C. Dep't of Corr.*, 360 S.C. 421, 602 S.E.2d 56 (2004) (emphasizing that the ALC's jurisdiction extends only to those cases involving the denial of "state created liberty interests" and that the Court's holding [*i.e.*, in *Wicker*] "is not to be viewed as expanding the jurisdiction of the [ALC] in any other circumstance."); *Slezak v. S.C. Dep't of Corr.*, 361 S.C. 327, 605 S.E.2d 506 (2004) (holding that the ALC "may summarily dismiss those appeals that do not implicate an inmate's *state created* liberty or property interest") (emphasis added).

In this case, appellant contends that SCDC has incorrectly calculated his sentence. Consequently, the ALC has jurisdiction to hear his appeal.

STANDARD OF REVIEW

The ALC should not disturb findings of an administrative agency if those findings

are supported by substantial evidence on the record as a whole. *Pearson v. JPS Converter & Ind. Corp.*, 327 S.C. 393, 489 S.E.2d 219 (Ct. App. 1997). Stated differently, an Administrative Law Judge may not substitute their judgment for that of an agency "as to the weight of the evidence on questions of fact." S.C. Code Ann. § 1-23-380(5) (amended by 2008 Act No. 334, § 5, eff. June 16, 2008). Additionally, "an Administrative Law Judge may not reverse or modify an agency's decision unless substantial rights of the Appellant have been prejudiced because the decision is clearly erroneous in view of the substantial evidence on the whole Record, arbitrary or affected by an error of law." *Matthews v. S.C. Dep't of Corr.*, Case No.: 04-ALJ-04-00248-AP, available at <http://www.scalc.net/decisions.aspx?id=1203&q=4> (filed Dec. 21, 2004) (Anderson, A.L.J.); see S.C. Code Ann. § 1-23-380(5)(e); see also *Marietta Garage, Inc. v. S.C. Dep't. of Pub. Safety*, 337 S.C. 133, 522 S.E.2d 605 (1999); *S.C. Dep't. of Labor, Licensing & Regulation v. Girgis*, 332 S.C. 162, 503 S.E.2d 490 (1998).

"Substantial evidence" is evidence which, considering the record as a whole, would allow a reasonable mind to reach the same conclusion that the administrative agency reached. *Hendley v. S.C. State Budget & Control Bd.*, 325 S.C. 413, 481 S.E.2d 159 (Ct. App. 1996). The possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency's finding from being supported by substantial evidence. *Grant v. S.C. Coastal Council*, 319 S.C. 348, 461 S.E.2d 388 (1995). Administrative agencies are afforded wide latitude in making decisions, as shown in the deferential standard of appellate review. *Heater of Seabrook, Inc. v. Pub. Svc. Comm'n of S.C.*, 332 S.C. 20, 503 S.E.2d 739 (1998).

Finally, in deciding appeals from inmate grievances, the ALC must consider that

prisons officials are in the best position to decide inmate disciplinary matters. In *Al-Shabazz*, the supreme court “underscored that since prison officials are in the best position to decide inmate disciplinary matters, the Courts and therefore this tribunal adhere to a ‘hands off’ approach to internal prison disciplinary policies and procedures when reviewing inmate appeals under the APA.” *Matthews v. S.C. Dep’t of Corr.*, *supra*, page 3 (citing *Al-Shabazz*, 338 S.C. at 382, 527 S.E.2d at 757 (stating that “[c]ourts traditionally have adopted a ‘hands off’ doctrine regarding judicial involvement in prison disciplinary procedures and other internal prison matters”)); *see also Pruitt v. State*, 274 S.C. 565, 266 S.E.2d 779 (1980) (referring to the traditional “hands off” approach of South Carolina courts regarding internal prison discipline and policy).

ARGUMENTS

APPELLANT’S SENTENCE HAS BEEN CORRECTLY CALCULATED BY RESPONDENT

Appellant is currently in SCDC custody serving a thirteen year sentence for assault with the intent to kill, failure to stop for police and assault on a correctional officer. In this appeal, Appellant claims his sentence has been incorrectly calculated. Specifically, Appellant contends the good time he lost in select disciplinary hearings, which was later returned to him, has been incorrectly calculated resulting in an incorrect max out date.

