

**STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT**

George Landford Douglas, #249516, )  
 )  
 Appellant, )  
 )  
 vs. )  
 )  
 South Carolina Department of Corrections, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

Docket No. 16-ALJ-04-0470-AP  
Grievance No.: LCI 32-16

**ORDER OF DISMISSAL**

**RECEIVED**

FEB 17 2017

**SC Court of Appeals**

This matter is before the South Carolina Administrative Law Court (“ALC” or “Court”) pursuant to the appeal filed by George Landford Douglas (“Appellant”), an inmate in the custody of the South Carolina Department of Corrections (“SCDC” or “Department”). Appellant appeals the decision of the SCDC in his Step Two Grievance, in which SCDC stated that “[y]ou are not allowed to attend Bible study at the hours you have requested due to security concerns.”

Appellant contends that he is being denied an opportunity to practice his religion. Specifically, Appellant cites to SCDC Policy PS-10.05, Inmate Religion, § 3.3.1, which reads “Worship services will be scheduled to allow inmate believers the opportunity to share with others of similar belief the essential expressions of their faith. These services often include prayer, singing, sacraments, preaching, and sacramental type activities.” However, the right of inmates to participate in religious activities must be balanced with safety concerns. *See* SCDC Policy PS-10.05, Inmate Religion, § 3.2 (“Religious activities maybe (sic) limited by concerns for the safety of volunteers, staff, and inmates. Inmates in secure and restricted areas will not be allowed to leave their areas for religious programs. Although the goal when scheduling religious services will be to allow reasonable equal access to all faith groups, a Warden may limit the number of inmate participants in any religious activity for reasons of safety and security.”).

The Record includes an affidavit by Warden Joseph McFadden, which affirms that the Bible study has not been permanently canceled but has not occurred because of staff shortages and security concerns. The Warden stated that Lieber Correctional Institution currently has eighty-three open

**FILED**

JAN 12 2017

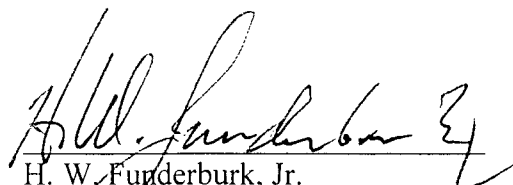
SC ADMIN. LAW COURT

security positions. Appellant claims that he has been unable to attend his bible study for nearly thirteen months. SCDC, and the Warden, have a responsibility to ensure that its correctional institutions are properly staffed. However, in regard to Appellant's inability to attend bible study because of security concerns, the ALC cannot and should not extend its jurisdiction over an internal prison matter. See *Al-Shabazz v. State*, 338 S.C. 354, 382, 527 S.E. 2d 742, 757 (2000) (citing *Pruitt v. State*, 274 S.C. 565, 567-68, 266 S.E.2d 779, 780 (1980)) and *Howard v. S.C. Dep't of Corr.*, 399 S.C. 618, 733 S.E.2d 211 (2012).

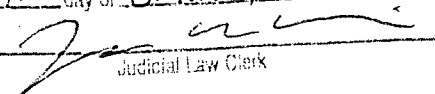
Under *Slezak v. S.C. Dep't of Corr.*, 361 S.C. 327, 331, 605 S.E. 2d 506, 508 (2004), the ALC is to have jurisdiction of all properly perfected inmate appeals but "[s]ummary dismissal may be appropriate where the inmate's grievance does not implicate a state created liberty or property interest." It is therefore,

**ORDERED** that this appeal is **DISMISSED, WITH PREJUDICE.**  
**AND IT IS SO ORDERED.**

Columbia, South Carolina  
January 12, 2017

  
H. W. Funderburk, Jr.  
Administrative Law Judge

**CERTIFICATE OF SERVICE**  
This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party(ies) or their attorney(s).

This 12<sup>th</sup> day of January 2017  
By:   
Judicial Law Clerk

**FILED**

JAN 12 2017

SC ADMIN. LAW COURT

SOUTH CAROLINA COURT OF APPEALS

George L. Douglas #249516 ) DOCKET # 16-ALJ-04-0470-AP  
APPELLANT ) GRIEVANCE # 32-16 L.C.I.

) Hon. H. W. Funderburk Jr.

VS.

S.C. DEPT. OF CORRECTIONS )  
RESPONDENT ) CERTIFICATE OF SERVICE  
CLERK: JENNY ABBOTT KITCHENS

I HEREBY CERTIFY THAT A COPY OF THE FOLLOWING  
MOTION WAS THIS DATE 13<sup>TH</sup> DAY OF FEBRUARY 2017 SERVED  
UPON THE FOLLOWING INDIVIDUAL(S) BY PLACING A COPY  
OF THE SAME VIA MAIL TO HIS/HER LAST KNOWN  
ADDRESS AS FOLLOWS, OR IN THE INTERDEPARTMENTAL  
MAIL.

