

Darian Bluman - Plaintiff

W. South Carolina Dept of Corr.

CHAND. 2017-000021
Motion for Enforcement of Fine

RECEIVED

JAN 24 2017

SC Court of Appeals

Re: Forfeiture

The Plaintiff is before the Court asking for a 30 thirty day Enforcement Fine due to the fact that the State Financial Statement has to be forwarded to the South Carolina Dept of Corr. Headquarters. The Plaintiff will take the time requested therefore, Bluman notifies the Court to add this to the record."

TAKE NOTICE: State financial certificate for indigent inmates needed

Certificate of Service / Proof of Service

I, Darian Bluman, certify that on this 18th day of January, 2017, I mailed a letter of my Motion for Enforcement of Fine to the Court of Appeals, P.O. Box 11629, Columbia, S.C. 29211, South Carolina Dept of Corr. Office of General Counsel, P.O. Box 2184, 234 Broad River Rd., Columbia, S.C. 29221-1184, in the Administrative Law Court Box 2184, Columbia, S.C. 29201, United States Postal Service.

Signed before me on this 18th day of January, 2017
Paul [Signature]

Notary for South Carolina:

Dec. 10, 2016

My Commission Expires:

Darian Bluman #334651
Virkland Cor. Inst. #88131
234 Broad River Rd.
Columbia, S.C. 29210

Dorian Coleman - McDaniel
N. Carolina Dept of Cor.

notice of appeals

RECEIVED

JAN 24 2017

SC Court of Appeals

Citevance no. NALP-1119-15

ALC Docted no. 16-018-17-111410

Submitted for hearing / court review

as per doct

Case no. 2017-00002

This notice of appeal is hereby given that Coleman filed a Rule 59(a) in the Administrative Law Court to preserve the issues for appellate review. Where the issue have to be preserved in order for the appellate court to hear the issues upon appeal through the exercise of due diligence Coleman am filing this notice of appeal.

1) The ALJ erred in the Law of McDaniel, 415 U.S. 539 (1974) that the five requirements is not the only requirements to be met in a Disciplinary hearing. That if the accused inmate is removed from any part of the disciplinary hearing the Counsel Substitute must stand on behalf of the inmate and present the evidence." "AL-22.14 Inmate Disciplinary System."

2) The ALJ erred where 2nd hearing was held at Marshaw Correctional Institution great 2nd and the other at 2nd P.M. which Coleman's attorney participated. How did the Counsel Substitute stand and present this evidence on behalf of Coleman."

3) The ALJ incorrectly weighed the evidence in Coleman's case and allowed the North Carolina Dept of Corrections to apply the wrong standards."

4) The ALJ erred in the Law in Asphar, 338 S.W.2d 351 which states the Counsel Substitute Mr. Armstrong inform the hearing officer that Coleman had refused no witnesses or evidence. when he had previously stated five times refused to testify.

15-216767 15-213518 15-216799 15-796291

Hollingsworth, L. Hollingsworth, and Dr. Sturtevant. The Hill Security Bill Check for Shocks, S.A.'s office, LabBok, and the Non Control Room Log Book."

5) That D.D. E. Byltinger and N's intentions violated Coleman's procedural due process rights for failure to allow Coleman his right to confront his accuser, present evidence, and call witnesses.

2) The ALJ incorrectly weighed the evidence because the transcript does not state Coleman was allowed to participate in the hearing held at 2nd P.M. to be removed."

7) ALJ erred for failure to enforce the ALC special rules (58) (Section F) and transcripts taken at the testimony during the proceeding. The ALJ did make a ruling without reviewing and evidence which was the transcripts entered the copy to please the transcripts which leaves the judgment in error.

Attachment

Entry of Judgment by the NY was June 2, 2016. Therefore after the month of July and August 2016, Coleman was on his own. Coleman and Southern Baptists Dept of Corrections, please not allow inmates to obtain weapons, Material. Thereafter Coleman filed a Rule 59(e) inquiry which the S.C. prohibited her husband. The propriety of all legal and personal products in the matter of July 2016 against Coleman's rights to file any notice of appeal with attached Exhibits. Coleman's work is. 2013 Highlighted Sections. Exhibits Circumstances are: BACF-2111915 Exhibit (b) L.P. Hunters Affidavit

1) that due to the error in the law and regulations that rise to a constitutional violation that the interaction be overturned and all conditions restored."

2) that the Court of Appeals exercise the power and allow Coleman file this Notice of appeal and All applicable precedence laws diligence where he was robbed at Highland Inn. Inst. See BACF 8-16-17-23151 of all legal and personal products."

RECEIVED

JAN 24 2017

SC Court of Appeals

I hereby Certify that on this 18th day of January 2017, I filed a copy of this notice of appeal with the Administrative Law Court 1205 Pendleton St., Suite 200, Columbia, S.C. 29201. South Carolina Dept of Correction Office of General Counsel P.O. Box 21787, 1401 Broad River Rd., Columbia, S.C. 29221-1787. In Coleman (Alaines) a copy hereto. South Carolina Court of Appeals P.O. Box 11629, Columbia, S.C. 29211. Expect a change of address notice United States Postal Service

Sworn to before me on this 18th day of Jan. 2017
Paul [Signature]

Notary for South Carolina
Dec. 10, 2014
NY Commission Expires

Daniel [Signature]
Daniel [Signature]
Highland Inn, Inst. 1/24/17
1401 Broad River Rd.
Columbia, S.C. 29211

INMATE SEARCH DETAIL REPORT

COLEMAN, DARIANE (00334551)

