

SOUTH CAROLINA COURT OF APPEALS

CLERK JENNY A. KITCHINGS

FEB. 1ST, 2018,

P.O. BOX 11624 - Col. S.C. 29211

RE: MARTIN VS. STEVENS CIV# 2017-002533

DEAR CLERK KITCHINGS:

PLEASE FORWARD A CHECKED STAMPED COPY OF "PROPOSED ORDERS"
DOCUMENT ENCLOSED TO APPELLANT AT BELOW ADDRESS IN ACCORD
WITH Rule 4(a); Rule 5 SERVICE & FILING ON THIS, 2ND, DAY OF MONTH OF, FEB., 2018.
RESPECTFULLY SUBMITTED.

Shahed Majid

SHAHED A. MARTIN #1993800A - Pro Se
L.O.I. P.O. Box 205 - Rm 11 #18
Dodgeville, SC 29472

RECEIVED

FEB 09 2018

SC Court of Appeals



SOUTH CAROLINA COURT OF APPEALS

CLERK JENNY A. KITCHINGS

FEB. 1ST 2018

P.O. BOX 11629 - CO. S.C. 29211

RE: MATID VS. STEVENS CN: 2017-002533

DEAR CLERK KITCHINGS:

I, SHAMID MADIDADA-PROSE, APPELLANT IN ABOVE CASE HUMBLLY MOVES THIS COURT OF APPEALS TO ADMINISTER BELOW MORTAL ORDERS:

A. & TRIAL TRANSCRIPT 28 U.S.C. § 1915(a)(2)

EXH. A. VALIDATE SCDC JUDGMENT FINANCIAL CERTIFICATE ALLOWS APPELLANT TO PROCEED I.F. PAID BE AFFORDED TRANSCRIPT 28 U.S.C. § 1915(a)(2) FREE VIA 28 U.S.C. 1752(f)

"(FEE FOR TRANSCRIPT FURNISHED IN ... PROCEEDINGS TO PERSONS PERMITTED TO APPEAL IN FORMA PAUPERIS ... SHALL BE PAID BY THE U.S. WHEN TRIAL OR CIRCUIT JUDGE CERTIFIES THAT APPEAL IS NOT FRIVOLOUS BUT PRESENTS A SUBSTANTIATED QUESTION)" MCCARTHY VS. BRANSON, 906 F.2d 835, 841 (2d Cir. 1990);

B. § 14-17-260 VIOLATIONS OF TITLE 17 § 14-9-80 Clerk

§ 14-17-260 CLERK SHALL ISSUE ALL PROCESSSES & SIGN ALL JUDGMENTS

(C) ATTEST HIS OWN NAME UNDER SEAL OF COURT, ALL WRITS & PROCESSSES ISSUED EITHER IN COMMON PLEAS OR SESSIONS;

(D) SIGN ALL JUDGMENTS & STATE TIME WHEN EACH IS SIGNED & ENTERED EXH. B.1-B.3.

STATUTE NOT ABIDED BY MCCORMICK CLERKS OFFICE GWINNETT IND. CIVIL RIGHTS DEPT. CLERK

BUFF. SHORTER BY NOT SIGNING JUDGE G. LAWTON McINTOSH date, 11/06/17, 3:40p.m

MP (ie) Y

H.

MOTION WITH VALID MENTAL U.S. CASE LAWS, CONST. LAWS STATUTES MALICIOUSLY DENIED SAME DAY FILED BY JUDGE J. LAWTON MCINTOSH,

THEREBY NO SIGNATURE READERS JUDGEMENT VOID WITHOUT JURISDICTIONAL MERITS OUR LAWS OF U.S AND STATE OF S.C. *TRAME V. CHARLESTON CO. SCHOD. DIST. 399 S.C. 477, 732 S.E.2D 208 (CT. APP. 2012)* WRIT CERTIORARI GRANTED [WHEN A § TERMS ARE CLEAR AND UNAMBIGUOUS ON THEIR FACE, THERE IS NO ROOM FOR STATUTORY CONSTRUCTION & A COURT MUST APPLY THE § ACCORDING TO IT'S LITERAL MEANING];

BANUCCI V. CRAIN, 409 S.C. 493, 500, 763 S.E.2D 189 192 (2011) QUOTING *SHEAN V. HORDEE 371 S.C. 495, 498, 640 S.E.2D 457, 459 (2007)* SUPRA.

