

EXH. B. 4

Honorable Justice McIntosh

P.O. BOX 8002

ANDERSON, S.C. 29622

FILED
GWENDOLYN D. CHILES

2017 NOV -6 A 10: 38

CLERK OF COURT
McGORMICK COUNTY, SC

OCT 27 2017

DEAR JUDGE MCINTOSH;

SIR, Please find enclosed notice and motion for new trial /
Amend ORDER. Please see that I receive checked & stamped copies back via
Rule 2(A), Rules on Trial 31st day of OCT. 2017.

Respectfully submitted,

Shahid Malik

Shahid Malik #1991398 ADA Prose

L.C.T. P.O. BOX 205 RDU #118

Ridgeville, S.C. 29472

10
KIPER Y

EXH. B.4

HONORABLE JUSTICE MCINTOSH

FILED
GWENDOLYN D. CHILES

OCT 27 2017

P.O. BOX 8002

2017 NOV -6 A 10:37

ANDERSON, S.C. 29622

CLERK OF COURT
McCORMICK COUNTY, SC

RE: MATTO VS. STEVENS c/n: 2015-CV-3507

"NOTICE AND MOTION FOR NEW TRIAL / AMEND ORDER Rule 52(b)"

PROSEC. ADA- PLAINTIFF MOVES HONORABLE COURT TO GRANT NEW TRIAL / AMEND ORDER
BASED ON BELOW CONCLUSIONS, MERITIAL FACTS, US CASE LAWS, AMENDMENTS ETC.

A. DUE PROCESS CLAUSE 14TH AMEND. VIOLATION

IN 1868 14TH AMEND DUE PROCESS CLAUSE: SEC. I. "[NO STATE SHALL MAKE OR ENFORCE ANY LAW
WHICH SHALL ABRIDGE THE PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE U.S. NOR SHALL ANY STATE
DEPRIVE ANY PERSON OF LIFE, LIBERTY OR PROPERTY WITHOUT DUE PROCESS OF LAW, NOR DENY ANY PERSON
WITHIN [ITS] [JURISDICTION] THE [EQUAL] [PROTECTION] OF THE [LAWS]"

JUDGE LAWTON MCINTOSH DID ABUSE DISCRETION AND VIOLATE ADA- PLAINTIFFS DUE PROCESS BY DENIAL
WITHOUT VIEWING OR HEARING ON RECORD PLAINTIFFS (4) FEEL MOTIONS: 1) Rule 50(a) JUDGMENT AS
MATTER OF LAW; 2) Rule 11 (b) SANCTIONS; 3) Rule 34 PRODUCTION OF DOCUMENTS; 4) SANCTIONS

THAT COURT WAS PLACED ON NOTICE OF, OCT. 6TH 2017, LETTER TO, HONORABLE R. KNOX McMEHAR

JUDGE MCINTOSH, DID ABUSE DISCRETION BY DENIAL OF (3) OTHER MOTIONS:
1) Rule 60 RELIEVE JUDGMENT DENIAL OF G.A.2 CHECKED STAMPED, 10/2/17 TO THE HONORABLE
D. GARRISON MULL

2) Rule 6 ENLARGEMENT OF TIME CHECKED STAMPED, 10/2/2017 TO, HONORABLE R. KNOX McMEHAR

3) Rule 60 RELIEF FROM JUDGMENT DENIAL OF APPT. OF COUNSEL CHECKED STAMPED, 10/2/17 TO THE
HONORABLE R. KNOX McMEHAR. ALL MOTIONS HAD ATTACHED MERITIAL DOCUMENTS ESTABLISHING

FACTS: A. I BORN ON MENTAL HEALTH PSYCHOTROPIC MEDS TO EXPEND 5M\$. AND REV. B;
B. I G.A. DIAGNOSED DISABLED 4/11/11; C. I NO LAW HAS ACCESS AND RULES OF COURT 2011 EDITION
WAS TAKEN BY DEFENDANTS CLAIMING CONTRACTORS ETC. KIPSTAY

II

12th S.Ct. 1978 Supreme Court U.S. TEN. PETITIONERS V. GARY/LANE ET AL NO. 02-1167, U.S. Supreme Court Justice Stevens, held that Title II. of The ADA, as applied to cases implicating the fundamental right of access to courts, constitutes a valid exercise of Congress enforcement power of 14th Amend. Affirmed Justice Souter Concur Justice Ginsburg Concur see also [GARRETT 531 U.S. AT 365 121 S.Ct. 955 (14th Amend. [Guarantees All persons similarly situated should be treated alike])