DISCIPLINARIES

SANCTIONS NOT AVAILABLE IN THE AUTOMATED SYSTEM PRIOR TO JANUARY 2009

DATE	DESCRIPTION
07/21/2012	EXHIBITIONISM AND PUBLIC MASTURBATION LOSS OF GOOD TIME 90 DAYS DISC DETENTION FOR 90 DAYS JUMPSUIT FOR 360 DAYS
05/29/2012	THREATENING TO INFLECT HARM ON EMPLOYEE LOSS OF GOOD TIME 20 DAYS DISC DETENTION FOR 60 DAYS LOSS OF PROPERTY PRIVILEGES FOR 960 DAYS
03/27/2012	EXHIBITIONISM AND PUBLIC MASTURBATION LOSS OF GOOD TIME 50 DAYS LOSS OF CANTEEN PRIVILEGES FOR 208 DAYS DISC DETENTION FOR 60 DAYS JUMPSUIT FOR 360 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 208 DAYS LOSS OF VISITATION PRIVILEGES FOR 23 DAYS
09/26/2011	STRIKING AN EMPLOYEE WITH/WITHOUT WEAPON LOSS OF GOOD TIME 60 DAYS LOSS OF CANTEEN PRIVILEGES FOR 360 DAYS DISC DETENTION FOR 180 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 360 DAYS LOSS OF VISITATION PRIVILEGES FOR 360 DAYS
08/20/2011	UNAUTHORIZED AGENCY UNIFORMS LOSS OF GOOD TIME 90 DAYS LOSS OF CANTEEN PRIVILEGES FOR 540 DAYS DISC DETENTION FOR 180 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 540 DAYS LOSS OF VISITATION PRIVILEGES FOR 540 DAYS
07/06/2011	EXHIBITIONISM AND PUBLIC MASTURBATION LOSS OF GOOD TIME 30 DAYS LOSS OF CANTEEN PRIVILEGES FOR 180 DAYS JUMPSUIT FOR 365 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 180 DAYS LOSS OF VISITATION PRIVILEGES FOR 365 DAYS

MOVEMENT

MOVEMENT DATE	TO LOCATION	STATUS	REASON
08/19/2016	KIRKLAND	INCARCERATED	ADMINISTRATIVE
08/08/2016	RIDGELAND	INCARCERATED	ADMINISTRATIVE
07/31/2016	ALLENDALE	INCARCERATED	MEDICAL
07/14/2016	RIDGELAND	INCARCERATED	ADMINISTRATIVE
07/08/2016	BROAD RIVER	INCARCERATED	ADMINISTRATIVE
04/25/2016	RIDGELAND	INCARCERATED	ADMINISTRATIVE
04/25/2016	FLOR CO	INCARCERATED	RETURN FROM COURT
04/14/2016	RIDGELAND	INCARCERATED	TO COURT
04/14/2016	RICHLAND CO	INCARCERATED	RETURN FROM COURT
02/19/2016	RIDGELAND	INCARCERATED	TO COURT
02/19/2016	FLOR CO	INCARCERATED	RETURN FROM COURT
01/14/2016	RIDGELAND	INCARCERATED	TO COURT
01/11/2016	HERSHAW	INCARCERATED	ADMINISTRATIVE
		INCARCERATED	RETURN FROM COURT

RECEIVED

JUN 06 2016

FILED

JUN 02 2016

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

SC ADMIN. LAW COURT

GENERAL COUNSEL

Darlane Coleman, 334551,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

) Docket No.: 16-ALJ-04-0114-AP

) Grievance No.: KRCI 1119-15

ORDER

This matter is before the South Carolina Administrative Law Court ("the ALC" or "the Court") pursuant to the Notice of Appeal filed February 5, 2016, by Darlane Coleman ("Appellant"), an inmate incarcerated with the South Carolina Department of Corrections ("Department"). Appellant requests review of the Department's decision regarding Appellant's disciplinary conviction for Exhibitionism and Public Masturbation. As a result of the conviction, Appellant received sanctions that included the loss of sixty (60) days of accrued good time. In this appeal, Appellant asserts that he was denied procedural due process and that the evidence does not support his conviction.

The Court's jurisdiction to hear this matter is derived from the decision of the South Carolina Supreme Court in Al-Shabazz v. State, 338 S.C. 354, 527 S.E.2d 742 (2000). The Al-Shabazz decision explained that "procedural due process is guaranteed when an inmate is deprived of an interest encompassed by the Fourteenth Amendment's protection of liberty and property." Wicker v. S.C. Dept. of Corrs., 360 S.C. 421, 424, 602 S.E.2d 56, 58 (2004) (citation omitted). Such a liberty interest is implicated when an inmate has lost accrued good time due to a major disciplinary hearing. See Al-Shabazz, 338 S.C. at 369, 526 S.E.2d at 750; Howard v. S.C. Dep't of Corrs., 399 S.C. 618, 629, 733 S.E.2d 211, 217 (2012).

When reviewing the Department's decisions in inmate grievance matters, this Court sits in an appellate capacity, applying the appellate standard of the Administrative Procedures Act. Al-Shabazz, 338 S.C. at 377-80, 527 S.E.2d at 754-56. Consequently, this Court's review is limited to the record. S.C. Code Ann. § 1-23-380(4) (Supp. 2015). Additionally, the court may not substitute its judgment for the judgment of the agency as to the weight of the evidence on questions of fact, but may modify or reverse the decision of the agency when substantial rights of the appellant have been prejudiced. S.C. Code Ann. § 1-23-380(5) (Supp. 2015). Substantial

rights of the appellant are prejudiced when the agency's decision, including the agency's findings, inferences, and conclusions, are in violation of constitutional or statutory provisions; in excess of the statutory authority of the agency; made upon unlawful procedure; affected by other error of law; clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. Id.

In this case, Appellant argues that the Department failed to follow policy and procedure. However, a prison official's failure to follow the prison's own policies, procedures or regulations, or a mistaken case number, does not constitute a violation of procedural due process, if constitutional minima are nevertheless met. See Weatherholt v. Bradley, 316 Fed. Appx. 300, 303 (4th Cir. 2009) (not selected for publication) (quoting Myers v. Klevenhagen, 97 F.3d 91, 94 (5th Cir. 1996)) (“[F]ailure to follow prison rules or regulations does not, without more, give rise to a constitutional violation . . .”). Thus, the court must only determine whether the Department met the minimum requirements for procedural due process in this matter where an inmate was disciplined for serious misconduct. Al-Shabazz, 338 S.C. at 369-70, 527 S.E.2d at 750. The South Carolina Supreme Court has enunciated the following five requirements which, if established, show the minimum constitutional requirements for procedural due process have been met in inmate disciplinary matters:

- (1) the inmate was given advance written notice of the charge at least twenty-four hours before the hearing;
- (2) the fact finder(s) prepared a written statement of the evidence relied on and reasons for the disciplinary action;
- (3) the inmate was allowed to call witnesses and present documentary evidence;
- (4) counsel substitute was allowed to help the inmate if the inmate was illiterate or if the case was too complex for the inmate to handle alone; and
- (5) the person(s) who heard the matter, who may be prison officials or employees, were impartial.