APPELLANT HEREBY MOVES HONORABLE COURT OF APPEALS DUE TO ABOVE STATUTORY LAWS VIOLATION TO RETURN, J. LAWTON MCINTOSH, DENIAL OF NEW TRIAL MOTION AND GRANT APPELLATE NEW TRIAL AND LAST POST TRIAL MOTIONS IN LEXINGTON COUNTY AND APPOINT COUNSEL DUE TO MENTAL ILLNESS IMPAIRMENT LEV. 3 ADA § 12302 EXH. C.1-C.3. COUNSEL IS WARRANTED & AT COURT'S DISCRETION SHALL BE APPOINTED. SEE BELOW U.S. CASE LAWS.

GREEN V. DAKSY, 404 F.3D 645, 658 (7TH CIR. 2005) "IN REVERSING REFUSAL TO APPOINT COUNSEL APPELLATE COURT STATED THAT DISTRICT COURT WAS WRONG IN SAYING THE CASE WAS "FACTUALLY SIMPLE & LEGALLY STRAIGHT FORWARD" SINCE INVOLVED MEDICAL RECORDS & INMATE COMPLAINTS & REQUEST OVER A PERIOD OF 2 YRS. & REQUIRES AN ASSESSMENT, WHICH WITH LIKELY REQUIRE EXPERT TESTIMONY";

MONTGOMERY VS. PINTCHAK 294 F.3D 492 504 (3D CIR. 2008) "COUNSEL SHOULD BE APPOINTED WHEN MEDICAL ISSUES ARE COMPLEX & EXPERT IS NEEDED";

III.

More v. Harris, 976 F.2d 268, 272 (5th Cir. 1992) "CITING MEDICAL EVIDENCE AS REASON TO APPOINT COUNSEL"

WITNESSES, & APPELLANT HAS SEVERAL WITNESSES TO ATTEST TO INCIDENT AND RETALIATORY CONDUCT DUE TO INCIDENT. OUR 4TH CIRCUIT HAS RULED AGAINST RETALIATORY CONDUCT SEE PATRICK H. BOKER VS. SCDC ARGUED, 12/6/16 AND DECIDED 4/28/17, VACATED & REMANDED CHIEF GREGORY; TRAXLER; DIAZ.

BRIGHT V. HICKMAN, 96 F. SUPP. 2D 572, 577-78 (E.D. TEX 2000);

HENDRICKS V. CAUGHNIN, 114 F.3D 1390, 1394 (2d CIR. 1997) "FINDING 1ST AMEND. RETALIATION CLAIM ALLEGING SUPERVISORY LIABILITY TO BE COMPLEX"

ACCESS TO COURTS, & EXH. D-1-D3 ATTEST APPELLANT HAS YET TO GO TO LAWYER, COMPUTER AND BEEN TO HEER SINCE, SEPT. 2017, NOT EVEN FOR, OCT. 16, 2017, TRIAL.

JUDGE MCINTOSH, HAD TO PROVIDE S.C. RULES OF COURT BEING DEFENDANTS CONFISCATED

APPELLANT'S CITING "CONTRABAND" ETC. EXH. E. VIOLATION OF SCDC POLICY GA OLCB 9.1 LAWYER, COMPUTER (37.5) HRS. PER WEEK; BOUND V. SMITH 97 S.Ct. 1491 (1992); Lewis v. Casey 116 S.Ct. 2134 (1996)

ABOVE GROUNDS, STATUTES, U.S. CASE LAWS, MERITORIAL EXHIBITS WARRANT

1) REVERSAL OF TRIAL IN LEXINGTON COURT GRANTED; 2) APPT. OF COUNSEL GRANTED; 3) LAST PRETRIAL/POST TRIAL MOTIONS GRANTED BEFORE TRIAL. I SO MOVE HUMBLY

THIS COURT OF APPEALS ON THIS DAY OF, 2ND, MONTH OF, FEB., 2018

S/ Phobid Maper

RECEIVED

EX.A

JAN 10 2018

MAIL ROOM
LIEBER C.I.

