

APPELLANT'S INITIAL BRIEF

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

MAY 02 2016

SC Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

JOHN D. McLEOD, ADMINISTRATIVE LAW JUDGE

LOWER COURT CASE NO. 16-ALJ-04-0102-AP

APPELLATE CASE NO. 2016-000681

George Cleveland, III

S.C.D.C. No. 357770

v.

SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS (S.C.D.C.)

APPELLANT,

RESPONDENT,

George Cleveland, III #357770  
TURBEVILLE CORRECTIONAL INST.  
P.O. Box 252  
TURBEVILLE, S.C. 29162.

TABLE OF CONTENTS:  
APPELLATE CASE NO. 2016-000681

page(s)

TABLE OF AUTHORITIES	ii-iii
STANDING	1-2
STATEMENT OF ISSUES ON APPEAL	2-3
STATEMENT OF THE CASE	3-10

ARGUMENT:

AI-SHABAZZ NARROWED INMATE'S DUE PROCESS RIGHTS CONFLICTS WITH WOLF	10-25
PRUITT CONFLICTS WITH BELL AND SHOULD BE OVERRULED OR CLARIFIED	25-29
CONCLUSION	29-30
PRAYER FOR RELIEF	30-31

TABLE OF AUTHORITIES

APPELLATE CASE NO. 2016-000681

CASES

Al-shabazz v. State 338 S.C. 354, 527

S.E. 2d 742 (2000) . . . . . 2, 7-9, 11-12, 16, 24-25, 30

BELL v. WOIFLH 441 U.S. 520 99 S.Ct. 1860

60 L.Ed 2d 447 (1979) . . . . . 3, 26-27, 29

DENT v. WEST VIRGINIA 129 U.S. 114, 123, 9 S.Ct.

231 32 LEd 623 (1889) . . . . . 14

FURTICK v. S.C. DEPT OF CORR 374 S.C. 334,

649 S.E. 2d 35 (2007) . . . . . 8, 23

HAINES v. KERNER 404 U.S. 519, 92 S.Ct. 594

(1972) . . . . . 11

PRUITT v. STATE 274 S.C. 565, 266 S.E. 2d 779

(1980) . . . . . 2, 9, 25, 27-30

WOIF v. MC DONENELL

94 S.Ct. 2963. (1973) . . . . . 2, 11, 13, 16, 18, 22, 29-30

TABLE OF AUTHORITIES

page (S)

APPELLATE CASE NO. 2016-000681

STATUTES

S. C. CODE ANN. § 24-1-130 (1976) . . . . . 1, 15

SCDC POLICIES

SCDC POLICY OP-22.15 (INMATE GOVERNANCE)

. . . . . 1, 21

S.C.D.C. POLICY GA-01.12 (INMATE GOVERNANCE -

SYSTEM) . . . . . 21-22.

APPELLATE COURT  
RULES

RULE 501 CJC RULE 501, SCACR . . . . . 29

FEDERAL AUTHORITY

U.S. CONST. FOURTEENTH AMEND. § ~~8~~ . . . . . 10-11

1.

STANDING:

ON JANUARY 27, AND 28, 2015 PERRY  
CORRECTIONAL INSTITUTION (P.C.I.) DEPRIVED ME  
OF AN BLANKET, AND SHEETS WHILE ASSIGNED TO  
THE RESTRICTED HOUSING UNIT (R.H.U.) FOR AN  
COURT HEARING AT THE GREENVILLE COUNTY COURT-  
HOUSE. WHICH CAUSED ME TO LIVE-IN EXTREMELY  
COLD TEMPERATURES IN VIOLATION OF S.C. CODE ANN.  
§24-1-130 (1976) ("THE DIRECTOR SHALL BE VESTED  
WITH . . . THE PROPER CARE, TREATMENT. . ." OF  
INMATES) AND IN VIOLATION OF S.C.D.C. POLICY  
OP-22.15 (INMATE GOVERNANCE) PROHIBITS CORPORAL  
PUNISHMENT; ("REFERS TO ANY FORM OF CRUEL AND  
UNUSUAL PUNISHMENT SUCH AS . . . EXPOSING AN  
INDIVIDUAL TO EXTREME TEMP OF . . . COLD!!"); THEREFORE  
I HAVE STANDING TO APPEAL THE ORDER OF DISMISSAL.

