

State of South Carolina  
In the Court of Appeals

Appeal From the Administrative Law Court  
Administrative Law Judge S. Phillip Lenski

ALC Case No. 15-ALJ-04-0313-AP  
Appellate Case No. 2015-002114

**RECEIVED**  
AUG 17 2016  
SC Court of Appeals

William Ford, # 232122 . . . . . Appellant,  
v.  
South Carolina Department of Corrections . . . . . Respondant.

Motion to Supplement  
the Record on Appeal

The Appellant, William Ford, # 232122 respectfully moves  
this Honorable Court for a request of leave to supplement  
the Record on Appeal pursuant to SCACR Rule 212 (b)(c).

Christina Catoe Bigelow  
Attorney For Respondant  
Office of General Counsel  
P.O. Box 21287  
Columbia, S.C. 29221  
(803) 896-8508

William Ford  
William Ford, # 232122  
Pro-se Appellant  
MacDougall C. I.,  
1516 Old Gilliard Rd.  
Ridgeville, S.C. 29472

August 15<sup>th</sup>, 2016

## Supplemental Exhibits to the Record on Appeal

Pursuant to the SCACR Rule 212 (b)(c) the Appellant respectfully moves this Honorable Court to include the following Exhibits in the Record on Appeal:

- Exhibit (10) Letter to the Internal Revenue Service and Social Security Admin. From Appellant dated 11-21-2012.
- Exhibit (11) Response letter from the Social Security Admin.
- Exhibit (12) Response letter From the Internal Revenue Service.
- Exhibit (13) Response letter From the Internal Revenue Service.
- Exhibit (14) Letter to the U.S. Attorney's office dated 11-17-2014.
- Exhibit (15) Letter to the Division Director and General Counsel of SCDC dated 11-17-2014, stamped received by the OGC.
- Exhibit (16) Letter to SCDC's General Counsel Attorney Daniel Crooks dated 12-8-2014, stamped received by the OGC.
- Exhibit (17) Letter to SCDC's General Counsel Attorney Daniel Crooks dated 2-23-2015, stamped received by the OGC.
- Exhibit (18) Response letter to Exhibit (17) From SCDC's General Counsel Attorney Daniel Crooks dated 3-11-2015.

I certify that this Motion for a request of leave to supplement the Record on Appeal pursuant to SCACR Rule 212 (b)(c) contains no matter which is irrelevant to this Appeal.

William Ford

William Ford, # 232122  
MacDougall Correctional Inst.  
1516 Old Gilliard Rd.  
Ridgeville, S.C. 29472

August 15<sup>th</sup>, 2016

11-21-2012

To whom it may concern

First of all this letter is to inform you of the tax fraud that is escalating in the South Carolina Department of Corrections (SCDC). There is a serious problem with inmates and maybe SCDC Staff Members stealing personal information (Birth Dates and Social Security Numbers) from other inmates by going through legal documents and having access to Classified information. This information is being sold and used to file false tax returns and identity theft to people outside the prison. I do not know if my personal information has been stolen and or is being used by another person. I have been in prison since January 30<sup>th</sup> 2002. I filed taxes in 2005 or 2006 when I worked for the P.I. (Prison Industry) and that should have been the last time a tax return was submitted with my social security number but I have no way to find out if this is correct and is the reason why I am seeking your help concerning this matter.

Sincerely yours,  
William E. Ford

William E. Ford #232122  
Broad River Correctional Inst.  
Murray unit 285  
4460 Broad River Rd  
Columbia, SC 29210  
Social Security Number 250-37-2504  
Date of Birth 4-20-63



## SOCIAL SECURITY

TEH2B  
12C01104

January 11, 2013

Mr. William E. Ford  
Number 232122  
Broad River Correctional Institution  
4460 Broad River Road  
Columbia, South Carolina 29210

Dear Mr. Ford:

This letter is in response to your November 27, 2012 inquiry about identity theft.

We consider identity theft issues to be one of our major challenges during the next decade, and we are joining in Government-wide efforts to prevent Social Security number (SSN) misuse. We are also strengthening our capability to prevent those with criminal intent from obtaining and using SSNs and cards.

We can resolve SSN reporting problems on our own records. If you think someone is using your number for work purposes, you can review the earnings posted to your record on your *Social Security Statement*. The *Social Security Statement* is available online to workers age 18 and older. To get your *Social Security Statement*, you can go to our website at <[www.socialsecurity.gov/mystatement](http://www.socialsecurity.gov/mystatement)> and create an account.