ALC (CLERK)  
EDGAR BROWN BUILDING SUITE 224  
1205 PENDLETON STREET  
COLUMBIA, S.C. 29201

Respectfully Submitted  
Darryl R. Douglas #249516  
George L. Douglas #249516  
L.C.I. P.O. Box 205  
EDISTO UNIT DORM EB-08  
Ridgeville, S.C. 29472-0205

S.C. DC. GENERAL COUNSEL  
4444 BROAD RIVER RD  
P.O. Box 21787  
Columbia, S.C. 29221-1787

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SC Court of Appeals

DATE: FEBRUARY 13<sup>TH</sup>, 2017.

SOUTH CAROLINA COURT OF APPEALS

George L. Douglas #249516 APPELLANT	} DOCKET # 16-ALJ-04-0470-AP GRIEVANCE # 32-16 L.C.I.
VS	
S.C. DEPT. OF CORRECTIONS RESPONDENT	} Hon. H. W. Funderburk JR
	} MOTION FOR IN FORMA PAUPERIS
	ATTN: CLERK: JENNY ABBOTT KITCHENS

I GEORGE L. DOUGLAS #249516 HAVE BEEN INCARCERATED FOR THE LAST 20 YEARS AND I DO NOT HAVE ANY FUNDS IN MY E.H COOPER TRUST FUNDS. FINANCIAL CERTIFICATE ATTACHED. FROM THE E.H. COOPER TRUST FUNDS SWORN THIS DAY 13<sup>TH</sup> OF FEBRUARY 2017 FOR THE ABOVE MOTION.

cc: ALC CLERK OF COURT  
cc: S.C.D.C. GENERAL COUNSEL  
FILE

RESPECTFULLY SUBMITTED,  
George R. Douglas #249516  
George L. Douglas #249516  
L.C.I. P.O. Box 205  
EDISTO UNIT DARM EB-08  
Ridgeville, S.C. 29472-0205

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FEB 17 2017

SC Court of Appeals

DATE: FEBRUARY 13<sup>TH</sup>, 2017

SOUTH CAROLINA COURT OF APPEALS

George L. Douglas #249516  
APPELLANT

) DOCKET # 16-ALJ-04-0470-AP

) GRIEVANCE # 32-16 L.C.I.

) Hon. H.W. Funderburk Jr.

VS

S.C. DEPT. OF CORRECTIONS  
RESPONDENT

) AFFIDAVIT OF GEORGE L. DOUGLAS  
#249516

ATT: CLERK: JENNY ABBOTT KITCHENS

I GEORGE L. DOUGLAS #249516 DO SOLEMNLY SWEAR TO  
BE INDIGENT AND HAVE NO MONEY IN MY TRUST FUND  
ACCOUNT (E.H. COOPER TRUST FUND). I HAVE BEEN  
INCARCERATED FOR 20 YEARS. THE E.H. COOPER TRUST FUND  
ACCOUNT FINANCIAL CERTIFICATE IS ATTACHED.

cc: ALL: CLERK OF COURT  
cc: SCD GENERAL COUNSEL  
file

Respectfully Submitted,  
George L. Douglas #249516  
George L. Douglas #249516  
L.C.I. P.O. Box 205  
EDISTO UNIT DORM EB08  
Ridgeville, S.C. 29472-0205

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FEB 17 2017

SC Court of Appeals

DATE: February 13<sup>th</sup>, 2017

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FEB 01 2017

MAIL ROOM  
LIEBER C.I.

Lieber

FINANCIAL CERTIFICATE  
FOR THE  
DISTRICT OF SOUTH CAROLINA

(for use in § 1983, *Bivens*, and non-habeas civil actions filed by prisoners)

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I am granted *in forma pauperis* status, I authorize and consent to collection of the \$ 350 filing fee in accordance with 28 U.S.C. § 1915(b) until the filing fee is paid in full as well as any amount of costs, sanctions, and/or fees that might be imposed by the court during this litigation. I understand that if I do not qualify for *in forma pauperis* status, I will have to pay \$400 to proceed with my case, which includes the full \$350 filing fee as well as an additional \$50 administrative fee established by the Judicial Conference of the United States. The \$50 administrative fee is not applicable to *in forma pauperis* cases.