1.

in the South CAROLINA Administrative COURT (A.C.).

2.

STATEMENT OF ISSUES ON APPEAL

2-1. Whether *Al-Shabazz v. State* 338 S.C. 354, 527 S.E. 2d 742 (2000) COURT. ERRONEOUSLY NARROWED S.C.D.C. INMATE'S DUE PROCESS LIBERTY AND PROPERTY RIGHTS TO DISCIPLINARY HEARINGS UNDER THE FOURTEENTH AMENDMENT OF THE UNITED STATES CONSTITUTION; WHICH WAS HELD BROADER UNDER *WOLF v. McDOWELL* 94 S.Ct. 2963, IF SO, DOES THE *AL-SHABAZZ* COURT CONFLICT WITH THE *WOLF* COURT?

2-2. Whether *PRUITT v. STATE* 274 S.C. 565, 266 S.E. 2d 779 (1980) 'HANDS OFF' DOCTRINE BE OVERRULED AND/OR CLARIFIED TO BROADEN S.C.D.C. INMATE'S STATE RIGHTS UNDER SOUTH CAROLINA LAW AND PRISON

2.

Rights under S.C.D.C. policies? If so, does Pruitt conflict with Bell v. Wolfish 441 U.S. 520 99 S.Ct. 1860, 60 L.Ed. 2d 447 (1979) which applied the "Hands off" doctrine in broader terms?

3.

STATEMENT OF THE CASE:

MAY IT PLEASE THE COURT: ON JANUARY 27, 2015,<sup>1</sup> the S.C.D.C. TRANSPORTATION DIVISION, transported me and other inmates by BUS FROM ECI to the BUS TERMINAL IN COLUMBIA, S.C. AND THEN TRANSPORTED ME TO THE PERRY CORRECTIONAL INSTITUTION (P.C.I.). I WAS ASSIGNED TO THE R.I.T.U. SECTION A.K.A.: LOCK-UP WITH ONE (1) BED, AND A TOILET/SINK COMBO, BUT NO SHEETS, BLANKET, OR PILLOW DESPITE

---

1. EVANS CORRECTIONAL INSTITUTION (E.C.I.) WAS THE PRISON I WAS ASSIGNED TO AT THIS TIME. I'M CURRENTLY ASSIGNED TO THE TURBEVILLE CORRECTIONAL INSTITUTION (T.C.I.).

---

2. P.C.I. OFFICERS ON TRANSPORTED ME TO THE HEARING

3.

reported request to P.C.I.'s R.H.U. STAFF FOR these items. The temperature in the room was extremely-cold.

ON MARCH 10, 2015, I wrote the TRANSPORTATION office at E.C.I. to Lieutenant Cypress as an INFORMAL resolution. I explained how P.C.I. was not ready for me because the room I was assigned to, lacked a pillow, sheets, or blanket.

ON MARCH 13, 2015, she responded the following relevant part:

"Perry was prepared for your stay. . . . I'm not sure why you didn't receive a blanket, pillow or sheets while you were there." R.P. —

ON MARCH 20, 2015, I filed an step-1 GRIEVANCE

---

ON JANUARY 28, 2015.

(No. P.C.-I 0353-15) that stated how P.C.-I. subjected me to extremely cold temperatures and cruel to treat me like an animal for the deprivation of sheets, blanket, and pillows. I requested a policy be created to require the issuance of these items. R.P. — .

On September 11, 2015, P.C.-I's warden responded; Sept. 17, 2015, the Institutional Grievance Coordinator (IGC) signed the Grievance, and on November 17, 2015, I was served with the Step-1 Grievance at T.C.-I.