We cannot control or resolve SSN problems with other organizations and agencies such as credit companies, banks, or the Internal Revenue Service (IRS). The Federal Trade Commission (FTC) has the primary responsibility for issues relating to identity theft. You can contact the FTC in the following ways:

- On the Internet at <[www.ftc.gov/bcp/edu/microsites/idtheft](http://www.ftc.gov/bcp/edu/microsites/idtheft)>;
- By telephone at 1-877-438-4338 (1-866-653-4261, if you are deaf or hard-of-hearing); or
- By mail--write to the Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, D.C. 20580.

If you think you may have tax issues, such as someone using your SSN to work or receive your tax refund, contact the IRS Identity Protection Unit at <[www.irs.gov/identitytheft](http://www.irs.gov/identitytheft)> or call 1-800-908-4490.

PHILADELPHIA PA 19255

In reply refer to: 0544300093  
May 29, 2013 LTR 2645C K0  
250-37-2504 201212 30  
Input Op: 0509905062 00003366  
BODC: WI

WILLIAM E FORD  
BRCI MURRAY 285 NO 232122  
4460 BROAD RIVER RD  
COLUMBIA SC 29210-4012



012942

Taxpayer Identification Number: 250-37-2504  
Tax Period(s): Dec. 31, 2012

Form: 1040

Dear Taxpayer:

Thank you for your correspondence received Apr. 29, 2013.

We haven't resolved this matter because we haven't completed all the research necessary for a complete response. We will contact you again within 45 days to let you know what action we are taking. You don't need to do anything further now on this matter.

If you have any questions, please call us toll free at 1-800-829-0922.

If you prefer, you may write to us at the address shown at the top of the first page of this letter.

Whenever you write, please include this letter with your telephone number and the hours we can reach you entered in the spaces provided below. You may want to keep a copy of this letter for your records.

Your telephone number (\_\_\_\_) \_\_\_\_\_ Hours \_\_\_\_\_

We apologize for any inconvenience we may have caused you, and thank you for your cooperation.

Sincerely yours,



Nancy J. Aiello  
Field Director, Accounts Management

PHILADELPHIA PA 19255-0025

In reply refer to: 0546056438  
July 12, 2013 LTR 112C 0  
250-37-2504 200612 30  
Input Op: 0546056438 00003079  
BODC: WI

WILLIAM E FORD  
BRCI MURRAY 285 NO 232122  
4460 BROAD RIVER RD  
COLUMBIA SC 29210-4012



027361

Taxpayer Identification Number: 250-37-2504  
Tax Period(s): Dec. 31, 2006

Form: 1040

Dear Taxpayer:

Thank you for your correspondence of Apr. 29, 2013.

After reviewing your account the last time you filed was 2005 and that was your last refund as well.

If you have any questions, please call us toll free at 1-800-829-0922.

If you prefer, you may write to us at the address shown at the top of the first page of this letter.

Whenever you write, please include this letter and, in the spaces below, give us your telephone number with the hours we can reach you. Also, you may want to keep a copy of this letter for your records.  
Telephone Number ( ) \_\_\_\_\_ Hours \_\_\_\_\_

We apologize for any inconvenience, and thank you for your cooperation.

To: U.S. Attorney's office of South Carolina

11-17-14

To whom it may concern,

This letter is to inform you that I am in the process of taking legal action against the South Carolina Department of Corrections. According to SCDC policy OP-21.03 section 4, SCDC has failed to properly inform me as to where, when, and why I am being transferred from SCDC to another State Prison. SCDC contends that they do not know where, when or why I'm being transferred. The only thing I've been informed of is that this is an involuntary transfer per the Division Director, SCDC's General Counsel and U.S. Attorney's office of S.C. SCDC Policy states a 48 hour notice be given, and a detailed memorandum stating the reasons for transfer and Counsel. None of this was given me per the Policy. Furthermore I believe that SCDC has deliberately withheld vital information pertaining to my transfer as a way of retaliation. I was given an order to report to see the Case Manager over Classification Ms. Boyd on 10-8-14 when she informed me verbally of being transferred, when I ask what it was about she said that I needed to talk to the State Coordinator for the Interstate Corrections Compact (ICC) Mr. Bellinger whom she called. I spoke with Mr. Bellinger via speaker phone and when I ask what this was about he said "I think you know" and I said I don't have a clue of what this is about, and once again Mr. Bellinger said, "I think you know" and I said I don't know what this is about! Ms. Boyd then said, "I think it has something to do with taxes." I told them that I wrote the IRS in 2012 to find out when the last tax refund check was issued to my S.S. #. Mr. Bellinger then said that my max-out date was 4-25-2023 and that I could not request to come back to SCDC. I was then informed by Ms. Boyd that I would have to appear before the Institutional Board Hearing for the ICC transfer on 10-9-14 at which time I was informed again that this transfer was per the Division Director, SCDC's General Counsel and U.S. Attorney's office of S.C. No other information was presented to me prior to or during this hearing. I have since filed a grievance against SCDC and Mr. Bellinger in which I have included for your review. Note: step 2 of Grievance is still pending. I would appreciate some answers to what's going on. Sincerely, William Ford