In response to Appellant’s challenge to SCDC’s calculation of his good time credits and other sentence-related credits, SCDC Branch Chief for Records Management and Release, Michael Stobbe, performed a manual calculation confirming Appellant’s sentence has been calculated correctly. The final explanation by Mr. Stobbe addresses several disciplinary cases which Appellant has also raised in other grievances, as they all

factor into the calculation of the maxout date. The summary provided by Mr. Stobee is presented below verbatim with emphasis added:

All SCDC release dates are projected.

Assumptions are made, that on any particular day the release date will remain the same as long as nothing changes in the inmate's record that will affect their release date. (These factors are statutory service time, inmate confined; statutory good time, 20 or 3 days a month; earned work credits and/or earned educational credits.

Inmate Lisenby earns 20 days a month good time.

As I demonstrated in yesterdays' e-mail **this inmate's projected release date is correct**, whether you verify it separating the consecutive sentences (ten and three) or verify them as a total sentence of 13 years.

Questions have been raised in regards to the taking away good time and restoring good time of disciplinary offenses #104, #106, #116, and #134.

Case #104 offense date was 03/03/09. Hearing date was 03/31/09 and inmate forfeited 20 days and lost 30, for a total of 50. The hearing results were entered 04/01/09. Inmate's monthly earning rate was 50.42 (not on EWC/EEC). Release date moved from 03/05/16 to 04/03/16 = 29 days. Case #104 was dismissed and entered on 06/04/10. Inmate's release date remained the same at 07/13/16. It is noted that during the period from 03/31/09 and 06/04/10 this inmate was convicted of offenses #106, #108, #109 for total of combined good time of 210 days.

Case #106 was reheard on 10/26/09. The decision increased the loss of good time from 120 to 150. There is nothing to give back.

Case #116 offense date was 09/18/10. Hearing date was 10/06/10. Originally entered on 10/08/10, on which inmate's earning rate was 50.42. Inmate lost 20 good time days (had already forfeited 20 days for the cycle for the convictions of offenses #114- #115 08/25,27/10. Inmate's release date adjusted from 09/20/16 to 10/11/16 some 21 days. On 12/08/11 offense #116 was overturned/dismissed, 20 days of good time was restored. Inmate's projected release date remained the same at 04/19/16. Inmate's monthly earning rate at this time of was 57.42 days. Inmate had been convicted and forfeited/lost a total of 130 days between 09/08/10-12/08/11.

Offense #134 offense date was 01/31/13. Original hearing date was 02/11/13. Inmate's earning rate was 50.42. For this offense the inmate lost a total of 260 days good time. Note: he also lost an additional 60 days of good time for offense #135 that was heard and entered on the same date 02/12/13, that has been restored on another action 01/09/15, but was included in the adjustment of the release date from 05/12/17 to 11/18/17 some 190 days. On 04/29/14 offense #134 was reduced to 30 days lost good time, however it should be noted that the adjusted release date perfected on 04/29/14, resulting in the release date moving from 02/25/2018 to 11/18/17 some 99 days. Note this outcome still contains the 60 days of lost good time not yet overturned from offense #135 (overturned 01/09/15).

Michael J. Stobbe
Branch Chief Records Management and Release
South Carolina Department of Corrections (SCDC)
P.O. Box 21787 / 4444 Broad River Road
Columbia, South Carolina 29221-1787
Phone # : 803-896-2074
Fax # : 803-896-2749
Email : Stobbe.Michael@doc.sc.gov

The manual calculation conducted by Mr. Stobbe is attached and it conclusively demonstrates SCDC has correctly calculated appellant's sentence.

Appellant has not carried his burden to demonstrate SCDC is incorrectly calculating his sentence. Therefore, SCDC respectfully requests its decision denying appellant's Step Two grievance be upheld.