George L. Douglas

EB08 #249516

INMATE NAME (PRINTED)

INMATE (PRISONER) NUMBER

*George L. Douglas*

LIEBER CORRECTIONAL INSTITUTION

INMATE SIGNATURE

PLACE OF CONFINEMENT

- ◆ (1) Average monthly deposits to the inmate's account.....\$ 0
- ◆ (2) Average monthly balance in the inmate's account calculated for the prior six months period. ....\$ 0.02
- ◆ (3) Current Balance .....\$ 0.02
- ◆ (4) Initial Installment Payment - due upon granting of *in forma pauperis* status (Take 20 percent of the greater of lines 1 or 2).....\$ 0

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JAN 19 2017

MAIL ROOM  
LIEBER C.I.

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

*J. Smith*  
Authorized Officer's Signature

1/26/17  
Date

J. Smith Fin. Actg.  
Authorized Officer's Name and Title

SCDC FINANCIAL ACCOUNTS  
2017 JAN 26 AM 11:17

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SC Court of Appeals

**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

I, George L. Douglas #24456, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$ 0	\$ 0	\$ 0
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify): _____	\$ 0	\$ 0	\$ 0	\$ 0
<b>Total monthly income:</b>	\$ 0	\$ 0	\$ 0	\$ 0

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	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ _____
Life	\$ <u>0</u>	\$ _____
Health	\$ <u>0</u>	\$ _____
Motor Vehicle	\$ <u>0</u>	\$ _____
Other: _____	\$ <u>0</u>	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ _____
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ _____
Credit card(s)	\$ <u>0</u>	\$ _____
Department store(s)	\$ <u>0</u>	\$ _____
Other: _____	\$ <u>0</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ _____
Other (specify): _____	\$ <u>0</u>	\$ _____
<b>Total monthly expenses:</b>	<b>\$ <u>0</u></b>	<b>\$ _____</b>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<del>_____</del>	<del>_____</del>	<del>_____</del>	<del>\$ _____</del>
<del>_____</del>	<del>_____</del>	<del>_____</del>	<del>\$ _____</del>

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<del>_____</del>	<del>_____</del>	<del>_____</del>	<del>\$ _____</del>
<del>_____</del>	<del>_____</del>	<del>_____</del>	<del>\$ _____</del>

4. How much cash do you and your spouse have? \$ \_\_\_\_\_  
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
<del>_____</del>	<del>_____</del>	<del>\$ _____</del>	<del>\$ _____</del>
<del>_____</del>	<del>_____</del>	<del>\$ _____</del>	<del>\$ _____</del>

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

<input type="checkbox"/> Home Value _____	<input checked="" type="checkbox"/> Other real estate Value _____
<input type="checkbox"/> Motor Vehicle #1 Year, make & model _____ Value _____	<input type="checkbox"/> Motor Vehicle #2 Year, make & model _____ Value _____
<input type="checkbox"/> Other assets Description _____ Value _____	

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

**Person owing you or your spouse money**

**Amount owed to you**

**Amount owed to your spouse**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

\$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

7. State the persons who rely on you or your spouse for support.

**Name**

**Relationship**

**Age**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

Rent or home-mortgage payment  
 (include lot rented for mobile home)

Are real estate taxes included?  Yes  No  
 Is property insurance included?  Yes  No

Utilities (electricity, heating fuel,  
 water, sewer, and telephone)

Home maintenance (repairs and upkeep)

Food

Clothing

Laundry and dry-cleaning

Medical and dental expenses

**You**

**Your spouse**

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes  No If yes, describe on an attached sheet.

10. Have you paid - or will you be paying - an attorney any money for services in connection with this case, including the completion of this form?  Yes  No

If yes, how much? 0

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes  No

If yes, how much? \_\_\_\_\_

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

20 YEARS INCARCERATED NOT RECEIVING ANY MONEY FROM NO ONE.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: FEBRUARY 13<sup>th</sup>, 2017

George Douglas #248516  
(Signature)

SOUTH CAROLINA COURT OF APPEALS

George L. Douglas #249516 APPELLANT	DOCKET # 16-ALS-04-0470-AP GRIEVANCE # 32-16 L.C.I
VS	HON. H.W. FUNDERBORK JR.
S.C. DEPT. OF CORRECTIONS RESPONDENT	AMENDMENT OF APPEAL OF FINAL ORDER TO DISMISS
	CLERK: JENNY ABBOTT KITCHENS

THIS IS IN REFERENCE TO THE ABOVE CASE AND  
DOCKET # 16-ALS-04-0470-AP, THE APPELLANT IS  
ASKING TO APPEAL THE DECISION OF THE FINAL  
ORDER TO DISMISS, FROM THE HONORABLE H. W.  
FUNDERBORK JR. THIS 13<sup>TH</sup> DAY OF FEBRUARY 2017