See id., 338 S.C. at 371, 527 S.E.2d at 751 (citing Wolff v. McDonnell, 418 U.S. 539, 563-72 (1974)).¹ Applying the five due process requirements to the Record in this case, this Court concludes the following:

¹ The Court notes that the Department has incorrectly stated and cited these factors in its brief.

Appellant was given notice of the charge on September 3, 2015, and the disciplinary hearing in the matter took place on September 21, 2015, more than twenty-four hours later. Based on the transcript of the case, this Court finds that Appellant was represented by counsel substitute and that Appellant's accuser was present as requested by the Appellant. The Record reveals that Appellant was not present during the disciplinary hearing. However, the transcript reflects that the Appellant was brought up for the hearing but began to act in a disruptive manner and chose to leave on his own before the hearing began. The Appellant then returned and the hearing officer instructed him that he had acted inappropriately and that he had already chosen to leave. When the Appellant began to behave in a disruptive manner again, the hearing officer called First Responders to have him removed. (While Appellant argues that he was not afforded due process because his counsel substitute did not present evidence and witnesses in his absence, it was because of his own behavior that Appellant was removed and not present at the hearing. In his absence, Appellant was represented by his counsel substitute who did not give a statement or present any witnesses for Appellant. Appellant's counsel substitute stated on the record that Appellant left no voluntary statement or witness statements in response to the charge.)

In normal circumstances, the Appellant should be afforded the opportunity to provide a statement, call witnesses, and present evidence at his disciplinary hearing. However, *Wolff* requires that Appellant be afforded the opportunity to be heard "when permitting him to do so will not be unduly hazardous to institutional safety or correctional goals." *Wolf v McDonnell*, 418 U.S. 539, 566, 94 S. Ct. 2963, 2979, 41 L. Ed. 2d 935 (1974). The Appellant in this case first refused to attend the hearing and then was disruptive to the point that he had to be removed by First Responders. (This Court concludes that Appellant's due process rights were not violated and his removal from the hearing was justified by the Department's need to maintain an orderly and safe prison environment.) See *id.*, 338 S.C. at 370, 527 S.E.2d at 750. (The transcript and report show the hearing officer's determination of Appellant's guilt was based upon the officer's report and the testimony of Officer Crowe.) There is nothing in the Record indicating the hearing officer was otherwise than neutral.) The sanctions imposed were based upon the Hearing Officer's finding that this was Appellant's fourth offense of this type. Therefore, this Court concludes that Appellant was afforded the minimum due process required in prison disciplinary proceedings.

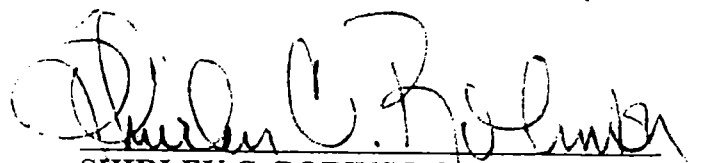
Appellant also argues that the evidence in this case does not support his conviction. Substantial evidence is "not a mere scintilla of evidence nor the evidence viewed blindly from

one side of the case, but is evidence which, considering the record as a whole, would allow reasonable minds to reach the conclusion that the administrative agency reached” Lark v. Bi-Lo, Inc., 276 S.C. 130, 135, 276 S.E.2d 304, 306 (1981) (citation omitted). Under the substantial evidence rule, an appellate court “will not overturn a finding of fact by an administrative agency ‘unless there is no reasonable probability that the facts could be as related by a witness upon whose testimony the finding was based.’” Sea Pines Ass’n for Prot. of Wildlife, Inc. v. S.C. Dep’t of Nat. Res., 345 S.C. 594, 603-04, 550 S.E.2d 287, 292 (2001) (quoting Lark v. Bi-Lo, Inc., 276 S.C. 130, 276 S.E.2d 304 (1981)). When reviewing the available evidence, it is within the discretion of the hearing officer to place greater weight on the evidence he or she deems most credible. See Woodall v. Woodall, 322 S.C. 7, 10, 471 S.E.2d 154, 157 (1996) (citations omitted) (trial judge is in the best position to observe demeanor and veracity of witnesses); see also Al-Shabazz, 338 S.C. at 382, 527 S.E.2d at 757 (establishing a “hands-off” doctrine in reviewing inmate disciplinary convictions). In this case, the hearing officer placed greater weight on the credibility of the written reports and the officer’s statements than on (Appellant’s statements in his grievance. The Appellant forfeited his right to make a statement and present evidence at the hearing when he initially chose not to participate in the hearing and then subsequently behaving in a way which caused him to have to be removed) The report of Officer Crowe and her testimony at the hearing constitute substantial evidence on the record to support Appellant’s conviction.

THEREFORE, IT IS HEREBY ORDERED that the decision of the Department is **AFFIRMED**.

AND IT IS SO ORDERED.

June 2nd, 2016
Columbia, South Carolina


SHIRLEY C. ROBINSON
Administrative Law Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Darian Antonio Coleman, #334551,)

Plaintiff,)

vs.)

C/A No.: 8:15-cv-5103-DCN-JDA

Warden David Dunlap, Asst. Warden)
Donnie Stonebreaker, Cpt. Tony Smith,)
Lt. Williams, Pamela Hough, *Grievance*)
Coordinator, Sgt. Boloach,)
Each Defendant sued in their individual)
Capacities at all times herein;)
Lt. Hunter; Lt. Rollings; Lt. Salmon;)
Sonya Adams, Warden Secretary; DHO)
E. Bittinger; Jerome Armstrong, Counsel)
Substitute; Major Kevin Ford; Sgt. Sally)
Crowe; Ms. Gardner, psych counselor;)
Ann Hallman, grievance branch chief;)
Sgt. Deakins; Lt. Rennick; Sgt. Hunt;)
Sgt. Terry William; Officer Stewart,)
Defendants.)

AFFIDAVIT OF JEROME K. ARMSTRONG

1. I am Jerome K. Armstrong and am employed as the Counsel Substitute at Kershaw Correctional Institution. I have been employed by the South Carolina Department of Corrections for 19 years.
2. As part of my duties, I have appeared as a Counsel Substitute for inmates. I have never been served with process in this case and preserve this defense and my right to dismissal for lack of service and expiration of the Statute of Limitations.
3. I have been asked to review the allegations of Inmate Darlen Antonio

(Coleman In this action to provide a true and accurate statement as to his complaint that he failed to receive due process in his disciplinary hearing.