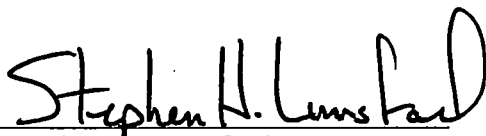
**RESPONDENT'S FINAL AGENCY DECISION IS SUPPORTED
BY SUBSTANTIAL EVIDENCE**

The record conclusively establishes that the "substantial evidence on the whole record" supports the Department's final agency decision. Appellant has the burden of proving that the decision of the Department is clearly erroneous, or arbitrary or capricious, or an abuse of discretion. See Porter v. Public Service Comm'n, 333 S.C. 12,

507 S.E.2d 328 (1998). Appellant has not met this burden and his claim should be dismissed with prejudice.

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**

BY: 
Stephen H. Lunsford
Staff Attorney
S.C. Department of Corrections
4444 Broad River Road
Columbia, South Carolina 29221
(803) 896-1940

August 10, 2015
Columbia, South Carolina

MAXOUT DATE CALCULATION WORKSHEET

NAME: Lisenby, Billy

SCDC #: 200273

- 360 DATE CALCULATION - (Year = 360 Month = 30 Day = Day)
- 365 DATE CALCULATION - (Year = 365 Month = 30.42 Day = Day)

Sentence Length: 15 Years (1) Sentence Length in Days: 4745 (2)

Total credits earned as of next cycle date:

Sentence Start Date: 03/19/08 (3) Next Cycle Date: 08/19/15 (4)

Calendar Service Credit: (+) 2709 (5)

Good Time Credit (Gross): 1780 (6)

Good Time Forfeited: (-) 400 (7)

Good Time Days Lost: (-) 560 (8)

TOTAL GOOD TIME CREDIT EARNED: (+) 820 (9)

Earned Work Credit: (+) 191.852 (10)

Earned Education Credit: (+) 0 (11)

Earned Extra Credit: (+) NA (12)

TOTAL CREDIT: (Lines 5 + 9 + 10 + 11 + 12) = (-) 3720.852 (13)

Remaining to satisfy as of next cycle date (enter line 4) 08/19/15 (14) (-) 1024.148 (15)

Average Monthly Accrual Rate:

Service Days + Good Time + EWC + EEC
30.42(16) + 20 (17) + 7.242 (18) + 0(19) = 57.662 (20)

Divide Line 15 by Line 20 = 17 (21) .847 (22)
(whole number) (remainder)

Enter next cycle date from line 14: 08/19/15 (23)

Complete cycles from line 21: 5 1 (24)

Estimated final cycle: 01/19/17 (25)

Projection of Remaining Time to Serve:

Next cycle date from line (23): 08/19/15 (26) Est. final cycle from line (25): 01/19/17 (27)

Calendar Service Credit: (+) 519 (28)

Good Time Credit: (+) 340 (29)

Earned Worked Credit: (+) 123.571 (30)

Earned Education Credit: (+) 0 (31)

TOTAL PROJECTED CREDITS: (lines 28 + 29 + 30 + 31) (-) 982.571 (32)

Remaining to satisfy as of estimated final cycle: (=) 41.577 (33)

Daily accrual rate:

Service 1 (34) + EWC Daily Rate .238 (35) + EEC Daily Rate 0 (36) = 1.238 (37)

Divide days remaining to earn (line 33) by daily accrual (line 37) = 33.584 (38)

Enter estimated final cycle (line 27): 01/19/17 (39)

Add days from line 38: + 33 (40)

Calculate to month, day and year: 02/21/17 (41)

(Line 42 is lesser of Line 41 or next cycle date from line 39)

PROJECTED RELEASE DATE: (=) 02/19/17 (42)

MICHAEL L STOBBE

Michael L Stobbe

08/08/17

Employee Name

Employee Signature

Date

MAXOUT DATE CALCULATION WORKSHEET

NAME: Lisenby, Billy

SCDC #: 200273

- 360 DATE CALCULATION - (Year = 360 Month = 30 Day = Day)
- 365 DATE CALCULATION - (Year = 365 Month = 30.42 Day = Day)

Sentence Length: 10 Years (1) Sentence Length in Days: 3650 (2)

Total credits earned as of next cycle date:

Sentence Start Date: 03/19/08 (3) Next Cycle Date: 07/19/15 (4)

Calendar Service Credit: (+) 2678 (5)

Good Time Credit (Gross): 1760 (6)

Good Time Forfeited: (-) 400 (7)

Good Time Days Lost: (-) 560 (8)

TOTAL GOOD TIME CREDIT EARNED: (+) 800 (9)

Earned Work Credit: (+) 184,472 (10)

Earned Education Credit: (+) 0 (11)

Earned Extra Credit: (+) NA (12)

TOTAL CREDIT (Lines 9 + 10 + 11 + 12) = 3662,472 (13)

Remaining to satisfy as of next cycle date (enter line 4): 07/19/15 (14) (=) -12,172 (15)

Average Monthly Accrual Rate:

Service Days + Good Time + EWC + EEC (16) + (17) + (18) + (19) = (20)

Divide Line 15 by Line 20 = (21) (whole number) (22) (remainder)

Enter next cycle date from line 14: (23)

Complete cycles from line 21 (+) (24)

Estimated final cycle (=) (25)

Projection of Remaining Time to Serve:

Next cycle date from line 23 (26) Est. final cycle (from line 25) (27)

Calendar Service Credit: (+) (28)

Good Time Credit: (+) (29)

Earned Worked Credit: (+) (30)

Earned Education Credit: (+) (31)

TOTAL PROJECTED CREDITS: (lines 28 + 29 + 30 + 31) (32)

Remaining to satisfy as of estimated final cycle: (=) (33)

Daily accrual rate:

Service (34)+EWC Daily Rate (35)+EEC Daily Rate (36) = (37)

Divide days remaining to earn line 33 by daily accrual (line 37) = (38)

Enter estimated final cycle (line 27) (39)

Add days from line 38 (+) (40)

Calculate to month, day and year (41)

(Line 42 is lesser of Line 41 or next cycle date from line 39)

PROJECTED RELEASE DATE: (=) 07/19/15 (42)

MICHAEL L STOBBE

Employee Signature

08/08/15

Employee Name

Employee Signature

Date

MAXOUT DATE CALCULATION WORKSHEET

NAME: Lisenby, Billy SCDC #: 200273

- 360 DATE CALCULATION - (Year = 360 Month = 30 Day = Day)
- 365 DATE CALCULATION - (Year = 365 Month = 30.42 Day = Day)

Sentence Length 3 Years (1) Sentence Length in Days: 1095 (2)

Total credits earned as of next cycle date:

Sentence Start Date: 07/19/15 (3) Next Cycle Date: 08/19/15 (4)

Calendar Service Credit: (+) 31 (5)

Good Time Credit (Gross): 12 + 20 (6)

Good Time Forfeited: (-) 0 (7)

Good Time Days Lost: (-) 0 (8)

TOTAL GOOD TIME CREDIT EARNED: (+) 32 (9)

Earned Work Credit: (+) 7,380 (10)

Earned Education Credit: (-) 0 (11)

Earned Extra Credit: (+) NA (12)

TOTAL CREDIT: (Lines 5 + 9 + 10 + 11 + 12) = (-) 70,380 (13)

Remaining to satisfy as of next cycle date (enter line 4): 08/19/15 (14) (=) 1024.62 (15)

Average Monthly Accrual Rate:

Service Days + Good Time + EWC + EEC

30.42 (16) + 20 (17) + 7,242 (18) - 0 (19) = 57,662 (20)

Divide Line 15 b. Line 20 = 17 (21) 769 (22)

(whole number remainder)

Enter next cycle date from line 4: 08/19/15 (23)

Complete cycles from line 21: (+) 5 (24)

Estimated final cycle: 01/19/17 (25)

Projection of Remaining Time to Serve:

Next cycle date from line (23) 08/19/15 (26) Est. final cycle from line 25 01/19/17 (27)

Calendar Service Credit: (+) 519 (28)

Good Time Credit: (+) 340 (29)

Earned Work Credit: (+) 123,571 (30)

Earned Education Credit: (+) 0 (31)

