

(South Carolina Court of Appeals)

(7/20/17)

Keith Sims 314569 v. SCDC

Appellate Case No. 2017-001445

(Amended Notice of Appeal)

The State of South Carolina
IN The Court of Appeals
[In the Supreme Court]

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SC Court of Appeals

Appeal from Administrative Law Court

Case No. 2017-001445

(Cheron Hess) Office of General Counsel Respondent

(Keith Sims) SCDC Inmate Appellant.

Notice of Appeal

Keith Sims appeals the order [judgment] of Hon. H. W. Funderburk, Jr.
Appellant dorm was searched and cause of that paperwork is missing.

Final judgement of dismissal. Appellant has a copy of Motion to Dismiss.

Hon. H. W. Funderburk, Jr. SCALC
Edgar A. Brown Building, Suite 224
1205 Pendleton Street

Other Counsel of Record

Columbia S.C. 29201

Melissa J. Arnold / Staff Attorney

S.C.D.C. 444 Broad River Rd.

Columbia S.C. 29221

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MAILROOM
TURBEVILLE, CI

The State OF South Carolina
In The Court of Appeals
[In the Supreme Court]

7/19/17

Appeals From S.C.A.L.C

Hon. H. W. Funderburk, Jr.

Case No. 2017-001445

(Melissa J. Arnold) General Counsel Respondent

(Keith Sims S.C.P.C. Inmate Appellant

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SC Court of Appeals

Proof of Service

I certify that I have served the Notice of Appeal on
Melissa J. Arnold by depositing a copy of it in the
United States Mail postage prepaid, on July 19, 2017 at
her office P.O. Box 21787/4444 Broad River Rd, Colaj, S.C
29221-1787

Melissa J. Arnold
P.O. Box 21787/4444 Broad River Rd.
Colaj, S.C 29221-1787

EHC1101D

SCDC INMATE FINANCIAL SYSTEM

03/29/17

E. H. COOPER

C056960

ACCOUNT SUMMARY

ACCOUNT TYPE: I ACCOUNT ID: 314569

CURR LOC: 0571 TURBEVILLE

SIMS, KEITH A.

TYPE OF FREEZE : PARTIAL

SUSPENSE DTE.....: 00/00/00

AMOUNT OF FREEZE: 15.00

REST. HOLD AMOUNT: 0.00

CASH WITHDRAWALS: 0.00

LAST UPDATE : INPEHCPY DATE: 12/30/16

CANTEEN PURCHASE: 0.00

TEXT : TV \$15

DATE	REF-NUM	TYPE	DEPOSIT	WITHDRWL	BALANCE
12/29/16	2518479	MONEY ORDER	20.00	0.00	35.32
12/22/16	INTEREST	INTEREST	0.01	0.00	15.32
12/19/16	INTEREST	INTEREST	0.01	0.00	15.31
11/02/16	818453	CANTEEN PURC	0.00	19.72	15.30
11/02/16	818454	MEDICAL CO-P	0.00	5.00	35.02
11/01/16	2516875	MONEY ORDER	25.00	0.00	40.02
09/13/16	INTEREST	INTEREST	0.01	0.00	15.02
09/07/16	INTEREST	INTEREST	0.01	0.00	15.01

PAGE: 0002

PF4=> MODIFY

ENTER=> DISPLAY

PF7=>FORWARD

PF8=> BACKWARD

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SC Court of Appeals

RC 1217 ⑧

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM

STEP 2

INMATE NAME: Sims, Keith
SCDC NUMBER: 314569
INSTITUTION: Tuberville
HOUSING UNIT: Remini C. 127B
WORK ASSIGNMENT: _____

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JAN 26 2017

INMATE GRIEVANCE

Office Use Only
Grievance No. MACD-0201-16
Code: General _____
Policy _____
Disc. Hear. 898, #26, 1/16/16
Class. _____
Date Received 1-17-17
IGC Initials AC

INMATE'S REASON FOR APPEAL (state specific dissatisfaction): A phone was found inside a bathroom in a common area. Mr. Sims was never allowed to see any suppose evidence and it was no proof of any tracking him to the contraband. If any texts or calls found led to Mr. Sims it could have been anyone who knew the same people. Inmate "Dartnell Green" was charge with possession of this same phone and social media. It clear evidence of possession for him but not Sims. The phone was in a common area and not taking off Sims person so he should be excluded from possession of a phone charge. This ruling is not grounded in policy to charge Sims with possession. Sims stay on entire different side from the bathroom. No picture was found to connect him to the contraband. The allegations are false and you can't give one inmate word more power over the next with allowing a confidential informant report to show Sims had possession. Sims should not be charge with possession.

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Keith Sims
Grievant Signature SC Court of Appeals
Date

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

The documentation provided indicates that the evidence presented was sufficient to support the conviction of the Possession of Any Communication Device (898), case #26 on November 16, 2016, under SCDC OP-22.14, Inmate Disciplinary System, dated February 2, 2015, and the sanction(s) imposed, which included the loss of -0- days accrued good time, were appropriate for the rules violation(s). 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 grievance is denied.

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.

Wayne C. McCal 2-7-17
Signature Date

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.

Keith Sims 2/27/17
Grievant Signature Date

L. Coker 2/27/17
IGC Signature Date

(SEE REVERSE SIDE FOR INSTRUCTIONS)

INSTRUCTIONS FOR COMPLETING STEP 2 GRIEVANCE FORM

1. Complete form in its entirety, writing only in the space provided for inmate use.
2. State your specific reason for further appeal. Do not submit any new issues for review.
- ~~3. Submit this completed form with your original Step 1 attached, to the Institutional Grievance Coordinator within five (5) days of your receipt of the Warden's decision. Do not write in the space provided for the responsible official.~~
4. The decision rendered by the responsible official exhausts the appeal process of the SCDC Inmate Grievance Procedure.



South Carolina Court of Appeals
 JENNY ABBOTT KITCHINGS, CLERK
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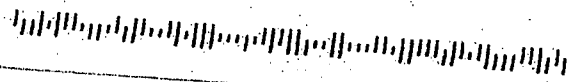
KEITH SIMS #314569
 TCI RC 127 **B**
 1578 CLARENCE COKER HIGHWAY
 TURBEVILLE SC 29162

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