

Richard Ridley # 285091

December - 29 - 2012

Vs.

= Respondent's Brief =

South Carolina Dept. of
Corrections,

ALC Case # 12-A LJ-04-0115-AP

Appellate case # 2012-213507

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JAN 02 2013

SC Court of Appeals

Statement of Case

I was found guilty of 898 (Cell Phone Possession) On 10-5-11, Based on A scrap piece of Paper with the words Edit + Done written on by me. I Appealed this decision Oct. 6 2011 with A Step 1 which was denied As well As A Step 2 Dec. 8 2011 that was Also denied. I then Appealed to the A.L.C. which Reversed the disciplinary conviction Nov. 2 2012, Judge Cardyn Matthews Presiding, SCDC. Has Appealed her decision which Is Now before this Court, December 19 2012.

Argument

I was found guilty of possession of A Cellphone device, which Is what the policy states. No Device was ever recovered or Produced. I had A scrap piece of paper with the words edit And done on ~~the~~ It And this was labled by Sgt Epps As Instructions on how to use A cell phone. Which If you read the Disciplinary policy "Op 2214" Clearly does Not cover A person having A scrap piece of paper with the words Edit And done As A Infraction. That's like saying I could be charged for Murder If I put the words "Kill Bill" on A Piece of paper. I give this As A Easy comprehensible Example of the Incredible leap that was made to find me guilty of Possessing A cell phone based on A scrap piece of paper And the A.L.C. ruled properly when It reversed this Disciplinary Conviction.

Conclusion

Judge Matthews did Not Err In Reversing the decision of the Dept. As she clearly stated the reason for her decision, "The Dept failed to cite the language from the policy that would Include the Evidence In this case As Supporting the charge." Clearly A scrap piece of Paper does Not support the charge of 898 (Possession of A Cellphone or other type of Communication device.

I Ask that this Appeal be dismissed with prejudice.

Sincerely

Richard Ridley # 285091

Richard Ridley

This December 29th 2012 I Swear All to be true
And correct In this brief,