TOTAL PROJECTED CREDITS: (lines 28 + 29 + 30 + 31) (+) 982,571 (32)

Remaining to satisfy as of estimated final cycle: (+) 42,049 (33)

Daily accrual rate:

Service 1.34 - EWC Daily Rate 238 (35) + EEC Daily Rate 0.36 = 1.238 (37)

Divide days remaining to earn (line 33) by daily accrual (line 37) = 33,965 (38)

Enter estimated final cycle (line 27): 01/19/17 (39)

Add days from line 38: (+) 33 (40)

Calculate to month, day and year: 02/21/17 (41)

Line 42 is lesser of Line 41 or next cycle date from line 39)

PROJECTED RELEASE DATE: 02/19/17 (42)

MICHAEL J. STOBBE

Employee Name

Michael J. Stobbe
Employee Signature

08/09/15

Date

LEVEL	DAYS WORKED	DAILY CREDIT	CREDIT PER MONTH		CREDIT PER YEAR	
			30 DAYS	30.42 DAYS	360 DAYS	365 DAYS
2	7	.50	15.0000	15.0000	180.0000	180.0000
2	6	.4285714	12.8571	13.037142	154.2852	156.4459
2	5	.3571482	10.7142	10.864285	128.5704	130.37142
3	7	.333	10.0000	10.14	120.0000	121.68
3	5	.2380952	7.1428	7.2428571	85.7142	86.914285
5	7	.2000	6.0000	6.084	72.0000	73.008
5	5	.1428571	4.2857	4.3457142	51.4285	52.148568
7	7	.1428571	4.2857	4.3457141	51.4285	52.148568
7	5	.102040	3.0612	3.1040815	36.7346	37.248918

Work Credits are applicable toward the initial parole eligibility and max-out dates on straight time convictions.

Bonus Education Credits

TRAINING HOURS PER WEEK		BONUS CREDITS PER DAY	BONUS CREDITS/MONTH		CREDITS PER YEAR	
			30 DAYS	30.42 DAYS	360 DAYS	365 DAYS
B4	4 - 7	.0571	1.713	1.7369	20.556	20.8428
B5	8 - 11	.0857	2.571	2.6069	30.852	31.2828
B6	12 - 14	.1142	3.426	3.4739	41.112	41.6868
B7	15 +	.1428	4.284	4.343	51.408	52.116

EWV/EEC COEFFICIENT FOR 85% NON-PAROLABLE SENTENCE:

For offenses committed on or after January 1, 1996, classified by the statute as non-parolable, the following earning rates are stipulated by statute to the following levels of credit to be capped at six (6) a month and no more than 72 a year.

LEVEL	DAYS WORKED	CREDIT PER DAY	CREDIT PER MONTH	CREDIT PER YEAR
2	7	0.1972386	6.000	72.000
2	6	0.1972386	6.000	72.000
2	5	0.1972386	6.000	72.000
3	7	0.1972386	6.000	72.000
3	5	0.1972386	6.000	72.000
5	7	0.1972386	6.000	72.000
5	5	0.1428571	4.3457142	52.148568
7	7	0.1428571	4.3457141	52.148568
7	5	0.1020408	3.1040815	37.248979