The warden's decision and Reason stated the following relevant part:

"According to MAJOR EARLY, a new practice is

now in place where inmates arriving from another institution staying over-night at Perry CI will be issued a blanket and sheet." R.p. — "

On November 20, 2015, I filed a step-2 Grievance stating my dissatisfaction with the "new practice" because I was not provided a copy of the new requirements of blanket and sheet on December 30, 2015, my Grievance stated the following relevant language:

"WARDEN CARTLEDGE (P.C.I. WARDEN) appropriately responded to your requested action. WARDEN CARTLEDGE implemented a new procedure to ensure oversight stays at Perry CI will be provided a blanket and sheets." R.p. — ,

On January 08, 2016, I was served with the step-2 Grievance. IBID.

ON February 04, 2016, my notice of appeal was filed in the South Carolina Administrative Law Court (A.L.C.). My general statement of the grounds were:

"I have a state created Liberty Interest And Property Interest under the U.S. Const. Amend. 14 to be apprised of the new sheet and blanket practice with something I can read; R.P. — .

ON February 11, 2016, my case was assigned to the Honorable John D. McLeod of the A.L.C. R.P. — .

ON February 22, 2016, Judge McLeod filed an order of dismissal. The A.L.C. Reasoned the following:

"The court'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. 742 (2000). The court's appellate

Jurisdiction in inmate is limited to cases involving denial of state created liberty interests!!

FOOTNOTE "2 the court does have limited jurisdiction in some property matters, the authority for which need not be cited here,"

typically involving: (1) cases in which an inmate contends that prison officials have erroneously calculated his sentencing, sentence related credits, or custody status; and (2) cases in which an inmate has received punishment in a major disciplinary hearing as a result of a serious rule violation." R. p. —

The A.L.C. further reasoned:

"Al-shabazz has recently been underscored by Furtick v. S.C. Dept. of Corry, 374 S.C. 334, 649 S.E. 2d. 35 (2007). . . . Furtick holds that when an inmate's grievance to an ALC does not implicate a state created liberty or property interest, the

A.L.C. may . . . summarily dismiss the Appeal at its discretion." R.P.P. — — .

The A.L.C.'s Reasoning regarding the reviewing of evidence:

"When reviewing the Department's [SCDC] decisions in inmate grievance matter, the court sits in an Appellate Capacity. Al-Shabazz at 380, 527 S.E. 2d, at 756; consequently, the review in inmate grievance cases is limited to the record presented."

The A.L.C. concluded, I didn't implicate an . . .  
"state created liberty or property interest implicated here . . ." And that my Grievance involved an "medical case . . ."

"this court must adhere to the traditional hands-off doctrine regarding judicial involvement in prison disciplinary procedure and other internal prison matters . . . Pruitt v. State, 274 S.C. 565, 266.

S.E. 2d. 779 (1980) "IBID. This appeal follow  
As I'm dissatisfied with the ALC's legal  
reasoning.

4.  
ARGUMENT  
AI-SHABAZZ NARROWED INMATE'S  
DUE PROCESS RIGHTS CONFLICTS  
WITH WOLF!

The fourteenth Amendment (hereinafter due process  
clause) § 2 of the United States Constitution states  
the following:

"No state shall make or enforce any law which  
shall abridge the privileges or immunities of citizens  
of the United States; nor shall any person of  
life, liberty, or property, without due process of law."

The relevant language to this appeal is:

"No state shall . . . abridge the privileges  
or immunities of citizens of . . . property,  
without due process of law. . ."

IN *WOLF v. McDowell* 418 U.S. 539, 94 S.Ct. 2962 (1974) (hereinafter *WOLF*), the Supreme Court of the United States interpreted the meaning of the Due Process constitutional rights of prisoners are ... "not wholly stripped of constitutional protections when he is imprisoned for [A] crime there is no iron curtain \*556 drawn between the constitution and the prisons of this country ... prisoners have held to enjoy 'substantial rights' under the due process clause. They [MAY NOT BE DEPRIVED] of ... property without due process of law," <sup>id.</sup> 3. <sup>id.</sup> at 555-556.