SCDC-FINANCIAL ACCTG.

FINANCIAL CERTIFICATE
FOR THE

2018 JAN 11 PM 3:15

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 have insufficient funds in my account that prohibit me from paying the full filing fee required by 28 U.S.C. § 1914 (currently \$350.00), I will send with my complaint an initial installment payment, required by 28 U.S.C. § 1915, equal to the amount calculated and entered on line four by the authorized officer signing this form.

I recognize that by filing this case, I am required to pay the full filing fee (or the remaining unpaid portion of the filing fee by installments if necessary) under 28 U.S.C. § 1915(b) even though I am requesting to proceed *in forma pauperis*. I authorize and consent to collection of the filing fee in accordance with 28 U.S.C. § 1915 until the filing fee is paid in full.

<u>SHABID UASID ADA-PAUSE</u> INMATE NAME (PRINTED)	<u>199298</u> INMATE (PRISONER) NUMBER
<u>Shabid Uasid</u> INMATE SIGNATURE	<u>LIEBER C.I. JISTG</u> 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.\$ 6.30
- ◆ (3) Current Balance\$ 6.30
- ◆ (4) Initial Installment Payment (Take 20 percent of the greater of lines 1 or 2).....\$ 0

Previous Hold on Account

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

<u>Peggy Cawthon</u> Authorized Officer's Signature	<u>1/12/18</u> Date
<u>Peggy Cawthon, Fiscal Analyst I</u> Authorized Officer's Name and Title	

EXH. B. 1

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF MCCORMICK
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2015-CP-35-0007

Arthur Moseley,

Sgt. Stevens in Individual Capacity,

Aka "Shahid Majid", #199398
PLAINTIFF(S)

And SCDC
DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

PLAINTIFF'S AMENDED POST-TRIAL MOTIONS ARE DENIED WITHOUT THE NECESSITY OF A HEARING. NO FORMAL ORDER REQUESTED.

This order ends does not end the case.
Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

ELECTRONICALLY FILED - 2017 Dec 05 9:47 AM - MCCORMICK - COMMON PLEAS - CASE#2015CP3500007

EXH. B. 2

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter: _____

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

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EXH.B.3



McCormick Common Pleas

Case Caption: Shahid Majid VS Scdc , defendant, et al

Case Number: 2015CP3500007

Type: Order/Form 4

S/R. LAWTON McINTOSH

S/R.LAWTON McINTOSH

Electronically signed on 2017-12-05 09:28:49 page 3 of 3

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EXH. III

EXH. A. Rule 60 STEVENS

(1)

EXH. A. SANCTAS Rule 11 (A)



Social Security Administration

PHILA NORTHEAST PA

Date: July 17, 2017

Claim Number: XXX-XX-2030 DI

EXH. C. 1

STEVENS APPEAL

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. C~~

~~STEVENS APPEAL~~

911

EMERGENCY!!!

911

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
REQUEST TO STAFF MEMBER

ADD. REC. COPY

8/21/08

TO: NAME: RN SALLY BOSS / Psych	TITLE:	DATE: 7/29/17
INMATE'S NAME: SHANID MARION ADA-PROSE	SCDC #: 19908	
INSTITUTION: KIC: I	LIVING QUARTERS: C/49	

MAM, THE DOC. JUSTICE I THINK PUT ME BACK ON MENTAL HEALTH AND MEDS WEDNES. 26TH! 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: 8-7-17	SIGNATURE: 
-----------------	---

144, Exh. B.1

Exh. C.3 STEVENS APPEAL

6.1.2 Residential Care: Residential mental health services are provided for inmates with moderate to severe symptoms who need frequent, ongoing mental health care and services in a therapeutic environment. Each Residential Care Program has its own LOC identifier:

