

I got this on B-2 shift by Sgt. Brown  
Nov 9, 2012  
Friday



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

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November 06, 2012

Terrence Haggins, 00247777  
P. O. Box 205  
Ridgeville SC 29472

Re: Terrence Haggins, #247777 v. SCDC  
Appellate Case No. 2012-212816

Dear Counsel:

Upon reviewing your appellant's initial brief, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- ✓ F
- The initial brief is not accompanied by a designation of matter to be included in the record on appeal.
  - The document has not been signed as required by Rule 267(b), SCACR. The signature on the conclusion page appears to be a copy. Please provide the conclusion page with an original signature.

Furthermore, the caption/title does not comply with Rule 267(a), SCACR. Specifically, the caption should read as follows:

Terrence Haggins, #247777, Appellant,

v.

South Carolina Department of Corrections, Respondent. NOV 16 2012

Any future filings by any party to this appeal must feature the above caption.

**RECEIVED**

**SC Court of Appeals**

EXHIBIT #1

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INCIDENT REPORT

7/15/11 (AM)

Page 1 of 1

Institution/Center: <u>Liehe</u>	
Date of Report: <u>7-10-11</u>	Time of Report: <u>approx 10:10 pm</u>
Reporting Official: <u>Det. Franklin Jones 033684</u>	Date of Incident: <u>7-10-11</u>
Location of Incident: <u>Ashley A room 30</u>	Time of Incident: <u>approx 9:40 pm</u>
Inmate(s)/Resident: <u>SCDC#</u> Age Race Sex	Employee(s) Involved:
1. <u>Burd, Jairus M 317466 B/M</u>	1. <u>Agency Search Team</u>
2. <u>Sloan, Wesley Dean 297726 B/M</u>	2. <u></u>
3. <u>Spann, Aljamar 284394 B/M</u>	3. <u></u>
4. <u></u>	4. <u></u>
5. <u></u>	5. <u></u>

29

On the above date and approximate time: Det. Franklin Jones and the Agency Search Team - conducted a routine shake-down on Ashley A room 30 and found a Verizon LG cell phone under the sink in a hole in the wall. Inmates Burd, Jairus M, 317466, Sloan Wesley Dean 297726, + Spann, Aljamar 284394 are being charged with 898 possession of any cell phone or other type of communication device. Note cell phone had no battery.

INMATE COPY

Signature: [Signature]

Evidence: 1 LG Verizon cell phone

Witness(es):

Supervisor's Comments: AS STATED ABOVE ALL INMATES CHARGED ACCORDING TO STATUTES FOR DISPOSITION.

Signature: [Signature] Title: Det Date/Time: 7-11-11 11:07 AM

Major/Responsible Authority: All 3 Inms charged with 898 REFER TO DHO

Signature: [Signature] Title: Major Date: 7/11/11

STG Related - Refer to STG Committee  
 Yes  No  Unknown

This Incident is DRUG related.  
 Yes  No  Unknown

Action Taken 898

Informal Resolution  
 Administrative Resolution  
 Refer to Disciplinary Hearing

EXHIBIT #1

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
DISCIPLINARY REPORT AND HEARING RECORD

Case#: 29 Inmate Name: Spann, Aljamaar SCDC#: 284394  
Living Area: AA-30 Job: \_\_\_\_\_ Custody: ME3

Offense Date: 07/10/11 Offense Time: 9:40 AM/PM Institution: Lieber - Ashley A. Room 30  
Offense Description: (898) The Possession of Any Cell Phone or Other Type of Communication Device: receives or uses (audio/visual), conceals, disposes, stores, facilitates, barter, buys, sales of cellular phones or other communications equipment and/or any components thereof. This includes, but is not limited to, MP3 players, I-pods, or any like devices.

Charging Officer/Employee: Franklin Jones Title: Sgt. (B-2)  
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  
CS-Bachman Assigned MH-4  
Reading Level 05.8

Date & Time Notified: 7/19/2011 11:26 AM/PM By (Print): Lt. Kyle Arens / Ofc. Richard Smith  
Inmate Signature: Aljamaar Spann SCDC#: 284394 Date: 7/19/2011

HEARING INFORMATION:  
Hearing Date: \_\_\_/\_\_\_/\_\_\_ Hearing Time: \_\_\_ am/pm Tape: \_\_\_\_\_ Side: \_\_\_\_\_ Start: \_\_\_\_\_ End: \_\_\_\_\_

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.