4. Inmate Disciplinary Systems, Policy OP-22.14 Section 8, attached as **Exhibit A**, covers the role of Counsel Substitutes. Each institution will assign certain non-uniformed employees to act as a Counsel Substitute. A Counsel Substitute is an SCDC non-uniformed employee who is assigned to assist inmates with a disciplinary hearing. In other words, they are administrative personnel and not Corrections Officers.

(5. Inmates will be assigned a Counsel Substitute at least 48 hours prior to a hearing in certain cases, unless the Inmate waives that right.) Following the Notice of his hearing on the charge of Public Masturbation on September 3, 2015, Inmate Coleman requested a Counsel substitute and I was appointed on that date to assist with the September 21, 2105 hearing.) The Hearing Record is attached as **Exhibit B**.

(6. Inmate Coleman was able to request a Counsel Substitute because at the time of the hearing, he was confined to a segregation status ("lockup") status.)

7. Prior to the disciplinary hearing as Counsel Substitute, I met with the inmate to assist in preparing for the hearing and obtained Inmate Coleman's account as to exactly what took place and we discussed that he wanted his accuser present. (I was also available to interview relevant witnesses prior to the hearing. He had no witnesses that he requested I interview.) *Perjury*

8. (As Counsel Substitute, I can obtain written statements that can be given to the Hearing Officer for those witnesses who are not able to appear at the hearing.) He requested no attempt to obtain statements and had only his testimony to contradict the officers' report and testimony. Contrary to allegations

*BA's shift are
Scheduled to
report to work
from 7pm to 7am
Therefore it was
required to select
the evidence.*

that he wanted me to preseqt or interview other inmates, Inmate Coleman made no such request to me.

9. Inmate Coleman is required to use SCDC Form 19-11, "Request to Staff Member," listing the names of all witnesses he may wish to be made available at their hearing. The form must be addressed to the inmate's Counsel Substitute or to the Hearing Officer if no Counsel Substitute has been assigned and must be received no later than 24 hours prior to the hearing. Inmate Coleman did not utilize this option and I received no Request to Staff Member to interview other individuals or to have any inmate witnesses present.

10. (I attended the September 21, 2105 hearing and assisted the inmate to the best of my abilities.) As requested by the inmate, I made the Hearing Officer aware that Inmate Coleman requested the accusing officer be present. The accusing officer was present and presented testimony that was able to be challenged by Inmate Coleman.

(11. (Coleman was brought up for the disciplinary hearing but began to act in a disruptive manner.) He left walking out on the yard for a purpose he explained as looking for another Officer. He walked out just as the hearing was about to begin in an agitated state.) Asked to go!

12. Inmate Coleman returned and was able to reenter the hearing that had just commenced. He was instructed by the Hearing Officer that he was to act appropriately. Coleman was disruptive and was not obeying the order of the Hearing Officer. Coleman began to behave in a disruptive manner again and First Responders were called to remove him from the hearing.

(Conclusatory
Allegations &
devising material
Several documents
prior does not state
This)

13. I presented Inmate Coleman's position as best I could explaining that he disputed the Officers testimony of public masturbation. The Hearing Officer found him guilty on the charge of Exhibitionism and Public Masturbation. At that time, my role as Counsel Substitute was complete.

14. At all times I acted in the best interests of the Inmate Coleman and in the furtherance of my duties as counsel substitute and did so without ill will or evil intent in the conduct of my duties and within the bounds of applicable law, regulations, and Agency Policies.


Jerome K. Armstrong

SWORN TO BEFORE ME THIS

30 day of November 2016



Notary Public for South Carolina

My Commission Expires: Jan 27, 2025

130
1101
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD
Case: 10-33 Inmate Name: Dariano Coleman SCDC#: 334551
Living Area: Sub 554 Job: n/a Custody: n/a

Offense Date: 8/25/15 Offense Time: 7:31 AM PM Institution: Kernshaw
Offense Description:
854 Exhibitionism and Public Masturbation: (1) Engaging in acts of indecent and/or unnecessary exposure of genitals or other private body parts to a staff member or other person; or (2) engaging in acts of masturbation or any manual stimulation of one's exposed or unexposed genitals in a public setting, or in the view of a staff member or other person. A conviction of this charge will result in a loss of the inmate's visitation privileges for one (1) year.

Charging Officer/Employee: S Crowe Title: Sgt
INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING	☒ I WAIVE MY RIGHT TO A HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING	☐ I WANT SEGREGATION ONLY
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING	☐ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING	☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 9/11/15 9:30 AM PM By (Print): Sgt. Crowe
Inmate Signature: DARTAN COLEMAN SCDC#: 334551 Date: 9/11/15

HEARING INFORMATION:

Hearing Date: 9/21/15	Hearing Time: 7:40 am/pm	Type: n/a	Side: n/a	Start: n/a	End: n/a
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EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.

Note: Accused behaved inappropriately and had to be removed by the responder.

OFFENSE CODES	854				
INMATE PLEA (G, NG, None)	NG				
FINDINGS (G, NG, DS)	G				

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL:

HEARING LENGTH: 6 (MINUTES)

SANCTIONS:

Loss of Privileges (Days):	Reprimand:	Loss of Good Time (days): 160
• Property (Days): 160	Extra Duty:	Restitution: \$
• Canteen (Days): 160	Visa Suspension Thru: 160	
• Other (Days): 160	Cell Restriction (Days):	
• Disciplinary Detention (Days): 160		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: 854 conviction

CREDIT FOR PHO TIME SERVED? YES/NO IF YES, DAYS

DATE INMATE PLACED IN PHO

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT DATE 9/24/15

HEARING OFFICER (PRINT NAME) E. B. Crowe

APPROVED/REVERSE/MODIFY REASON: Change Date for

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS

1. Inmate - Inmate's Record 2. Inmate - Inmate's Record of Inmate's Record

3. Inmate - Inmate's Record of Inmate's Record 4. Inmate - Inmate's Record

5. Inmate - Inmate's Record of Inmate's Record 6. Inmate - Inmate's Record

7. Inmate - Inmate's Record of Inmate's Record 8. Inmate - Inmate's Record

EXHIBIT B2

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD

Case: 30 Inmate Name: Darlene Coleman SCDC#: 334551
 Living Area: SMU 15A Job: N/A Custody: N/A
 Offense Date: 08/26/15 Offense Time: 8:15 AM / PM Institution: Kershaw

Offense Description:
 154 Exhibitionism and Public Masturbation: (1) Engaging in acts of indecent and/or unnecessary exposure of genitals or other private body parts to a staff member or other person; or (2) engaging in acts of masturbation or any sexual stimulation of one's exposed or uncovered genitals in a public setting, or in the view of a staff member or other person. A conviction of this charge will result in a loss of the inmate's visitation privileges for one (1) year.