Division Director and General Counsel of SCDC

RECEIVED

11-17-2014

NOV 18 2014

Dear Director and General Counsel of SCDC,

GENERAL COUNSEL

This letter is to inform you that my 1<sup>st</sup> Amendment Right "Freedom of Speech" has been violated i.e. I am being punished for informing the I.R.S. and S.S. Administration of the tax fraud and identity theft that was being committed by inmates and maybe SCDC employees at the Broad River Correctional Facility that was costing the tax payers and U.S. Government millions of Dollars. SCDC has deliberately withheld vital information from me that pertains to my transfer from SCDC to another state prison which is also a violation of my 5<sup>th</sup> and 14<sup>th</sup> Amendment (Due Process) (see OP-21.03; Section 4; 4.3, 4.3.1, 4.3.2) which has caused me great suffering both financially and mentally which is also a violation of my 8<sup>th</sup> Amendment "Cruel and unusual punishment". Furthermore if you think that by sending me out of this state to another is going to keep me from seeking legal counsel, compensation, and going to the media well your wrong! The State of South Carolina and SCDC has 30 days from the date of this letter to resolve this matter or we will let the Supreme Court decide for us. In the meantime I will be drafting a letter for the media.

Sincerely,

William Ford #232122

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DEC 10 2014

Dear Mr. Crooks,

12-8-14

GENERAL COUNSEL

I am in the process of sending you the information you requested when you and I spoke on the phone on 12-5-14. Also for your information I am filing several Grievances on some of the Staff Members here at MacDougall concerning some of the events that took place between 2pm 12-4-14 and 9am 12-5-14 when I was informed by you that this transfer was a mix-up.

Please understand that the Grievances are for my protection in case I need them in the future. Please let the Director know that he should inform the Staff Members here at MacDougall that it would be wise to refrain from any more harassment and retaliation against me until we can completely resolve this matter. Your response to this letter would be appreciated.

Sincerely yours,  
William Ford 232122  
M.C.I. Mag 1 B-20A

FEB 25 2015

2-23-15

Dear Mr. Crooks,

GENERAL COUNSEL

I shouldn't have to become an Attorney to prove that what you people tried to do was wrong and a serious violating of my rights. The facts are: Out of retaliation and fear of future corruption exposure in the South Carolina Dept. of "Corrections" which makes SCDC and the Governor look bad, SCDC, the U.S. Attorney's office of S.C. and Governor Nikki Haley conspired to have me exiled from SCDC and sent to a New Jersey State Prison because I exercised my First Amendment Right "Freedom of Speech" to inform the IRS, and S.S. Admin. of the Tax Fraud and Identity Theft that was being committed by SCDC inmates and maybe SCDC staff members. The Division Director, yourself, and the U.S. Attorney's office do not personally involve themselves with "Transfers" unless there is a serious problem or threat to the system much less do they make a mistake concerning the person of interest. The reasons SCDC never executed policy on my behalf was because they had no legitimate reasons to transfer me and to avoid self incrimination for punishing me for doing what was right by informing the Government of the corruption in SCDC making your motives retaliation and deliberate! We both know the real reasons why the transfer didn't happen. If SCDC will go to this extent to transfer me and to cover it up what else will they try? All of this has caused me and my family a lot of anguish, time, and money. Make me a respectable offer including a Voluntary ICC Transfer to Salisbury High Rise Correctional Inst. in North Carolina or I will continue to write to the people you all don't want me to write and I will continue preparing my law suit against all parties involved. This offer expires 30 days from the date of this letter.

To state a cause of action for retaliatory treatment for prisoner's exercising of Constitutional Right, a Complaint need only allege a chronology of events from which retaliation may be inferred (The Transfer itself, Failing to execute Policy, deliberately refusing to tell me what I could and could not take prior to transfer, deliberately kept my legal box and clothes out of retaliation for not signing the transfer papers, deliberately withholding names of staff at the ICC Hearing). Cruel and Unusual Punishment! A prisoner challenging official conduct that is not part of the formal penalty for a crime must demonstrate: (1) a "sufficiently serious" deprivation (Due Process), and (2) that officials acted with a "sufficiently culpable state of mind" (motive Retaliation).

