

June 4th, 2018

RECEIVED

JUN 08 2018

S.C. SUPREME COURT

To: Clerk of Court
Supreme Court of South Carolina

P.O. Box 11330

Columbia, SC 29211

Michael D. Bellamy v. State
Appellate Case No. 2018-00046S
Lower Case No. 2016-CP-26-2172

Dear Clerk

Pertaining to my Post Conviction Relief, Michael D. Bellamy 381656 v. State 2018-CP-26-2172. I received an letter from my lawyer James Falk stating my P.C.R. was Denied, Due to exceeding the statute of limitations. I've also attempted to properly file an Amended P.C.R. which 30 Day limitation was exceeded also. Currently I'm under an 20 Day Statute of Limitations; May 23rd 2018 to June 11th 2018. Lieber Correctional Institution is neglecting the Due Process resulting in exceeding the statute of limitations. This hinderence repeatedly made previous attempts in court be Denied.

As I stated during my P.C.R. Court hearing, I am in need of an extensive Lieber Correctional Institution has excessive lockdowns, making any movement outside Edisto Dorm next to null. Therefore, making it physically impossible to have adequate time and modern resources to intelligently file an proper Post Conviction Relief forum. With the excessive lockdowns comes the issue of being short of Officers/Administration personnel. Also with few personnel, the with restricted movement is the inability to have adequate Lawyer to Client Correspondence; No phone calls allowed to Lawyer because not enough personnel to escort. Furthermore, being unable to purchase envelopes from Canteen as an effect of these hinderences and lockdowns.

I have an Right backed by the 14th amendment to follow Due Process

Process with the Courts adequately within the allotted Statute of Limitations that are placed upon such actions. I pled Guilty; February 26th, 2015. I had until; February 29th, 2016 to meet the one year Statute of Limitations. Due to the hindrances previously stated, I wasn't able to attend the Law Library. The Law Library has Computers with up to date Case files, laws and references. Also, at the Law Library there are inmates who can aid in my litigation. I wasn't knowledgeable of what an Post Conviction Relief consisted of or what it entailed. I was informed by another inmate as to what an P.C.R. was and how to go about filling it. I signed up for the Law Library, as stated in court, I requested for an continuance to properly prepare my P.C.R., wasn't filled until; March 30th, 2016 - a month after the one year statutory filing period was expired. Post Conviction Relief was barred and dismissed by the Statute of Limitations.

Stated in SC RACT, Rule 227(C); providing paperwork that I filled through Lieber Correctional Institute to the proper administration/staff showing an arguable basis for asserting that the determination by the Lower Courts was improper.


Upon returning to Lieber Correctional Institution from my P.C.R. hearing I was relocated unknowingly in my absence. Before my initial P.C.R.; Edisto A, Room 21. Returning from P.C.R.; Edisto B, Room 8. Once on Edisto B, I signed up for the Law Library immediately awaiting the Courts decision. Edisto B was placed on "Tier Rotation". This is when only one Tier is allowed on movements outside the dorm; such as the Law Library, Computers. An alternating schedule the Law Library out count varies. There is only one exception to the restricted movement of the inmate; is if he has an court appointed Statute of Limitation Deadline has been placed upon the inmate, thus mandating he have accessability to the Law Library escorted by officer/administration personnel.

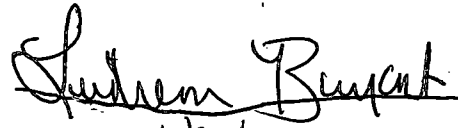
I received an Order to Report to the Education Law Library; January 2nd, 2018, 6:30 AM. I was also on the out count list for Education Law Library February 1st, 2018, 9:00 AM. Receiving an letter from the courts decision to Deny my initial P.C.R. This letter also states I had an 30 day Statute of Limitation to "Secure the Appropriate Appellate Review". Due to the hindrances that led to the prevention of "Securing the -"
(Page 2 of 2)

"Appropriate Appellate Review." The Staff/Administration of Lieber Correctional Institution negligent of adhering to the Legal Right of Due Process under the Statutes placed. Thus, expiring the Limitations placed by the Court. Forbitting the inmates Right of Due Process and Exhausting every avenue of Remedy through the Courts, involontarily. I am sending copies of the Order to Report, Staff Requests.