Charging Officer/Employee: S. Crowe Title: Sgt.

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☒ I DO NOT WANT TO BE PRESENT AT MY HEARING
☐ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING

☐ I WAIVE MY RIGHT TO A HEARING (SMU/SEGREGATION ONLY)
☒ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 9/3/15 9:20 AM/PM By (Print): Sgt. Amy Bowers
 Inmate Signature: [Signature] SCDC#: 334551 Date: 9/3/15

HEARING INFORMATION:

Hearing Date: <u>9/21/15</u>	Hearing Time: <u>2:40</u> AM/PM	Room: <u>15A</u>	Start: <u>2:40</u>	End: <u>3:00</u>
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EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES; (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION, QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.

Note: Accused did not appropriately respond and had to be removed by the warden.

OFFENSE CODES	<u>854</u>			
INMATE PLEA (Q. NO. NAME)	<u>N/A</u>			
FINDINGS (Q. NO. DS)	<u>154</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL:

HEARING LENGTH: 60 (MINUTES)

SANCTIONS:

Loss of Privileges (Days): <u>30</u>	Reprimand: <u>None</u>	Loss of Good Time (days): <u>60</u>
• Property (Days): <u>30</u>	Extra Duty: <u>None</u>	Restitution: \$ <u>0.00</u>
• Canteen (Days): <u>30</u>	Visit Suspension Thru: <u>9/30/15</u>	
• Other: <u>None</u>	Cell Restriction (Days): <u>30</u>	
• Disciplinary Detention (Days): <u>30</u>		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: This is the accused's conviction (854)

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS None

DATE INMATE PLACED IN PHD: 1/1/15

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature] C.S. DATE: 9/24/15

HEARING OFFICER (PRINT NAME): E. B. [Signature]

APPROVED/REVERSE/MODIFY: [Signature] REASON: None

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

Where: Last Annual Record (Primary - Inmate (Service of Disciplinary Report))

Where: Inmate (Service of Disciplinary Hearing/D. responses) (Prob. - Control Record)

**Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.

SCDC 19-09 (Rev. May 2007)

EXHIBIT B 65

INMATE NAME: DAVID L. [illegible] SEP 25 1968

[illegible]

EXHIBIT "5a"

WARDEN'S DECISION AND REASON:
Inmate Coleman;

This is in response to KRCI-1119-15. You have appealed the results of your 9/21/15 Disciplinary Hearing where you were found guilty on the charge of 854 Exhibitionism and Public Masturbation, case # 20. The issues you stated do not warrant a reversal of the charge. Pertinent documentation has been reviewed and an investigation of the hearing was conducted. No technicalities, procedural errors, or misinterpretations of evidence was noted and the decision of the Disciplinary Hearing Officer was based on the written and verbal testimony of Sgt. Crowe. Based on this information, your appeal is without merit and therefore denied.

If not satisfied with my response, see Step 5 below.

David Willey 10/15/15
Warden Signature Date

☐ I accept the Warden's decision and consider the matter closed.

☒ I do not accept the Warden's decision and wish to appeal.
I accept full consideration and
settlement of account

BY PER DARTAN 11/6/15

Grievant Signature Auto-Log Date

D. Hough 11/6/15
IGC Signature Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

EXHIBIT "5b"

✓ Destruction of Document

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2
NOV 12 2015

USE
S 11/11/15
Office Use Only

INMATE NAME: Dorian Williams
SCDC NUMBER: 54551
INSTITUTION: Karlswald ✓
HOUSING UNIT: Maximilian A-33
WORK ASSIGNMENT: Open

RECEIVED
NOV 24 2015

Grievance No. 10201-1119-15
Code: General Policy
Disc. Hear. 3547-20
Class 10 9/21/15
PREA
Date Received: 11/13/15
IGC Initials: GA
Date Received: 11/13/15
IGA Initials: AS

~~INTERNAL GRIEVANCE~~

GRIEVANCE

INMATE'S REASON FOR APPEAL (state specific dissatisfaction): This Grievance is a result of the County decision for US\$20, that USC 1.5 Technicalities warrants a reversal of the institutional assigned intervention. That the D.H.C.E. B. Under asked Council Submitter Jerome Armstrong did file inmate request and witness and have any statements from any witnesses, and did C/S Armstrong have any evidence to present on the behalf of Grievant Paul J. Armstrong that he is which is a technicality and a procedural error due to Grievant having submitted 57 five month rejections Lt. Hunter, Lt. Hollins, etc. attached - copy's office Logbook, Milwaukee Control room Logbook, Mail box of each Log checks from 9/26/15 and C/S Jerome Armstrong falsified and committed perjury as Grievant did not have any evidence. (See Arrest 15-791129, 15-806767, 15-813528, 15-306771, 15-196270. That USC 1.3 when the inmate because of the complexity of the issue, will be unlikely to be able to collect and present the evidence necessary for an appeal.

RESPONSIBLE OFFICIAL'S DECISION AND REASON: Date 11/11/15

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

The documentation presented indicates that the evidence presented was sufficient to support the conviction of Exhibitionism and Public Masturbation (§54), case #20 on September 21, 2015, under CDC Policy OP-22.14, Inmate Disciplinary System, dated February 2, 2015, and the sanctions imposed, which included the loss of 60 days accrued good time, were appropriate for the rules violation. There was no reason found to warrant a reversal of the Disciplinary Hearing Officer's decision. A review of your appeal revealed that you received forty-eight (48) hour notice prior to the hearing. You were afforded due process rights, as required, and the offense was classified and heard in a timely manner.

Therefore, your privacy is assured.

You may appeal this decision under the Administrative Procedures Act to the Administrative Law Court. In order to appeal, you must fill out the attached Notice of Appeal Form and submit it as instructed on the form within 30 days of receipt.

