RECEIVED
JUN 06 2016
SC Court of Appeals

The State of South Carolina
South Carolina Court of Appeals

Appeal From Administrative Law Court
The Honorable Ralph King Anderson III, Chief Judge
Appellate Case No. 2016-000179

Johnny Lawrence #232835 - - - Appellate

vs

South Carolina Dept. of Probation Parole
and Pardon Services - - - Respondent

Memorandum of Law In Support of Granting Injunction against the named defendants.

Jurisdiction:

Mackey Finance Co. v. Hicks 235 S.C. 217, 110 S.E.2d 859 "The Supreme Court (Court of Appeals) is and should be primarily concerned with appellate matters; it should not exercise original jurisdiction in matters cognizable in the Circuit Courts, except when necessary in the public interest or because of emergency or for some other compelling reason." Gilmore v. Honeycutt 87 S.C. 166, 35 S.E. 521 (1900) "Judicial protection of prisoner rights, Where there is a restriction upon a prisoner's constitutional rights to access to the Courts, the prisoner is entitled to judicial protection of his rights" Queen v. South Carolina Dept. of Corrections 307 Fed. App'x 841. See section 14-3-320 [illegible] matters. Ex parte Mackey 15 S.C. 322 (188) The remedy of an injunction is a drastic one and should be cautiously applied only when legal rights are unlawfully invaded or legal duties are willfully or wantonly neglected" Ketchum v. Long Cove Club Owners Association Inc. 313 S.C. 555, 443 S.E.2d 577, 578. "A petition for writ or other writ is not a cause of action, but a form of remedy or relief" Plum Creek Develop. Co., Inc. v. City of Conway, 334 S.C. 30, 36, 512 S.E.2d 106, 109 (1999). "Mail from State Court privileged and confidential" Cody v. Fenton 440 F. App. 1161, 1163. "Approving rule requiring delivery within 24 hrs" Sheridan v. McDougall 636 F.2d 577. That is S.C.D.C. policy that all legal mail to (shall) be delivered within 24 hrs.

② Whether the party will suffer irreparable injury in the balance of hardships threatened as a matter of law, the continuing deprivation of constitutional rights constitutes irreparable injury" Elrod v. Burns. 427 U.S. 347, 373, 96 S.Ct. 2673. "The relief sought will serve the public interest, always in public interest for prison officials to obey the law" D-v-Arreya 642 F.Supp 510, 527. "Respect for law particularly by officials responsible for the administration of the State's correctional system is in it self a matter of the highest public interest the constitution is the ultimate expression of the public interest" Llewelyn v. Oakland County Prosecution Office 402 F.Supp 1379 1393. "U.S. Constitutional Amendment 1, to petition the government for redress of grievances" Why injunction should not wait for hearing ① I was deprived of my legal mail ② It was not intended that I find out about this ③ that this has happened to my knowledge 3 times and more possibly than not more times in the past. I have wrote to the District Court two times, but have not ever received a response, there is no way of telling to finding out and private person will not be given that information. Finally, when as in this situation, when prison officials allegedly steal legal mail and cover up. whether limited all access to the courts and outside world. In this day in the country such a monstrous thing can exist. "Finding violation where the official purpose was to cause harm unrelated to legitimate objective, because it satisfied the elements of arbitrary conduct shocking to the conscience" City of Sacramento v. Lewis 523 U.S. 833, 118 S.Ct. 1708 140 L.Ed.2d 1043. The held that since prison officials in inspecting incoming legal mail outside the inmate's presence are provided with an opportunity to obtain advance warning of potential litigation which might involve the prison and more significantly could become privy to strategy being formulated between attorney and client with regard to pending litigation, the inmate is entitled to be present during the opening of legal mail addressed to him" Bach v. Illinois 504 F.2d 1100. This was NO given for these illegal conduct except that is done under the color of law. The, this Court is empowered to do justice. This Court should grant the injunction. The foregoing are the true facts as I have come to know them to be under penalty of perjury pursuant to 28 U.S.C.S 1746, I, Johnny Lawrence

Date 03-22-2016

Respectfully Submitted

Petitioner Forma Pauperis

Johnny Lawrence #237835
Evans Correctional Inst.
610 Highway Nine West
Bennettsville S.C. 29512

Date
03-22-2016

Johnny Lawrence #232835
Evans Correctional Inst.
610 Highway Nine-West
Bennettsville, S.C. 29512

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia S.C. 29211

May-30-2016

RECEIVED
JUN 06 2016
SC Court of Appeals

Dear, Ms. Kitchings

I do not know why this prison will not allow all my legal mail outgoing and in-coming to pass without interception. All the materials contained here and the dates are the original date in which I took certain materials to be mailed to this Court and I do not believe that your offices has receive any of them. The petition for rehearing, I pray that you file that and that I can serve notice on all parties of interest. I am in an impossible situation. These people open and read all outgoing legal mail and stop what they choose. They open all incoming legal mail and if or when it suit their purposes, inmate may or may not receive that mail especially from lawyer or governmental agencies. I need help in this matter from this Court, God only know what will happen next. Please do give all considerations to this situation. These law that I believe are being broken and the same laws that put me here and keeps me, here to see these people do what they do under the color of law is ___.
Please do what you can. Thank you and wait

Respectfully Submitted
Petitioner Forever Pray

Sincerely Always
Johnny Lawrence #232835
Evans Correctional Inst.
610 Highway Nine-West
Bennettsville, S.C. 29512

P.S. I will serve all parties of interest as soon as I am sure that the Court has receive this, then will I know

SJ

The State Of South Carolina
South Carolina Court of Appeals
Appeal From Administrative Law Court
The Honorable Ralph King Anderson III Chief Judge
Appellate Case No: 2016-000179

RECEIVED
JUN 06 2016
SC Court of Appeals

Johnny Lawrence #323835 — — — — Appellant

VS

South Carolina Department of Probation
Parole and Pardon Services — — — Respondent

Proof Of Service

I declare that I have mailed a copy of, Ex Parte Petition For Order to Show Cause and Injunction, Affidavit In Support of Granting Injunction and, Memorandum of Law In Support of Granting Injunction against named Defendants, to; S.C. Court of Appeals, Jenny Abbott Kitchings, Clerk P.O. Box 11629 Columbia S.C. 29211, also Mr. Tommy Evans Jr., P.O. Box 50666, Columbia S.C. 29250, and to S.C. Dept. Of Corrections Office of General Counsel, P.O. Box 21787, Columbia S.C. 29221, by depositing in the mailroom at Evans C.I., 610 Highway Nine West, Bennettsville S.C. 29512, properly addressed with sufficient postage, this being proper service, under penalty of perjury pursuant to 28 U.S.C. § 1746, I, Johnny Lawrence Date 03-22-2016

Date 03-22-2016

Johnny Lawrence #323835
Evans Correctional Inst.,
610 Highway Nine West
Bennettsville S.C. 29512

nny Lawrence #232835
ons Correctional Inst
610 Highway Nine West
Bennettsville S.C. 29512

CHARLESTON SC 294
02 JUN 2016 PM 2 T

FOREVER
USA

South Carolina Court of Appeals
The Honorable Jenny Abbott Kitchings, Clerk
Post Office Box 11629
Columbia SC 29211

RECEIVED
JUN 0 2016
SC Court of Appeals

29211+1629