Most recently, I've received an letter from, James Falk. Informing me of an 90 Day Statute of Limitation to argue my basis for asserting that the determination by the Lower Court was improper. This current Statute of Limitation of 90 Days, began May 23rd, 2018, will expire June 11th, 2018. I've wrote Multiple Staff Requests. To the Education Building officer, M. Wright pertaining as to why I'm not on the Computers in the Law Library when under an Limitation. I wrote Warden R. Williams also, A. Warden Martel explaining that I shouldn't be Banned and Denied as an effect of Lieber Correctional Institution. Not my own will exceeding the statute of Limitation. Volontarily, I've shown the letter by the courts of my 90 Day Limitation, to various Staff/Administration. Such as the Unit Counselors along with the Unit Manager, Captain King. I've repeatedly asked to be escorted to the Law Library and only made it 3 times to date. This is inadequate to produce substantial litigation. I am currently awaiting Warden R. Williams and A. Warden Martel's reply.

Within this envelope I've provided Copies of Staff Requests and Order to Report's. These Copies verify my attempts of following Due Process of Legal Assistance within the Statutes of Limitations. Confirming that there is an legitimate argueable basis for asserting a sufficient facts, arguement and Citation to Legal Authority that the determination by the Lower Courts was improper.

Respectfully,

Michael D. Bellamy 351656
Inmate #


Notary
May 5 2018
Date 5/27/18

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Operations
ORDER TO REPORT

SCDC # 351656	Name Michael Bellamy	Area EB-08
REPORT TO <u>Education (Law Library)</u> AT <u>6³⁰am</u> <u>1/29/18</u>		
Bring All Belongings <input type="checkbox"/> Bring State Clothing <input type="checkbox"/> Bring Nothing <input type="checkbox"/>		
Date 1/26/18	Signed <u>Meggett Wright</u>	
Date 1.26.18	Inmate's Signature <u>[Signature]</u>	
Date 1.26.18	Staff Member's Signature <u>[Signature]</u>	

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
REQUEST TO STAFF MEMBER

RECEIVED

TO: NAME: <i>Law Library Mrs. Wright</i>	TITLE:	DATE: <i>5-28-18</i>	<i>MAY 29 2018</i>
INMATE'S NAME: <i>Michael D. Bellamy</i>	SCDC #: <i>351656</i>	WARDEN'S OFFICE LIEBER C.I.	
INSTITUTION: <i>L.C.I</i>	LIVING QUARTERS: <i>Edisto B Room 8</i>		

I have an 20 Day Dead Line to respond to the Supreme Court properly. I need to have access to the Law Library in order to properly file my paperwork on the given 20 Day Deadline: May 23rd - June 11th. I have informed Cpt. King since my Deadline has Begun I've yet to have access to the Law Library; other Dooms go regularly. I'm being earnest in this matter due to the timed process of meeting my Deadline properly and effectively.

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DISPOSITION BY STAFF MEMBER:

Your name is on the list, if Wright will contact you

DATE: <i>5/29/18</i>	SIGNATURE: <i>J. S. Robinson JR</i>
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Inmate Request

Today's Date: 5/24/18 13:48

Name: BELLAMY, MICHAEL DE VONTE
Booking #: SCB0030236
Permanent #: SCP0030236

EBY

Reference #: 18-00900709

Date Requested: 04/26/18 14:42

Request Type: Law Library

Requested By: Paper Form

Request Details: I'm requesting a copy of the sign up sheet and out-count/attendance records of the Law Library from February 2018 to April 2018 from the Edisto Unit B. I would like to have this due to the fact that I signed up but never had the change to go due to the officers / staff of Edisto B Unit negligence to allow me to attend. I need a valid reason why I was prevented from going.

Disposition: Complete.

Officer: Patty Britt-Pooser

Disposition Date: 05/10/18 08:35

Request Responses

Date	Author	Note
05/10/18 08:36	c052249	I will check the list for those dates. I will not give you a copy of the list. thank you