- Substance Abuse Treatment - LOC Classification Code: SA
- Habilitation Program - LOC Classification Code: ID
- Behavior Management Unit - LOC Classification Sub: BU
- Intermediate Care Services - LOC Classification Code: L2
- Self Injurious Behavior Program - LOC Classification Code: LC

6.1.3 Outpatient: Inmates who have the ability to function in general population may be housed in general population or structured living units. Outpatient inmates are mildly to moderately impaired and/or need monitoring due to a need for medication management, recent move from higher level of care, history of self injurious behavior or mild/moderate symptoms present and/or to maintain stability. There are two (2) levels of outpatient care:

- Higher Intensity Outpatient Treatment: LOC Classification Code: L3; and
- Lower Intensity Outpatient Treatment: LOC Classification Code: L4.

6.1.4 Assignment will be based on review of treatment needs. Inmates who are on more complex medication regimens, or viewed as being less stable or more needy, are classified as Higher Intensity. Institutions designated as suitable for housing Higher Intensity Outpatients will be staffed at a higher level to accommodate additional mental health programming.

6.1.5 Work Release Eligible: Inmate has one or more mental health diagnoses; however, the individual's symptoms are in remission and/or well controlled with treatment. If a mentally ill inmate is considered eligible for work release, his/her case is reviewed on an individual basis by the Treatment Team and the chief psychiatrist to determine if his/her treatment plan can be continued in a work release program (LOC Classification Code: L5).

EX-101

Inmate Request

Today's Date: 10/20/17 13:53

Name: MOSELEY, ARTHUR
Booking #: SCB0020945
Permanent #: SCP0020945

Reference #: 17-720759
Date Requested: 10/02/17 14:49
Request Type: Legal
Requested By: Paper Form

Request Details: The law lib. computer is broke here & no law clerks come up here weekly. I have several pending suits, PCR & need law lib, computer time. I have trial scheduled Oct. 16, 2017. Resolution: 1) fix computer; 2) law clerks weekly rounds

Disposition: Complete
Officer: Annie Rumler
Disposition Date: 10/20/17 14:50

Request Responses

Date	Author	Note
10/20/17 14:52	c058106	I have spoken with the law library officer at your institution. It is my understanding that the computer issues have been resolved. It is also my understanding that the law library officer and law clerks come to your unit at least once a week when possible.

Ext. 0.2



OMS

Offender Management System

Inmate Request

Today's Date: 10/27/17 8:55

Name: MOSELEY, ARTHUR
Booking #: SCB0020945
Permanent #: SCP0020945

Reference #: 17-725422
Date Requested: 10/24/17 14:42
Request Type: Classification
Requested By: Paper Form

Request Details: Mrs. Harms, I need law lib time on computer. I have 10 day deadline on post trial motion of 10/16.

Disposition: Complete
Officer: Patty Britt-Pooser
Disposition Date: 10/27/17 09:39

Request Responses

Date	Author	Note
10/27/17 09:39	c050313	I don't do law library. Unit Manager Williams handles law library. Ms. Harms

911

EMERGENCY

411

EXH.D.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
REQUEST TO STAFF MEMBER

EXH.E, STEVEN'S
APPEAL

ADA-SEC-SEM

8/12/08

TO: NAME: L.T.D. BURZINSKI	TITLE: CONTRABAND	DATE: 7/30/09
INMATE'S NAME: Shahid MATWID / Mosley ADA-PROV		SCDC #: 19939A
INSTITUTION: PCI		LIVING QUARTERS: DX6

I Demand SCDC Policy that below is CONTRABAND OR Below legal / Vocational Documents RETURNED ASAP!

- 1) Rules of COURT Book 2011 Edition;
- 2) TRANSCRIPT of DIRECT appeal? legal DOCUMENTS;
- 3) address Book;
- 4) case / Policy Folders
- 5) CDK - Vocational Book

IF you fail to cooperate copy will be forwarded to all (3) COURTS
I AM IN!

DISPOSITION BY STAFF MEMBER: All that was taken from your property bag was altered, had financial information on them or belong to SCDC of other prisons than the one you are housed at now. No contraband will be returned to you. End

DATE: 5-08-17	SIGNATURE: L.T.D. Burinski / Lt. D. [Signature]
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