IN *Al-Shabazz v. State*, 338 S.Ct. 354, 527 S.E. 2d, 742 (2000) (hereinafter *Al-Shabazz*), the Supreme

---

3. Quoted from *Haines v. Kerner* 404 U.S. 519, 92 S.Ct. 594 (1972).

COURT OF SOUTH CAROLINA GRANTED CERTIORARI  
ON THE FOLLOWING QUESTION:

"MAY PETITIONER RAISE CLAIMS REGARDING GOOD-  
TIME CREDITS AND SOLITARY CONFINEMENT IN A  
P.C.R. ACTION AND, IF NOT, HOW MUST HE RAISE  
SUCH CLAIMS IN ORDER TO OBTAIN REVIEW?"

JUSTICE WALLER WRITING THE OPINION AND REASONS  
THE FOLLOWING NARROW CONFLICTING WOLF REASONING:

"THESE ADMINISTRATIVE MATTERS TYPICALLY ARISE  
IN TWO WAYS: (1) WHEN AN INMATE IS DISCIPLINED  
AND PUNISHMENT IS IMPOSED AND (2) WHEN AN  
INMATE BELIEVES PRISON OFFICIALS HAVE ERRONEOUSLY  
CALCULATED HIS SENTENCE RELATED CREDITS CUSTODY  
STATUS WHILE RELATED CREDITS OR CUSTODY STATUS WHILE  
REVIEW BY AN ADMINISTRATIVE LAW JUDGE AND THE  
COURTS WILL BE AVAILABLE UNDER THE A.P.A. . . ."

THE AL-SHABAZZ COURT HAS NARROWED REASONING  
INASMUCH AS THE RELEVANT LANGUAGE: "... DISCIPLINED  
AND PUNISHMENT." IBID. CONFLICTS WITH THE WOLF  
12.

COURT'S broader prisoner due process reasoning: "not wholly stripped of constitutional protections when he is imprisoned for [A] crime." <sup>Id.</sup> ~~IBID~~.

The At-shubazz court very restrictively applied due process rights to inmates solely to institutional disciplinary and punishment hearing; stripping me of my property right to due process of law.

My informal resolution and grievance made clear I was deprived of sheets, blanket and pillow, while at PCI, SUPRA, AT PAR. — WARDEN LARRY CARTLEDGE OF PCI stated "A new practice" is now in place "whereas inmates arriving for overnight stays will be issued sheets, and blanket, R.P. —, but the due process (property interest) requires more:

"No state shall make or enforce any law."

The language in the due process clause required WARDEN CARTLEDGE to provide me a copy of this new practice; post-a-copy in the Law Library so I can put my eyes on it, but he failed to do so and so did the S.C.D.C. official who signed my step-2. ;

"WARDEN CARTLEDGE implemented a new procedure to ensure overnight stays at Perry CI will be provided a blanket and sheets!"  
R.P. — .

"The touchstone of due process [property interest] is protection of the individual against arbitrary action of government." Dent v. West Virginia 129 U.S. 114, 123, 9 S.Ct. 231, 32 L.Ed 623 (1889) "

With advanced notice of the "new practice", so I'm aware of actually what I'm issued, who I return the property too, disciplinary action against damages, and equally important, I'm treated

properly :

“The Director [of S.C.D.C.] shall be vested with the exclusive management and control of the prison system. . . . And for the proper care, treatment, feeding, clothing. . . .” S.C. Code Ann. § 24-1-130 (1976).

This law gives me vague advanced notice, the alleged “new practice” at P.C.I. is much more specific. (If the practice is true) because it deals with the specific property relevant here: sheets, and blanket. Al-Shabazz. Restricted reasoning fails to include “proper care” proper-care. (in this context) sheets and blanket that will not be heard in an D.H.O. hearing, but the due process clause (property interest) broadly includes non-disciplinary matters which Wolf also made clear:

S.C.D.C. inmates are not “wholly stripped of constitutional rights protection.” under

the due process clause.

