

Exhibit Appeal #2

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Other Orders/Judgments

5:17-cv-01363-BHH-KDW

Mitchell et al v. Hood et al

APPEAL,JURY,KDW-Inmate,LC

1

U.S. District Court

District of South Carolina

Notice of Electronic Filing

The following transaction was entered on 12/5/2017 at 2:38 PM EST and filed on 12/5/2017

Case Name: Mitchell et al v. Hood et al

Case Number: 5:17-cv-01363-BHH-KDW

Filer:

Document Number: 29(No document attached)

Docket Text:

TEXT ORDER: An appeal from the initial Order issued in this case is currently pending in the Fourth Circuit Court of Appeals since July 20, 2017. *Mitchell v. Hood*, No. 17-06925 (4th Cir.). Plaintiff has not complied with the directions contained in the initial Order to date; however, because that Order is the subject of Plaintiff's appeal, this case cannot progress until the conclusion of the appeal. *Lytle v. Griffith*, 240 F.3d 404, 407 n.2 (4th Cir. 2001) ("Generally, the filing of a notice of appeal immediately transfers jurisdiction of all matters relating to the appeal from the district court to the court of appeals."). Despite the pendency of his appeal, Plaintiff has continued to file documents in this case, which he calls "Affidavit of Facts Giving Judicial Notice," ECF Nos. [20], [28]. The contents of those documents indicate that they are supplemental pleadings. In order to preserve issues raised in this case and give liberal construction to the pleadings, the Clerk of Court is directed to append the two "Affidavits of Facts Giving Judicial Notice" to the Complaint. ECF No. [1]. The Clerk shall designate each attachment so created a "Supplemental Pleading." Signed by Magistrate Judge Kaymani D West on 12/5/2017. (prou,)

5:17-cv-01363-BHH-KDW Notice has been electronically mailed to:

5:17-cv-01363-BHH-KDW Notice will not be electronically mailed to:

Anthony Cook(Terminated)
#115157
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472

David A Duren(Terminated)
#181965
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472

Lawrence L Crawford(Terminated)
#300839
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472

Robert Mitchell

#262003

Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472

Vincent Jerode Beaton(Terminated)

#196947

Ridgeland Correctional Institution
PO Box 2039
Ridgeland, SC 29936

Yahya Muquit(Terminated)

#318455

Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472