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM

08/08/15
C001714

SCDC ID: 200273

DISPLAY INMATE OFFENSE HISTORY

LISENBY, BILLY -

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV

CURR LOC: RIDGELAND

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00106	A & B OF AN EMP, ETC	MAJOR DI	03/30/09	10/26/09	00150	CONVICTED	1
00103	REFUSING OR FAILING O	ADMINIST	10/03/08	/ /	00000	CONVICTED	3
00102	THREATENING TO INFELIC	MAJOR DI	08/04/08	08/13/08	00030	CONVICTED	2
00100	DISRESPECT	MAJOR DI	07/05/08	07/09/08	00000	CONVICTED	3
00099	FIGHTING WITHOUT A WE	ADMINIST	06/30/08	/ /	00000	CONVICTED	3
00098	USE OBSCENE, VULGAR, PR	MAJOR DI	10/16/02	10/25/02	00015	CONVICTED	3
00097	FALSE STATEMENT TO HA	MINOR DI	10/13/02	10/21/02	00000	CONVICTED	3
00096	STRIKE I/M W/NO WEAPO	OTHER AC	07/26/02	/ /	00000	CLOSED	2
00095	DISRESPECT	OTHER AC	07/19/02	/ /	00000	CLOSED	3
00094	REFUSING OR FAILING O	MINOR DI	07/14/02	07/19/02	00000	CONVICTED	3
00093	USE OBSCENE, VULGAR, PR	OTHER AC	06/24/02	/ /	00000	CLOSED	3
00092	POSSESSION OF A WEAPO	MAJOR DI	05/14/02	05/23/02	00090	CONVICTED	2
00090	ABUSE OF PRIVILEGES	OTHER AC	05/01/02	/ /	00000	CLOSED	5

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PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

0768

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM

08/08/15
C001714

SCDC ID: 200273

DISPLAY INMATE OFFENSE HISTORY

LISENBY, BILLY -

CURR LOC: RIDGELAND

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00124	THREATENING TO INFLIC	MAJOR DI	02/24/12	03/06/12	00060	CONVICTED	2
00123	USE, POSS NARC, MARIJ, U	MAJOR DI	02/04/12	02/14/12	00000	CONVICTED	1
00122	POSS. OR/ATTEMPT TO P	MAJOR DI	02/04/12	02/14/12	00060	CONVICTED	1
00118	THREATENING TO INFLIC	MAJOR DI	12/20/10	01/05/11	00030	CONVICTED	2
00119	REFUSING OR FAILING	MAJOR DI	12/19/10	01/05/11	00030	CONVICTED	3
00117	DAMAGE, DESTROY PROP.	MAJOR DI	12/18/10	01/05/11	00030	CONVICTED	3
00115	DAMAGE, DESTROY PROP.	ADMINIST	08/23/10	08/27/10	00000	CONVICTED	3
00114	UNAUTHORIZED SERVICES	MAJOR DI	08/10/10	08/25/10	00000	CONVICTED	5
00113	USE OBSCENE, VULGAR, PR	MAJOR DI	06/25/10	07/19/10	00030	CONVICTED	3
00112	FORGERY OR POSS. ANY F	MAJOR DI	06/22/10	07/28/10	00000	CONVICTED	3
00110	DAMAGE, DESTROY PROP.	MAJOR DI	05/31/10	06/23/10	00020	CONVICTED	3
00109	ABUSE OF PRIVILEGES	ADMINIST	12/02/09	12/07/09	00000	CONVICTED	5
00108	ABUSE OF PRIVILEGES	ADMINIST	10/06/09	10/08/09	00000	CONVICTED	5

PAGE 0002

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM

08/08/15
C001714

SCDC ID: 200273

DISPLAY INMATE OFFENSE HISTORY

LISENBY, BILLY -

CURR LOC: RIDGELAND

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00147	USE, POSS NARC, MARIJ, U	(20) MAJOR DI	01/20/15	02/17/15	00000	CONVICTED	1
00146	POSSESSION OF CONTRAB	(17) MAJOR DI	03/11/14	04/08/14	00000	CONVICTED	3
00142	DISRESPECT	OTHER AC	07/01/13	07/24/13	00000	CLOSED	3
00140	DISRESPECT	OTHER AC	02/14/13	03/06/13	00000	CLOSED	3
00138	POSSESSION OF CONTRAB	MAJOR DI	01/31/13	02/25/13	00000	CONVICTED	3
00137	UNAUTH I/M ORGAN/PART	(18) MAJOR DI	01/31/13	02/25/13	00000	CONVICTED	2
00136	POSSESSION OF A WEAPO	MAJOR DI	01/31/13	02/25/13	00000	CONVICTED	2
00134	USE, POSS NARC, MARIJ, U	MAJOR DI	01/31/13	02/11/13	00030	CONVICTED	1
00133	DISRESPECT	(17) MAJOR DI	12/10/12	12/17/12	00030	CONVICTED	3
00132	POSSESSION OF CONTRAB	MAJOR DI	11/05/12	11/19/12	00000	CONVICTED	3
00131	POSSESSION OF A WEAPO	(16) MAJOR DI	10/19/12	11/05/12	00060	CONVICTED	2
00127	POSS. OR/ATTEMPT TO P	MAJOR DI	06/08/12	06/20/12	00000	CONVICTED	1
00126	STRIKING AN EMPLOYEE	(15) MAJOR DI	06/08/12	06/20/12	00000	CONVICTED	2