Al-shabazz injects AN PARADOX because it reasoned due process for disciplinary hearing and punishment, but ignores the protection I need to ~~stay~~ WARM, AND STAY ALIVE applying logic!

Al-shabazz COURT

A (SCDC charge) CAUSES B (Disciplinary Hearing) = C (DUE PROCESS) OR  $A+B \therefore C$

WOLF COURT

A (no advanced copy of "new practice") CASES B (no supporting evidence; no sheets/blanket) = C (no due process; no standing for judicial review) OR  $A - B \therefore C$

Documentation is extremely important while in prison because I CAN provide evidence in the ALC and the S.C. Appellate court!

"According to documentation provided food trays

And bag lunches were prepared and delivered to operations, the food trays and bags were refused by the inmates. S.R.P. — — 4.

"It is noted that food trays and bag lunches were prepared and delivered to operations, however it was reported that they were refused by inmates. You have not provided any evidence or proof. . . . S.R.P. — .

STEP-2 GRIEVANCE:

INSUFFICIENT SERVINGS OF FOOD:

My Request:

What is the required calorie count? S.R.P. — .

TCI WARDEN'S RESPONSE:

"The food and the amounts served have been approved through a S.C.D.C. nutritionist. If you are short food items, . . . it is your responsibility to inform the officer. S.R.P. — .

---

4. supplemental Record (S.R.P.)

These three (3) examples show it's my word against prison-staff, and prison staff WILL be believed over me. The due process clause (property interest) and Wolf rejects this rigged system of corruption. Proof is what is required for me to have advanced knowledge / proof of this "new practice," id, blanket and sheets at overnight stays at P.C.I. At the evidence shows in the Supplemental Record, the slogan;

**YOU HAVE NO EVIDENCE;**

My complaint about the insufficient servings of food cannot be proved without surveillance footage inside the cafeteria, body cameras worn by all S.C.D.C. employees that come in contact with S.C.D.C. inmates, e.g. officers, food service-workers, chaplains, workers, and the medical staff.

EVEN TCI'S WARDEN COCHRAN refused to help

we receive answers from the Major regarding:  
Being locked-down for 5-plus-days with no  
showers, multiple missed court deadlines, being  
fed at inconsistent times during the lockdowns.  
The response from his office:

"REJECTED", S.R.P. —

The narrow A.L.C. jurisdiction introduced by  
Al-Shabazz gave SDC employees a license to kill;

Jerome Laudman (Lee Correctional Inmate) was  
neither aggressive nor threatening [but] Laudman  
was stripped naked... in an extremely cold  
cell in the restricted housing unit (R.H.U.) A.K.A.  
Lock-up.

Laudman ... died in a local hospital ER. of  
a heart attack. The hospital report noted the  
~~presence~~ presence of hypothermia.

The slim chances of evidence being seen by

S.C.D.C. officers as being illegal;

“The S.C.D.C. investigator found evidence of an attempted cover-up by corrections officers who cleaned LAUDMAN'S cell before photographs could be taken.” S.R.P.P. — —

MR. LAUDMAN'S DEATH is a grim reminder of <sup>the</sup> NARROW ALC JURISDICTION under AL-SHABAZZ. IF MR. LAUDMAN would have lived to see an completed S.C.D.C. Grievance process e.g. step-1 and step-2, he would likely face the SAME ORDER OF DISMISSAL I'm currently appealing now. His case is relevant to my instant case because he too was denied sheets or other items to stay warm.

“This is clearly a medical ~~case~~ case in which this court must adhere to the TRADITIONAL CHANDS OFF DOCTRINE.” Rip. —

This quote is on page - two (2) of ALC Judge 20.

McLeod's order of dismissal is flawed reasoning;

INMATES Jerod Cook, Baxter ~~Vinson~~ Vinson, Shawn Wiles, Richard Patterson, and Jonathan Roe and others who cut themselves, and their punishment is not medical attention but "restraint chairs", some were even restrained in "cruelty" positions.  
S.R.P. —

INMATE Wiles was even "soaked" ... with water and left [Wiles] outside "in the cold" by P.C.I. officers. S.R.P. —

The "hands off" doctrine, and Al-Shabazz precludes the A.L.C. of hearing the case despite completing the Grievance process unless they appeared in front of D.H.O.