, S.C.R.C.V.P. Rule 7(b)(1), requires that motions shall state grounds therefor; shall set forth relief or order sought (The particularity requirement is to be read flexibly in recognition of the peculiar circumstances of the case)... R. 7(b)(1) advances the policies of reducing prejudice to either party & assuring that the court can comprehend the basis of the motion & deal with it fairly) [LLOYD VS. MEYER, 401 BC 122, 131, 713 S.E.2d 274, 279 (CT App. 2012)], JUDGE McINTOSH, DID ABUSE DISCRETION BY VIOLATING R. 7(b)(1) AND 14TH AMEND. DECISIONS BY NOT [VIEWING] NOR [HEARING] ON RECORD ADA-PLAINTIFFS (b) SEVER PRETRIAL NOTICES.

1. Counsel should of been APPOINTED.

EXH.A. 1, 8/6/19, REQUEST OF R.6 ENLARGEMENT of time, SEPT. 15-2019, validate, DEC JUSTICE, DID AN WEEKS. JUN 26th 2019, Placed Plaintiff Back on Psychotropic Meds. Lexapro 5mg, clon B MENTAL HEALTH. The (M) FEEL TRIAL DAYS PLAINTIFF COULD TAKE MEDS DUE TO TRIAL EXH.

TRIAL TO LEARN CIVIL SURV TRIAL RISK APPX 2 WKS. A DAY/SLEEP ETC. CAUSED UNWARRANTED MENTAL ANXIETY AND DEPRESSION, NIGHTMARES AND VOICES. HIS CASED LUIS SUPPORT APPOINTMENT OF COUNSEL SEE [BEARD V. BANKS 548 U.S. 521, 534, 126 S.Ct. 2572 (2008)] (GRANTING APPOINTMENT COUNSEL IN CHALLENGING POLICIES BASED ON NEED OF EXPERT TESTIMONY); [GREENO V. DALEY 414 F.3d 645, 658 7th Cir. 2005] (IN REVERSING REFUSAL TO APPOINT COUNSEL, APPELATE COURT STATED THAT DIST. COURT [WAS] [WRONG] IN SAYING THE CASE WAS "EASILY SIMPLE AND LEGALLY STRAIGHT FORWARD" SINCE INVOLVED MEDICAL RECORDS & INTIMATE COMPLAINTS REQUESTED OVER A PERIOD OF 2 YRS & REQ VAS AN ASSESSMENT WHICH WILL HIGHLY REQUIRE EXPERT TESTIMONY); SEE ALSO [MONTGOMERY V. PINTCHAK 294 F.3d 499 504 3d. Cir. 2002] (Counsel should be APPOINTED -

III.

When Medical Issues Are Complex & EXPERT IS NEEDED: (T. Moore v. Hobbs 976 F.2d 268 5th Cir. 1992) (DIRECTING APPT. OF COUNSEL IN A CASE INVOLVING THE TREATMENT OF HIV POSITIVE INMATES); (Tucker v. Randall 948 F.2d at 1392) (CITING MEDICAL EVIDENCE AS REASON TO APPOINT COUNSEL) (Tobron v. Grace 6 F.3d at 156) (EXPLAINING THAT WHETHER THE LAW IS NOT CLEAR IT WILL OFTEN BEST SERVE THE ENDS OF JUSTICE TO HAVE BOTH SIDES OF A DIFFICULT LEGAL ISSUE PRESENTED BY THOSE TRAINED IN LEGAL ANALYSIS)

JUDGE McINTOSH DID ABUSE DISCRETION BY NOT APPOINTING PLAINTIFF COUNSEL,
(C. G.A. SHOULD HAVE BEEN APPOINTED)

R.10 RELIEF JUDGMENT OF DENIAL G.A. clocked 10/2/01 to, Honorable D. GARRISON WITH MENTAL DOCUMENTS: EXH. A / RED. 7/29/17, MR. ALLEN, OCC. VALIDATE & Q. DR. JUSTICE, 1/26/17, PLACED PLAINTIFF BACK ON PSYCHOTROPIC MEDS, KOPROLENE 5mg; B) MENTAL HEALTH Lvl. B = HIGHER INTENSITY & PATIENT TREATMENT; EXH. B / HS. 19.04 MENTAL HEALTH Policy Defines Lvl. B NOT COMPETENT DUE TO IMPAIRED MENTAL HEALTH, HALLUCINATIONS, DELUSIONS ETC;