CC: ALC  
CC: S.C.D.C. GENERAL COUNSEL  
CC: S.C. COURT OF APPEALS  
FILE

Respectfully Submitted,  
George L. Douglas #249516  
George L. Douglas #249516  
L.C.I. P.O. Box 205  
EDISTO UNIT DORM EB-08  
Ridgeville, SC 29472-0205

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SC Court of Appeals

DATE: FEBRUARY 13<sup>TH</sup>, 2017

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FEB 17 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA  
**Administrative Law Court**  
EDGAR A. BROWN BUILDING  
1205 PENDLETON STREET, SUITE 224  
COLUMBIA, SOUTH CAROLINA 29201

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LIEBER C.I.

**LEGAL MAIL**

GEORGE LANGFORD DOUGLAS, #249516  
LBI  
P.O. BOX 205  
RIDGEVILLE, SC 29472

EB  
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POSTAGE & FEE  
ZIP 29201 \$ 000.46<sup>5</sup>  
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SC Court of Appeals

George L. Douglas #249514  
L.C.I. P.O. Box 205  
EDIST DORM EB-08  
Ridgelyville, S.C.  
29472-0205



SOUTH CAROLINA COURT OF APPEALS  
JENNY ABBOTT KITCHENS, CLERK  
P.O. Box 11629  
Columbia, S.C. 29211

2/17/17

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SC Court of Appeals

George L. Douglas #249516  
L.C.I. P.O. Box 205  
Edisto Down EB-08  
Ridgerville, S.C.  
29472-0205

USA  
FIRST-CLASS  
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SOUTH CAROLINA ADMINISTRATIVE LAW COURT  
EDGAR A. BROWN BUILDING, SUITE 224  
1205 PENDLETON STREET  
Columbia, S.C. 29201  
ATTN: CLERK

2/17/17

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SC Court of Appeals

George L. Douglas #249516  
L.C.J. P.O. Box 205  
Edisto Dorm EB-08  
Ridgeville, SC 29972-0205

USA  
FIRST-CLASS  
FOREVER



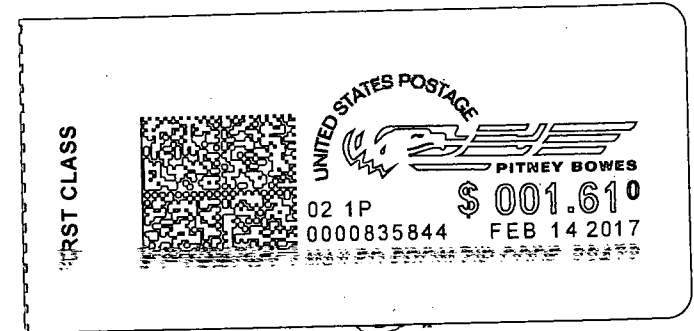
OFFICE OF GENERAL COUNSEL  
S.C. DEPARTMENT OF CORRECTION  
P.O. Box 21787  
4444 Broad River Road  
Columbia, S.C. 29221-1787

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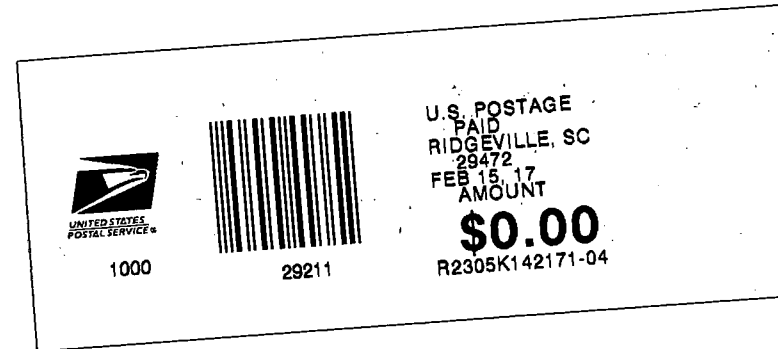
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FOR LEGAL USE ONLY

George L. Douglas #209516  
L.C.I. P.O. Box 205  
EDISTO UNIT DORM EB-08  
Ridgeville, S.C. 29472-0205



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SC Court of Appeals



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S.C. COURT OF APPEALS  
JENNY ABBOTT KITCHENS CLERK  
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Columbia, S.C. 29211

2/14/17

AMENDMENT  
OF  
APPEAL

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LIEBER CI

COMPLAINT # L.C.I. 32-16

DOC # 16-ALJ-04-0470-AP