S.C.D.C. Policy GA-01.12 (INMATE Grievance Policy) creates due process for non-disciplinary issues;

§ 7.1 "Department policies/procedures, directives,  
21.

OR conditions which directly affect the inmate.

§ 7.2 "Actions of a staff member toward the inmates."

§ 7.4 "Inmate property complaints."

All of these, id., grievable issues define in S.C.D.C. Policy,

§ 7.1, id., of this GRIEVANCE policy is relevant to my instant appeal: "conditions which directly affect the inmate."

The cold and brutal conditions I endured while at P.C.I. "directly affected" me, but under Al-Shabazz, the ALCC cannot here this conditions that could have cost me my LIFE.

WOP rejects this "iron curtain" id., at 556. S.C.D.C. is also directed ~~correlate~~ me to "Appel" this decision under the Administrative Procedures Act. R.P. —

The order of Dismissal also reasoned the underscored reasoning by Furtick v. S.C. Dept of Corr. 374 S.C. 334, 649 S.E. 2d 35 (2007) from Al-shabazz. emphasized the word: "MAY" in the discretion of the ALC "summarily dismiss, R.P. —.

The ALC twisted the language of Furtick in my detailed reading of the case, reasoned:

"... summary dismissal would only be appropriate where the inmate's state-created liberty or property interest," id. at 37-38 has not been implicated.

Furtick used the word "property" and not summary dismissal where "state-created property interest" is implicated. IBID,

this is exactly what I wrote as my general statement in my notice of appeal in this case

to the A.L.C.,

' I have a state created interest and property interest under the U.S. Const. Amend 14 to be apprised of the new sheet and blanket... ' R.P. —.

Property interest is what I demonstrated to the court, but the ALC ignored it, and instead wrote the exact opposite;

"There is clearly no state created... property interest implicated here." R.P. —.

In sum, Al-Shabazz has narrowed ALC jurisdiction to only D.H.O. hearing due process liberty or property interest under the United States Constitution in conflict with *Walters*, *Furtick*, and *Slezak v. SC Dept of Corr.* 361 S.C. 327, 605 S.E. 2d 506 (2004) has completely confused

the A.L.C. And has caused gross ambiguity,  
obscure, cloudy And unclear in the ALC  
And the S.C.D.C.; accordingly, Al-shabazz v.  
State 338 S.C. 354, 527 S.E. 2d 742 (2000)  
should be completely overruled, And my case  
Remanded back to the ALC For Brief filings,  
Filing of Record, And Adjudicate my Appeal.

4-1.  
PRUITT CONFLICTS WITH BELL  
AND SHOULD BE OVER-RULED;  
OR CLARIFIED

The A.L.C. Also cited Pruit v. State 274 S.C.  
565, 266 S.E. 2d 779 (1980) (hereinafter Pruit) in  
which the ALC Reasoned:

"This is clearly a medical case in which this  
court must adhere to the traditional 'hands off'  
doctrine regarding judicial involvement in prison  
disciplinary procedure And other internal prison  
matters," R.P. — .

Pruitt "hands off" reasoning in regards to  
25.

PRISON Administration is Absurd in large part, S.C.D.C. has hidden evidence. refuse to put institution policies or practices on paper because there is no real desire to keep me WARM AT PC± with An BLANKET AND sheets, but do not produce evidence in the ALC or the PC± officers who work in RMU to be AWARE the proper care they must provide me to stay WARM, AND the 'hands off' doctrine is in conflict with Bell v. Wolfish 441 U.S. 520, 99 S.Ct. 1860 60 L.Ed 2d 447 (1979) (hereinafter Bell) which the Supreme Court of the United States Supreme Court reasoned:

"There was a time not too long ago when the Federal Judiciary took a completely 'hands-off' approach to the problem of prison administration. In recent years, however, these courts largely have discarded this 'hands-off' attitude. And have waded into this complex arena the deplorable conditions..." id at 555.