EXH. C, Sec. Sec. Admin. 7/10/19, VALIDATE PLAINTIFF BECAME DISABLED MARCH 1-2011, RECEIVED 2011-2014, A 92, 962.00, WHICH IS CREDIBLE EVIDENCE, HONORABLE WITH, CITED PLAINTIFF NEEDED IN DENIAL OF G.A. CITING CASE LAW (GRABNER V. ATH. LAND TITLE CO. 307 S.W.2D 416 S.E.2D 617 (1992)) AND ESTABLISHES MENTAL DEFICIENCY CITED (THOMPSON V. MOORE 227 S.C. 417, 88 S.E.2D 354 (1955))

PLAINTIFF NOW MEETS CRITERIA AND G.A. SHOULD HAVE BEEN APPOINTED BEING NO CURE FOR MENTAL ILLNESS (DOMINICK V. BRIDE 202 S.C. 139, 24 S.E.2D 168 (1943)); (T. MORDEN V. CHAST 86 S.C. 428 68 S.E. 1049 (1910)) (ADVISED BY THE PROBATE JUDGE OR COMMITTEE APPOINTED) R. 17(d)(1)(2)(1)(5)

JUDGE McINTOSH, DID ABUSE DISCRETION BY NOT APPOINTING ADA. PLAINTIFF G. A.H.

D. PLAINTIFF NOT ALLOWED SHOW CHARACTER / IMPEACHMENT EVIDENCE,
RULES 401(b) CHARACTER EVIDENCE EXCEPTION; RULE 607 WHO MAY IMPEACH; RULE 608 EVIDENCE OF CHARACTER, CONDUCT & BIAS OF WITNESS (a)(1)(a)(b)(c) TO ADDRESS IMPEACHMENT BY SHOWING BIAS OR IMPARTIALITY (STATE V. BRENNINGTON, 262 S.C. 92, 226 S.E.2D 249 (1972)); (NORTH GREENVILLE COLLEGE V. SHERMAN CHRIST. CO. INC. 270 S.C. 553, 249 S.E.2D 441 (1978))

PLAINTIFF NOT ALLOWED TO PRESENT EVIDENCE GRIEVANCE READ BY DEFENDANT'S WITNESS

ALW G. WELLS ON STAND WAS STRUCK FROM RECORD SHOWS, MR. ALAN G. WELLS

IV.

PREVIOUS EVIDENCE OF TRUTHFULNESS OF CHARACTER, WHERE GRAYSON DV, I.G.C. L. HOWARD FOR CONSPIRING WITH MS. GUDWELL, BY NOT REVEALING MENTAL HEALTH STATEMENT ACCOUNTABILITY TO PLAINTIFF AT DMO HEARING. MS. GUDWELL, HAD FOUND PLAINTIFF GUILTY AT DMO WHERE MENTAL HEALTH SHEET SAID "NOT ACCOUNTABLE" AND CHARGES SHOULD BE DISMISSED. JUDGE ALLOWED PRIOR BAD ACTS CONVICTIONS OF PLAINTIFFS BY MS. GUDWELL, TO JURY BUT WAS PREJUDICE TO PLAINTIFF BY STRICKEN FROM RECORD, MS. GUDWELL PREVIOUS BAD ACTS. "IT IS WELL ESTABLISHED THAT EVIDENCE SHOULD BE EXCLUDED WHEN ITS PROBATIVE VALUE IS OUTWEIGHED BY ITS PREJUDICIAL EFFECT. A TRIAL JUDGE HAS CONSIDERABLE LATITUDE IN RULING ON THE ADMISSIBILITY OF EVIDENCE THIS RULING WILL NOT BE DISTURBED ABSENT A SHOWING OF PROBABLE PREJUDICE" STATE V. KELLEY 319 S.C. 968, 460 S.E.2d 368, 370 (1995); FLAUCH (U. ILL. VS. BARFIELD, 312 S.C. 211, 439 S.E.2d 838, 840 (1994))

2) WITNESS #399 MARY SPATES EXPERT TESTIMONY WAS STRICKEN FROM JURY AND JUDGE REFUSED TO ALLOW PLAINTIFF SUBMIT DOCUMENTATION OF INTERVIEW THAT SHE PROVIDED AT DEPOSITION HEARING ON SEX EXCESSIVE FORCE AGAINST MENTALLY ILL PRISONERS WHICH ESTABLISHES PRIOR BAD ACTS / UNTRUTHFULNESS OF DEFENDANT THAT INCLUDED JUDGE DIXON'S DECISION AGAINST SDC, JAN. 8-2014.

3) PLAINTIFFS COMPLAINT AND DOCUMENTS WERE NOT ALLOWED TO JURY ESTABLISH FACTS OF CASE PRIOR BAD ACTS / UNTRUTHFULNESS OF DEFENDANT.