Responsible Official Signature

Benjamin Date 12/13/15

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Grievance closed due to adequate

Experience closed due to estimate
I failed to participate by refusing to
provide Signature
1) Step 2 form, 8

Camilla Horvath 4/3/10
ICC Signature Date

USE REVERSE SIDE FOR INSTRUCTIONS

EXHIBIT "6"

11/17/2016

REQUEST TO STAFF MEMBER

TO: NAME:

TITLE:

DATE:

Office of General Counsel

RECEIVED

11/14/16

INMATE'S NAME:

D. Coleman

NOV 16 2016

SCDC #:

334557

INSTITUTION:

Kirkland

GENERAL COUNSEL

LIVING QUARTERS:

GPH131

that I am writing this request include records with the case that I was litigating during the time I was robbed. That being so, it was Coleman v. SCDC and Sally Crowe was brought along with Counsel Substitute and Jerome Armstrong, and DHE. Bittner. That Sally Crowe violated Coleman's constitutional rights for falsifying her incident report. That C/O Armstrong violated Coleman's rights for failure to collect evidence and to present it on behalf of Coleman. That Coleman was held in prison for 18 months and DHE Bittner refused to allow Coleman to participate in his prison hearings. That DHE Bittner and Jerome Armstrong acted arbitrarily and capriciously. That each employee violated life and limb. That each employee violated life and limb. That numerous other claims but at this time I am unable to collect or remember such claims in full. I am requesting a copy of the case. In the ALJ ruling. That I am also asking for a copy of the action that was filed in which I was named as a defendant in the York County Family Courts. That this assistance will be greatly appreciated.

DISPOSITION BY STAFF MEMBER:

I am attaching the Order from the Administrative Law Court on the case that you are referencing, Coleman vs. SCDC (Docket # 16-ALJ-04-0114-AP/Grievance # KRCI 1119-15). If you need further documentation on this issue, please submit a FOIA request. I'm processing a FOIA request, you will be notified how much your account will be debited for the requested copies. In reference to the action that is in the York Family Courts, you would have to contact them for assistance with that issue.

DATE:

11-30-2016

SIGNATURE:

Chern

Exhibit (b)

Darian Antonio Coleman, #334551,)

Plaintiff,)

vs.)

C/A No.: 8:15-cv-5103-DCN-JDA

Warden David Dunlap, Asst. Warden)
 Donnie Stonebreaker, Cpt. Tony Smith,)
 Lt. Williams, Pamela Hough, *Grievance*)
Coordinator, Sgt. Boloach,)
Each Defendant sued in their individual)
Capacities at all times herein;)
 Lt. Hunter; Lt. Rollings; Lt. Salmon;)
 Sonya Adams, Warden Secretary; DHO)
 E. Bittinger; Jerome Armstrong, Counsel)
 Substitute; Major Kevin Ford; Sgt. Sally)
 Crowe; Ms. Gardner, psych counselor,)
 Ann Hallman, grievance branch chief;)
 Sgt. Deakins; Lt. Rennick; Sgt. Hunt;)
 Sgt. Terry William; Officer Stewart,)

Defendants.)

AFFIDAVIT OF LT. EDWARD C. HUNTER

1. I am Edward C. Hunter and am employed by the South Carolina Department of Corrections as a lieutenant at Kershaw Correctional Institution (KerCI). I have been employed with SCDC for a total of 15 years. My duties include being the Lead Supervisor for the E2 (night) shift for the entire institution.
 2. I am a named Defendant in this action and I have been asked to review the allegations of Inmate Darien Antonio Coleman in this action to provide a true and accurate statement as to my knowledge of events he outlines in his complaint.
-

to Lt. Rollings, Officer Sturkey, and I to act as witnesses in the charges he had against him for masturbation and public exhibitionism brought by Officer Sally Crowe.

4. Inmate Coleman had a mechanism for designating witnesses that he wanted to present in the case. If inmate Coleman would have provided a request to staff within the appropriate time frame through the kiosk, to his counsel substitute or to the hearing officer, officer witnesses as well as inmate witnesses would have been procured for his trial. I was not listed as a witness and was not called as a witness at the trial. I, however, had no information from which I could testify as I was not in that part of the unit when he received the charge from Officer Crowe. Officer Crowe is a good officer, who has served on my shift.
5. He next mentions me in paragraph 19. In paragraph 19 he alleges that Sgt. Terry Williams was providing communication to alleged gang members that would indicate that the Plaintiff was a snitch. I have never heard any information about this in any regard. He alleges that on 12/9/2015 I called Sgt. Williams up front to operations and that upon Sgt. William's return, he informed gang members of the event.
6. The inmate alleges that on or about 1/3/16, he personally gave me a request form to be turned in to investigator Cato. In the Restricted Housing Unit inmate Coleman would have to place his request in the lockbox during the hours inmates were out between 8 and 4 PM. Unless a request to staff is emergent, such as under the PRIA, they are turned in directly by the inmate.
7. One officer is assigned for the entire institution to transport requests to

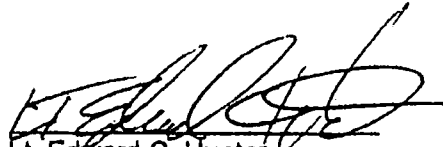
was I given anything to turn over to investigator Cato.

8. While this inmate makes a lot of allegations of threats of harm, I know of no harm that came to this inmate during the time frame of his allegations. The problems the individual inmates had with inmate Coleman came from his constant complaints and his poor attitude.

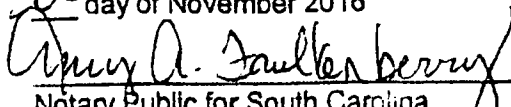
9. Attached as **Exhibit A** is a copy of an officer's incident report charging inmate Coleman with being out of place. While inmate Coleman alleges to be fearful of other inmates on other housing units, this inmate was observed entering the Hickory unit and was charged with being out of place. As her superior officer, I approved this charge and recommended referral for disciplinary action. They were referred to the Major for further action.

10. All of my actions in this matter were taken in the course and scope of my duties as a corrections officer assigned to the area where Coleman was housed through my duties as supervisor and making sure the inmate's charge went through appropriate channels.

11. At all times I acted in the best interests of all inmates and security staff and fully within policy. My reports were truthful reports of this Inmate's conduct prepared in the furtherance of my duties and did so without ill will or evil intent in the conduct of my duties and within the bounds of applicable law, regulations, and Agency Policies.