OFFENSE CODES	<u>898</u>			
INMATE PLEA (G, NG, None)				
FINDINGS (G, NG, DS)				

Maxout  
11-16-18

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: \_\_\_\_\_ (MINUTES)

**SANCTIONS:**  
Loss of Privileges (Days): \_\_\_\_\_ Reprimand: \_\_\_\_\_ Loss of Good Time (days): \_\_\_\_\_  
\* Property (Days) \_\_\_\_\_ Extra Duty: \_\_\_\_\_ Restitution: \$ \_\_\_\_\_  
\* Canteen (Days) \_\_\_\_\_ Visit Suspension Thru \_\_\_/\_\_\_/\_\_\_  
\* Other (Days) \_\_\_\_\_ Cell Restriction (Days): \_\_\_\_\_  
\* Disciplinary Detention (Days): \_\_\_\_\_

NOV 16 2012  
SC Court of Appeals

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: \_\_\_\_\_

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS \_\_\_\_\_  
DATE INMATE PLACED IN PHD \_\_\_/\_\_\_/\_\_\_

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: \_\_\_\_\_ DATE: \_\_\_\_\_

HEARING OFFICER (PRINT NAME) \_\_\_\_\_  
APPROVED/REVERSE/MODIFY \_\_\_\_\_ REASON \_\_\_\_\_  
Warden

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.  
White - Institutional Record Canary - Inmate (Service of Disciplinary Report)  
Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record  
\*\*(Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

INMATE COPY

This is to inform you that a Disciplinary Hearing was held. Your copy of the Disciplinary Report and Hearing Record is attached. If you were found guilty you have the right to appeal the decision of the Hearing Officer with respect to the determination of guilt or penalty imposed. You may appeal the decision by filing an Inmate Grievance using SCDC Form 10-5, "Step I Grievance Form." If you are dissatisfied with the response you receive to your grievance, you may then file an appeal to the next level (see SCDC Procedure GA 01.12, "Inmate Grievance System," for information on filing appeals).

Your Inmate Grievance Coordinator may assist you in the appeal process by sending him/her SCDC Form 19-11 "Request to Staff Member."

EXHIBIT #1

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
DISCIPLINARY REPORT AND HEARING RECORD

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Living Area: AA-30 Job: Custody: ME3

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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

CS-Bachman Assigned MH-4  
Reading Level 05.8

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: 7/19/11 11:20 AM/PM By (Print): Lt. Kyle Arcusoff, Richard Smith  
Inmate Signature: [Signature] SCDC#: 284394 Date: 7/19/11

**HEARING INFORMATION:**

Hearing Date: 8/12/11	Hearing Time: 11:19	am/pm:	Tape:	Side:	Start:	End:
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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.

OFFENSE CODES	898			
INMATE PLEA (G, NG, None)				
FINDINGS (G, NG, DS)	DS			

Maxout 11-16-11

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:

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NOV 16 2012

HEARING LENGTH: (MINUTES)

**SANCTIONS:**

SC Court of Appeals

Loss of Privileges (Days): \_\_\_\_\_ Reprimand: \_\_\_\_\_ Loss of Good Time (days): \_\_\_\_\_

\* Property (Days) \_\_\_\_\_ Extra Duty: \_\_\_\_\_ Restitution: \$ \*\*

\* Canteen (Days) \_\_\_\_\_ Visit Suspension Thru 1/1

\* Other (Days) \_\_\_\_\_ Cell Restriction (Days): \_\_\_\_\_

\* Disciplinary Detention (Days): \_\_\_\_\_

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Aggravated Assault

DATE INMATE PLACED IN PHD 1/1 DATE: 8-2-11

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature]

HEARING OFFICER (PRINT NAME) James Blackwell REASON: [Reason]

APPROVED/REVERSE/MODIFY [Signature] Warden

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

White - Institutional Record  
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)  
 Canary - Inmate (Service of Disciplinary Report)  
 Pink - Central Record  
 Financial Accounting

SCDC 19-69 (Rev., May 2007)

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