U.S. V. VAZQUEZ 164 F.3d 556 (10TH CIR. 1999) "A NEW TRIAL IS REQUIRED IF TESTIMONY COULD IN ANY REASONABLE LIKELIHOOD HAVE AFFECTED THE JUDGMENT OF THE JURY" JUDGE MCINTOSH DID ABUSE DISCRETION BEING #39 MARY SPATES COULD NOT IDENTIFY THE JURORS TO KNOW HE IS A JUROR. THERE WAS NO IDENTIFICATION ON JUROR ID / TAG ETC. TO INFORM PUBLIC ON JURY DUTY.

, SUMMARY,

WHEREFORE PLAINTIFF MAKES HONORABLE REQUEST FOR NEW TRIAL / AMEND ORDER BASED ON ABOVE ON THIS DAY OF, 31ST MONTH OF OCT, 2017.

RESPECTFULLY SUBMITTED

Shahid Mahmood

SHAHID MAHMOOD #199398 ADA - POOR

1 CT. P.O. BOX 205 - RW #18 Ridgeville, S.C. 29472 RHP/CP/ST

EXH. C. 1

N. W. Sherrill
C. I.

INMATE TRUST FUND ACCOUNT REPORT for SOUTH CAROLINA COURT FILING FEES

SCDC FINANCIAL ACCOUNTING
2017 AUG - WHEN ACCEPTED
PH 11:07

INSTRUCTIONS TO INMATE: Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court.

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

INMATE NAME (print): Shahid MAJID

SCDC# 199388 INMATE SIGNATURE: Shahid Majid

I plan to file this action in the SC County of FLORENCE

The section below is for SCDC - Financial Accounting Branch's use ONLY.

- (1) Total deposits to inmate's account for preceding six months' period* \$ 1.17
- (2) Twenty percent (20%) of line 1 \$ 0.23
- (3) Account balance - current date \$ 7.00
- (4) PAYMENT AMOUNT **
(lesser of line 2 or line 3)
Enclosed check # _____ \$ 0

****NOTE to COURT:** If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections
Financial Accounting - Room 234
PO Box 21787
Columbia, SC 29221-1787

AUG 16 2017

*Admission date is noted here if inmate incarcerated less than six months _____/_____/_____

Dina E. Mangun Trust Analyst II

8-14-17

EXH.D. 3507 NOTICE OF APPEAL

EXH. A, EXH. B: 3507 G.A.K



Social Security Administration
PHILA NORTHEAST PA

FILED
CHENBOLOU, CHILES

2017 OCT -2 P 12:07

Date: July 17, 2017
Claim Number: XXX-XX-2030 DI

Name: SHAHID LATIF MAJID

SHAHID LATIF MAJID
1904 CHURCH ST
PHILADELPHIA, PA 19124-4013

You asked us for information from your record. The information that you requested is shown below. If you want anyone else to have this information, you may send them this letter.

Information About Supplemental Security Income Payments

For the period 1/2011 to 12/2014 you received a total of \$ 22,962.00 in Supplemental Security Income benefits.

Beginning February 2014, the current Supplemental Security Income payment is \$ 0.00.

This payment amount may change from month to month if income or living situation changes.

Supplemental Security Income Payments are paid the month they are due. (For example, Supplemental Security Income Payments for March are paid in March.)

Our records show that you became disabled on March 1, 2011.

Suspect Social Security Fraud?

Please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

Things To Remember

Get your benefit verification notice online, visit www.socialsecurity.gov/myaccount to set up your my Social Security account.

130.

EXH. A, EXH. A, 3507 G.A.H.

EXH. E, NOTICE OF APPEAL: 3507

911

EMERGENCY!!!!

911

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
REQUEST TO STAFF MEMBER

ADD. REC. BOX

8/2/09

TO: NAME: RN Sally B. S / Psych	TITLE:	DATE: 7/29/17
INMATE'S NAME: SHANID MARID ADA-PROSE	SCDC #: 199319	
INSTITUTION: KID I	LIVING QUARTERS: CV#79	

MAM, THE DOC. JUSTICE I THINK PUT ME BACK ON MENTAL HEALTH AND MEDS WEEKS AGO! THE SESSION WAS NOT CONFIDENTIAL AND I COULDN'T CONCENTRATE TO KNOW BELOW! PLEASE ANSWER BELOW! MENTAL HEALTH CAME 3 TIMES SINCE BUT REFUSED TO SEE ME!

1) What is name of Psy. Meds! and dosage!?