Lt. Edward C. Hunter

SWORN TO BEFORE ME THIS

30th day of November 2016

Notary Public for South Carolina
My Commission Expires: 2-5-24

AMY A. FAULKENBERRY
Notary Public, State of South Carolina
My Commission Expires
August 05, 2024

1. The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, regarding the land owned by the United States in the State of California:

This case
Dismissed
overturned
by Asswar den
Stenabraker

RECEIVED

SEP 25 1916

CLASSIFICATION

STATE WASHINGTON

[illegible]

Date of Birth: 9 11 15 9 30 1000 5742 384551 Cpl. Gary B.
 Name: DAVID L. BROWN JR. 1000 5742 384551 9 11 15

2.2.2.1. FORMATTING

[illegible]

like "Acoustic feedback" inappropriately and had to be removed by responders

154

$\frac{d}{dt} \left(\frac{1}{\sqrt{1 - v^2/c^2}} \right) = \frac{v}{c^2} \frac{dv}{dt}$

$\frac{d}{dt} \left(\frac{1}{r^2} \right) = -\frac{2}{r^3} \frac{dr}{dt}$

1. The first part of the document is a list of references, including:

- 1. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.
- 2. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.
- 3. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.
- 4. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.
- 5. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.
- 6. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.
- 7. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.
- 8. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.
- 9. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.
- 10. J. H. Van Veen, "Acoustic beamforming: A review of the state of the art," *IEEE Transactions on Signal Processing*, vol. 40, no. 6, pp. 1633-1642, 1992.

1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.

[illegible][illegible]

the 1990s, the number of people in the world who are under 15 years of age is expected to increase from 1.1 billion to 1.5 billion. The number of people aged 65 and over is expected to increase from 250 million to 450 million. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion.

EXHIBIT "C"

N. South Blvd Co.

www.ck12.org

(Julie K9/e)

Basford (5)

This matter is before the South Carolina Administrative Law Court ("the ALJ" or "the Court") pursuant to the notice of Appeal filed February 5, 2016, by Dargien Coleman ("Mellant"), an inmate incarcerated within the South Carolina Department of Corrections ("Department"). Mellant requests a review of the ALJ's decision regarding Mellant's disciplinary confinement for exhibitionism and public masturbation. As a result of the confinement, Mellant received no parole. That included the loss of his duties as a trained guard. (The ALJ's decision was an abuse of discretion due to the fact that Mellant was allowed to participate in the prison disciplinary hearing due to failure to raise him in the hearing, 2) failure to collect requested evidence, 3) failure to collect witnesses statements, 4) Givens false testimony, 5) Dargien Coleman stated that he did not and did not, 6) false incident before, 7)

The Court's jurisdiction to hear this matter is derived from the decision of the South Carolina Supreme Court in Al-Shabazz v. State, 338 S.2d 354, 527 S.2d 742 (1980). The Al-Shabazz decision explained that "procedural due process is guaranteed when an inmate is deprived of an interest enumerated by the Fourteenth Amendment's protection of liberty and property," with however, 360 S.2d 421, 424, 402 S.2d 56, 58 (1980) (citation omitted). Such a liberty interest is implicated when an inmate has lost an earned good time due to a major disciplinary hearing. See Al-Shabazz, 338 S.2d at 369, 527 S.2d at 750. Howard v. State, 339 S.2d 621, 533 S.2d 21, 217 (2012) (therefore, Howard case he did have a state created liberty interest therefore the Court has jurisdiction to hear Howard's case").