Bell was ignored by the supreme court of South Carolina. Bell was published in 1980, and Pruitt<sup>id</sup> 1979, some thirty-six (36) years after Bell, South Carolina Courts 'hands-off' doctrine has caused death, poor prison conditions, insufficient amounts of food.

Former chief Justice Finney of the South Carolina Supreme Court concurred in the Al-Shabazz reasoning but wrote:

"I write separately to explain that while I have decided to concur in the result reached here, I do so with great reluctance. I join the majority only because we need to bring finality to this confused area of the law..."  
id, at 758.

I submit chief Justice Finney introduced his frustrations of the SCSC inmates' due process (liberty and property interest) as it

relates to the A.L.C., His Legal reasoning was broad like wolf, but in Furtick, Former Chief Justice TOAL of the Supreme Court of South Carolina dissented and reasoned:

... "For many prisoners, prolific litigation is a costless pastime with today's decision, this court unnecessarily throws open the door to judicial review of most any conceivable prison administrative matter virtually assuring this pastime will rapidly become all the more treasure."

Respectfully former Chief Justice TOAL cited no evidence to conclude SCDC inmates are "prolific litigato[rs]", but the record shows inmate deaths, delayed medical attention, food shortages, deprivation of sheets, and blankets to name just a few.

this is not:

I WANT TO HARASS SCDC STAFF

but to the contrary, I do not want to freeze to death, and if a blanket and sheets will be provided to me; the due process-property-interest, and wolf grants me such protection. of advanced documentation, and Bell's broad "hands-off" ~~and~~ of prison administration conflicts with Bell, which has allowed SCDC to make-up its own rules of TORTURE, STARVATION, AND YOU WANT BEAT US BECAUSE WE WILL DEPRIVE YOU OF DUE PROCESS TO OBTAIN the evidence; consequently, PRUITT v. STATE 274 SC. 565, 266 S.E. 2d 779 (1980) should be overruled.

### 5. CONCLUSION

"The judge is an arbiter of facts and law for the resolution of disputes and a highly visible symbol of government under the rule of law." Rule 501, CJC RULE 501, SCACR (Code of Judicial Conduct).

WOLF, Bell, and the due process (property interest)

of the United States Constitution broadly mimics the code of judicial conduct. The South Carolina Administrative Law Court is the "resolution of disputes" between me (S.C.D.C. Inmate) and the S.C.D.C. I pray for the following relief;

WHEREFORE; overrule *Al-Shabazz v. State*, 338 S.C., 354, 527 S.E. 2d 742 (2000), and *Pruitt v. State* 274 S.C. 565, 266, 566 S.E. 2d 779 1980;

Adopt the following to fall under the jurisdiction of the South Carolina Administrative Law Court

ALL S.C.D.C. policies, procedures, directives, or conditions which directly affect the inmate;

Actions of a staff member toward the inmate;

Actions of an inmate against the inmate;

Inmate property complaints;

Disciplinary hearing actions;

Classification disputes;

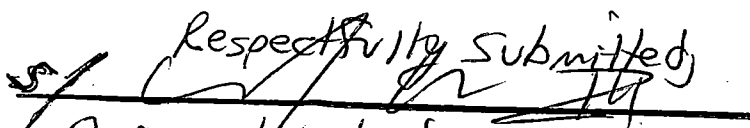
And calculation of sentence related credits respectively.

REMAND this ALC Appeal (Docket no. 16-ALJ04-0102-AP)

back to the A.L.C. for further proceedings  
consistent or inconsistent with the opinion  
from this court;

order briefing from me, and the SCDC, and other  
the record be filed with the ALC;

Any other relief this court deems just, proper  
and/or equitable.

Respectfully Submitted  
  
George Cleveland III #357770 JTA118  
TURBEVILLE CORRECTIONAL INST  
P.O. Box 252  
TURBEVILLE, S.C. 29162

DATED: April 28, 2016