2) What is my mental health level!?

3) Who is my mental health counselor!?

4) Who is ~~the~~ DOC. THAT PUT ME BACK ON MENTAL HEALTH!?

MAY GOD BLESS

DISPOSITION BY STAFF MEMBER:

Lokapur
ms. Gardner is your counselor

Dr. Justice
MHB

DATE: 8-14-17	SIGNATURE: (Signature)
------------------	---------------------------

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EX. B. 9, EX. E. 1, B507 NOTICE of Appeal

5.3.3 Individual counseling services are private through confidential sessions between the inmate and his/her assigned QMHP, Clinical Supervisor, Psychiatrist, or other mental health professional. Counseling sessions provide a supportive environment for the inmate to address feelings, thoughts, and behaviors associated with his/her mental illness and identify goals, objectives, and strategies that foster changes in thinking patterns, an understanding of self-actualization, learning new skills, and/or ways to diminish problem behavior.

2017 OCT -2 P 12:05

5.3.4 All inmates identified as mentally ill (Mental Health Classification L1, L2, L3, L4, or L5) must be monitored by mental health staff, regardless of whether or not psychotropic medication is prescribed, or whether or not the inmate is compliant with his/her prescription medication.

- L1 Hospitalization - Male inmates are placed in Gilliam Psychiatric Hospital. Female inmates are placed in a contract facility. Mental health professionals see the inmate at least weekly or more routinely if clinically indicated.
- L2 Intermediate Care Services (ICS) - Inmates' ability to function is severely impaired due to mental illness. There are active symptoms of major mental illness with impaired reality testing or multiple failures to conform behavioral functions in a lowered level of care. Inmates are seen at a minimum of twice per month by a QMHP, or more routinely if clinically indicated.
- L3 Higher Intensity Outpatient Treatment - Inmates' ability to function in a general population is moderately impaired due to mental illness. They are easily overwhelmed by everyday pressures, demands, and frustrations, resulting in disorganization, impulsive behavior, poor judgment, delusions, hallucinations, or other exacerbations. They are seen by QMHPs at least monthly, or more routinely if clinically indicated, and require a treatment plan update every three (3) months.
- L4 Outpatient - Inmates may be housed in general population or structured living unit. Inmate's ability to function in general population is mildly impaired or needs monitoring due to change in medication, recent move from higher level of care, or history of self-injurious behavior. They are seen by QMHPs at least every ninety (90) days, or more often if clinically indicated, and require a treatment plan update every six (6) months.
- L5 Work Release Eligible - Inmates carry a mental health diagnosis, symptoms in remission, eligible for KOP (carry on person) medication. Inmates' ability to adjust and function in general population is not impaired due to mental illness. They are seen by QMHPs at least every six (6) months, or more if clinically indicated, and require a treatment plan annually.

EXH. F.G. 4

DECLARATION OF SERVICE,

I ATTEST UNDER PENALTY OF PERJURY VIA TITLE 18 § 12146
THAT:

1) THURS. NOV. 30TH 2017, JUDGE ROBERT E. WOOD DID STOP ALL
OTHER PRETRIAL MOTIONS WHILE HEARING T.R.O. IN JUNCTION FOR
MEDICAL CARE! HE DID ORDER SUDD TO SEE ME ON FRI. BT.
NO LATER THAN MON. MTH!

2) MY SKIN UP TO NECK RASBY, PUSSY, NECK PURPLISH RED,
ORANGE, FACE BREAKING OUT, DUE TO FACT SUDD N.P.
ELIZABETH WOODS; MCA LUNNIE MAWNEY; RN SGP. MS. WATKIN
REFUSE TO PROVIDE STEROID SHOT OR PREDISONE PACKETS TO STOP
PLAQUE PSORIASIS INFLAMMATION FOR 2 MONTHS AND PROVIDE
CREAMS.

3) IVE YET TO GO TO LAW LIB. COMPUTER SINCE SEPT. 2017
TRANSFER HERE TO LEB. C.T.

THIS IS CONCLUSIVE JUDICIAL DOCUMENT

11/14/17

Dated

S/ Shohel Majid

AFFIDAVIT OF SERVICE

I ATTEST UNDER PENALTY OF PERJURY THAT ATTACHED DOCUMENTS
ARE VALID, JUDICIAL AND OF MERIT.

ON THIS DAY OF 24th MONTH OF July 2017

EXPIRATION DATE: My Commission Expires December 22, 2018

S/ Cashire Amara

S/ Shabir H. Patel

RECEIVED

DEC 12 2017

SC Court of Appeals



LEGAL