When reviewing the Oklahoma's decision, in numerous previous matters,
 the Court has not set an appellate standard, applying the appellate standard of the
 Federal Circuit. Shelton v. United States, 338 F.2d 277 (9th Cir. 1964)
 1984-56, 1984-57, 1984-58, 1984-59, 1984-60, 1984-61, 1984-62, 1984-63, 1984-64, 1984-65, 1984-66, 1984-67, 1984-68, 1984-69, 1984-70, 1984-71, 1984-72, 1984-73, 1984-74, 1984-75, 1984-76, 1984-77, 1984-78, 1984-79, 1984-80, 1984-81, 1984-82, 1984-83, 1984-84, 1984-85, 1984-86, 1984-87, 1984-88, 1984-89, 1984-90, 1984-91, 1984-92, 1984-93, 1984-94, 1984-95, 1984-96, 1984-97, 1984-98, 1984-99, 1984-100, 1984-101, 1984-102, 1984-103, 1984-104, 1984-105, 1984-106, 1984-107, 1984-108, 1984-109, 1984-110, 1984-111, 1984-112, 1984-113, 1984-114, 1984-115, 1984-116, 1984-117, 1984-118, 1984-119, 1984-120, 1984-121, 1984-122, 1984-123, 1984-124, 1984-125, 1984-126, 1984-127, 1984-128, 1984-129, 1984-130, 1984-131, 1984-132, 1984-133, 1984-134, 1984-135, 1984-136, 1984-137, 1984-138, 1984-139, 1984-140, 1984-141, 1984-142, 1984-143, 1984-144, 1984-145, 1984-146, 1984-147, 1984-148, 1984-149, 1984-150, 1984-151, 1984-152, 1984-153, 1984-154, 1984-155, 1984-156, 1984-157, 1984-158, 1984-159, 1984-160, 1984-161, 1984-162, 1984-163, 1984-164, 1984-165, 1984-166, 1984-167, 1984-168, 1984-169, 1984-170, 1984-171, 1984-172, 1984-173, 1984-174, 1984-175, 1984-176, 1984-177, 1984-178, 1984-179, 1984-180, 1984-181, 1984-182, 1984-183, 1984-184, 1984-185, 1984-186, 1984-187, 1984-188, 1984-189, 1984-190, 1984-191, 1984-192, 1984-193, 1984-194, 1984-195, 1984-196, 1984-197, 1984-198, 1984-199, 1984-200, 1984-201, 1984-202, 1984-203, 1984-204, 1984-205, 1984-206, 1984-207, 1984-208, 1984-209, 1984-210, 1984-211, 1984-212, 1984-213, 1984-214, 1984-215, 1984-216, 1984-217, 1984-218, 1984-219, 1984-220, 1984-221, 1984-222, 1984-223, 1984-224, 1984-225, 1984-226, 1984-227, 1984-228, 1984-229, 1984-230, 1984-231, 1984-232, 1984-233, 1984-234, 1984-235, 1984-236, 1984-237, 1984-238, 1984-239, 1984-240, 1984-241, 1984-242, 1984-243, 1984-244, 1984-245, 1984-246, 1984-247, 1984-248, 1984-249, 1984-250, 1984-251, 1984-252, 1984-253, 1984-254, 1984-255, 1984-256, 1984-257, 1984-258, 1984-259, 1984-260, 1984-261, 1984-262, 1984-263, 1984-264, 1984-265, 1984-266, 1984-267, 1984-268, 1984-269, 1984-270, 1984-271, 1984-272, 1984-273, 1984-274, 1984-275, 1984-276, 1984-277, 1984-278, 1984-279, 1984-280, 1984-281, 1984-282, 1984-283, 1984-284, 1984-285, 1984-286, 1984-287, 1984-288, 1984-289, 1984-290, 1984-291, 1984-292, 1984-293, 1984-294, 1984-295, 1984-296, 1984-297, 1984-298, 1984-299, 1984-300, 1984-301, 1984-302, 1984-303, 1984-304, 1984-305, 1984-306, 1984-307, 1984-308, 1984-309, 1984-310, 1984-311, 1984-312, 1984-313, 1984-314, 1984-315, 1984-316, 1984-317, 1984-318, 1984-319, 1984-320, 1984-321, 1984-322, 1984-323, 1984-324, 1984-325, 1984-326, 1984-327, 1984-328, 1984-329, 1984-330, 1984-331, 1984-332, 1984-333, 1984-334, 1984-335, 1984-336, 1984-337, 1984-338, 1984-339, 1984-340, 1984-341, 1984-342, 1984-343, 1984-344, 1984-345, 1984-346, 1984-347, 1984-348, 1984-349, 1984-350, 1984-351, 1984-352, 1984-353, 1984-354, 1984-355, 1984-356, 1984-357, 1984-358, 1984-359, 1984-360, 1984-361, 1984-362, 1984-363, 1984-364, 1984-365, 1984-366, 1984-367, 1984-368, 1984-369, 1984-370, 1984-371, 1984-372, 1984-373, 1984-374, 1984-375, 1984-376, 1984-377, 1984-378, 1984-379, 1984-380, 1984-381, 1984-382, 1984-383, 1984-384, 1984-385, 1984-386, 1984-387, 1984-388, 1984-389, 1984-390, 1984-391, 1984-392, 1984-393, 1984-394, 1984-395, 1984-396, 1984-397, 1984-398, 1984-399, 1984-400, 1984-401, 1984-402, 1984-403, 1984-404, 1984-405, 1984-406, 1984-407, 1984-408, 1984-409, 1984-410, 1984-411, 1984-412, 1984-413, 1984-414, 1984-415, 1984-416, 1984-417, 1984-418, 1984-419, 1984-420, 1984-421, 1984-422, 1984-423, 1984-424, 1984-425, 1984-426, 1984-427, 1984-428, 1984-429, 1984-430, 1984-431, 1984-432, 1984-433, 1984-434, 1984-435, 1984-436, 1984-437, 1984-438, 1984-439, 1984-440, 1984-441, 1984-442, 1984-443, 1984-444, 1984-445, 1984-446, 1984-447, 1984-448, 1984-449, 1984-450, 1984-451, 1984-452, 1984-453, 1984-454, 1984-455, 1984-456, 1984-457, 1984-458, 1984-459, 1984-460, 1984-46

from all witnesses, that the evidence being the transcript 16-34 7935 or not, being addressed here too. That the findings Law's Court Case no. 8-18-20-4740, 7935-7938. Will disclose evidence that the Bureau Substantive Information Neglected to collect evidence being the FBI Security Bill Check (9 sheets), the FBI Check (9 sheets) and the mass control from Log Brothers. That the Security Bill Check (9 sheets) would have set forth that SN. Loge has been on the list for or the 4th year therefore the Security Bill Check set forth partial records being the transcripts and the court's (ALL) neglected to collect and give a natural review of the evidence."

(4) Counsel Substantive was allowed to help the inmate if the inmate was illiterate or if the case was too complex for the inmate to handle complex for the inmate to handle alone, and (white inmate Clemens) not illiterate and the case was not complex the defendant being DOJ E. Billinger and C/S Jerome Armstrong asked arbitrary and capricious by knowingly neglecting to allow Coleman participate in the hearing. That C/S Armstrong knowingly stated when asked did the inmate leave any evidence or witnesses statements. C/S Substantive stated no. That the transcript verifies that all evidence was never requested while the Kiosk verifies the same. That by C/S acting arbitrary and capricious he knowingly violated 118 U.S.C. 509.

(5) While DOJ E. Billinger failed to blow the whistle and intentionally acted arbitrary and capricious while Coleman sat in the holding cell in Hersheyville and capricious when to call next door and conducted the hearings. That the transcript verifies that before the court's provide clear evidence that the decision was in error of clearly established law."

(6) The person who heard the matter, who may be prison officials or employees were impartial. These respondents DOJ Billinger, and C/S Armstrong knowingly conducted the hearing and neglected to foretell adults that were clearly established (the transcripts) statements and I was removed from the hearing while I was never allowed to participate in the hearing. That the transcript report and hearing heard also provide evidence heretofore that DOJ E. Billinger stated that the hearing at 9:45 AM being that DOJ E. Billinger stated that the hearing attempted to be held at 9:30 AM February 8, 2016 was not the correct hearing. Therefore the question for the court is that did the CALC Judge Mrs. Robinson violate clearly established law."

and agency will rise to a constitutional violation."

see id. 338 S.Ct. 434, 57 L. Ed. 2d 475 (1982) applying the due process requirements to the state in this case. The court permitted the following:

The record reveals that the respondents alleged that Coleman was removed from the hearings while the full transcript has clearly established that Coleman was never in the hearings at all."

the fact that defendant's MacBook Air whose lock screen has not been deleted & contains photos for a year since 2012 is due to the fact it is a personal and local property that this provider's evidence and the cellular must be allowed to fill the nature of it.

Charles Adams
12/03/67

Dorian Coleman # 334851/20131



Mailroom

Kirkland Correctional Institute
4344 Broad River Road
Columbia, S.C. 29210

RECEIVED
JAN 20 2017
MAILROOM

LEGAL
MAIL
ONLY

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

JAN 24 2017

SC Court of Appeals