Bell v. Johnson 308 F.3d 594-605

Cornell v. Woods 69 F.3d 1383, Gayle v. Gonyea 313 F.3d 677, 682

William Ford 232122

EXHIBIT (18)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE CORRESPONDENCE

TO: William Ford  
SCDC#: 232122  
INSTITUTION: MacDougall CI  
FROM: Office of General Counsel  
SUBJECT: Your February 23, 2015 letter to our Office  
DATE: March 11, 2015

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Mr. Ford:

I am in receipt of your February 23, 2015 letter. Please allow this response to fully address the issues you raised in that letter.

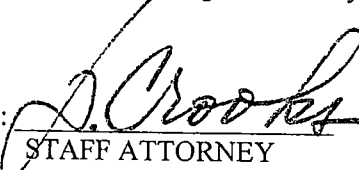
First, let me assure you—as I did when you and I spoke by telephone in December 2014—that the involuntary transfer processes was *not* initiated as a punishment or for any retaliatory means whatsoever. As I tried to explain to you, there is another inmate with SCDC by the name of “William Ford,” and it was he who had requested a transfer. At some point during the administrative process, your SCDC number was inadvertently used in place of his. The oversight is regrettable, but ultimately—and thankfully—we were able to catch this oversight before you were transferred out of the state.

Second, the administrative oversight that occurred was not retaliatory. Instead, you were inadvertently scheduled for transfer due to a simple oversight that involved the crossing of your name with the other William Ford’s SCDC number. There was no intent on the part of SCDC to transfer you in retaliation for your speech or your actions. More importantly, you were *not* ultimately transferred. Instead, because SCDC was able to resolve the oversight before you were transferred, you never left the state against your wishes.

Finally, if you desire to put in for a voluntary transfer request, please make sure that you follow SCDC policy regarding what is required of you and your family, keeping in mind that an inmate is responsible for arranging to pay the costs of a voluntary transfer.

I hope this letter has clarified some issues and addressed the concerns contained in your February 23, 2015 letter. Please feel free to write me back if there is anything I can clarify for you.

BY:

  
STAFF ATTORNEY

D. Crooks

OFFICE OF  
GENERAL COUNSEL

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AUG 17 2016

SC Court of Appeals

State of South Carolina  
In the Court of Appeals

Appeal From the Administrative Law Court  
Administrative Law Judge S. Phillip Lenski

ALC Case No. 15-ALJ-04-0313-AP  
Appellate Case No. 2015-002114

William Ford, #232122 . . . . . Appellant,  
v.  
South Carolina Department of Corrections . . . . . Respondant,

PROOF OF SERVICE

I certify that I have served the Motion to Supplement the Record on Appeal on the South Carolina Department of Corrections by depositing a copy of it in the United States Mail, Postage pre-paid on August 15<sup>th</sup>, 2016 addressed to: Christina Bigelow, SCDC Office of General Counsel, P.O. Box 21787 Columbia, S.C. 29221-1787

William Ford  
William Ford, #232122  
MacDougall Correctional Inst.  
1516 Old Gilliard Rd  
Ridgeway, S.C. 29472

August 15<sup>th</sup>, 2016

The Honorable Jenny A. Kitchings  
Clerk of Court, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

August 15, 2016

RE: William Ford, #232122, v. South Carolina Dept. of Corrections

Appellate Case No. 2015-002114

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AUG 17 2016

SC Court of Appeals

Dear Ms. Kitchings:

Enclosed please find my Motion to Supplement the Record on Appeal et. al.

Thank You for your attention to this matter, and please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

William Ford  
William Ford, #232122  
MacDougall Correctional Inst.  
1516 Old Gilliard Rd  
Ridgerville, S.C. 29472

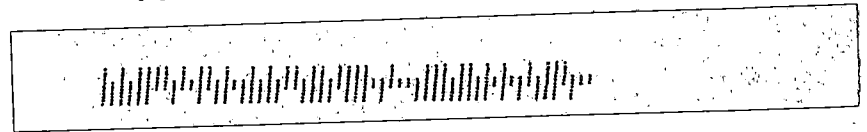
William Ford #232122  
Mac Dougall Correctional Inst.  
Magnolia 1 ASA  
1516 Old Gilliard Rd.  
Ridgeville, SC. 29472



**RECEIVED**

AUG 17 2016

SC. Court of Appeals



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

**RECEIVED**

AUG 15 2016

MacDougall Corr. Inst.  
Mailroom

The Department of Corrections has not  
censored this item, therefore, the Department  
does not assume responsibility for its  
written contents - MacDougal Correctional  
Institution.