PAGE 0001

SELECT A RECORD AND PRESS <ENTER> TO DISPLAY OR <PF04> TO MODIFY
PF4-MODIFY PF--DISMISSED/NOT GUILTY PF11-QUIT PF10-MAIN MENU

SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Staff Memoranda

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Inmate Name: Lis on By, Billy

SCDC# 200273

Date	Staff (Please Print)	Comments
8/8/15	Sto B/20	
		Admitted 5/2/2008
		SSD 3/19/2008
		Good time earned & lost
03/19/08 - 07/19/08		EARNED 80
		- 20 Forfeit
		60 Remaining
07/19/08 - 08/19/08		EARNED + 20
		80
		- 20 Forfeit
		- 30 Lost
		30 Remaining
08/19/08 - 10/19/08		EARNED + 40
		70
		- 20 Forfeit
		50 Remaining
10/19/08 - 04/19/09		EARNED 120
		= 170
		- 20 Forfeit
		= 150
		- 150 Lost
		0 Remaining

SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Staff Memoranda

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Inmate Name: _____

SCDC # 200273

Date	Staff (Please Print)	Comments
		4/19/09 0 Balance
04/19/09 -	10/19/09	EARNED + 120
		= 120
		- 20 Forfeit
		= 100 Remaining
10/19/09 -	12/19/09	EARNED + 40
		= 140
		- 20 Forfeit
		= 120 Remaining
12/19/09 -	06/19/2010	EARNED + 120
		= 240
		- 20 Forfeit
		= 220
		- 20 Lost
		= 200 Remaining
06/19/10 -	07/19/10	EARNED + 20
		= 220
		- 20 Forfeit
		= 200
		- 30 Lost
		= 170 Remaining
07/19/10 -	08/19/10	EARNED + 20
		= 190
		- 20 Forfeit
		= 170 Remaining

SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Staff Memoranda

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Inmate Name: _____

SCDC # 200273

Date	Staff (Please Print)	Comments
		170 Remaining
08/19/10 - 09/19/10		EARNED +20 = 190
		- 20 Forfeit
		= 170 Remaining
9/19/10 - 12/19/10		EARNED + 60 = 230
		- 20 Forfeit
		= 210
		150 Remaining
		150 Remaining
		- 30 Lost
		= 180 Remaining
12/19/10 - 01/19/11		EARNED + 20 = 200
		- 20 Forfeit
		180
		- 60 Lost
		= 120 Remaining
01/19/11 - 02/19/12		EARNED +260 = 380
		- 20 Forfeit
		= 360
		- 60 Lost
		= 300

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS Staff Memoranda

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Inmate Name: _____

SCDC # 200273

Date	Staff (Please Print)	Comments
		Remaining 300
02/19/12 - 03/19/12	Earned	+ 20 = 320
		- 20 Forfeit = 300
		- 60 Lost = 240 Remaining
03/19/12 - 06/19/12	Earned	+ 60 300
		- 20 Forfeit 280 Remaining
06/19/12 - 11/19/12	Earned	+ 100 380
		- 20 Forfeit 360
		- 60 Lost 300 Remaining
11/19/12 - 12/19/12	Earned	+ 20 = 320
		- 20 Forfeit 300
		- 30 Lost 270 Remaining

Certificate of Counsel

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties ~~and not any~~ other material.

RECEIVED

FEB 01 2016

SC Court of Appeals

Dated: Jan. 23rd, 2016

Billy Lee Lisenby
Billy Lee Lisenby JR, #200273
P.O. Box 2039
Ridgeland C. I.
Ridgeland S.C. 29936