

The South Carolina Court Appeals

Darrell Sturkey #182368 Appellant

VS

S.C.D.C.

Respondent

2018-000722

Designation of matter

RECEIVED

MAR 20 2019

SC Court of Appeals

Appellant proposes the following be included in the Record on Appeal:

1. Incident Report Ex A
2. Incident Report Ex B

I certify that this designation contains no matter which is irrelevant to this appeal.

Darrell Sturkey
#182368
U-7-B-121
Tyger River C. I.
200 Prison Road
Enoree, SC 29335

Ex A

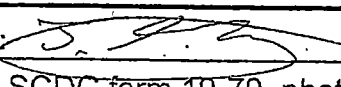
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Page 1 of 1

Institution/Center: livesay				Date of Report: 8/1/17	
Reporting Official (Full Name): J. Thomas				Time of Report: 1605	
Employee ID #: 051296				Date of Incident: 8/1/17	
Location of Incident: mail room				Time of Incident: 1322	
Inmate(s)/Resident:	SCDC #	Age:	Sex:	Race:	Employee(s)/Witnesses Involved:
1. Darrell Sturkey	182368		M	B	1. Mrs. Scott
2.					2.
3.					3.
4.					4.
5.					5.

On the above date and approximate time:

I Lt. Thomas was called by Mrs. Scott to the mailroom for a letter containing an unknown item. Mrs. Scott gave me a letter addressed to inmate Darrell Sturkey #182368 and was sent by an Iva Sherman. Inside the letter were two photographs, a four page letter, and a small bag containing an unknown item wrapped in tin foil. In the letter Mr. Sherman mentions a gift he sent inmate Sturkey. Upon further investigation of the item wrapped in tin foil, I found it to be a piece of perforated paper with images of Charlie Brown on it. Based on my research and the appearance of the paper it appears to be a sheet of LSD "acid". Inmate Sturkey has had previous correspondences with Mr. Sherman as an envelope recovered from Inmate Sturkeys property was addressed from Mr. Sherman, also found in inmate Sturkeys property was a photo of Mr. Sherman. A NIK (narcotic field test) was conducted on the substance found in the tin foil and it tested positive for LSD.

Signature:  Title: Lt

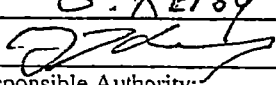
Evidence: SCDC form 19-79, photos, envelopes, letter, and a portion of LSD paper

Disposition of Evidence: turned over to contraband

Supervisor's Comments:

Refer To DHO

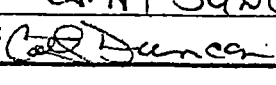
Printed Name: G. Kerby 013451

Signature:  Title: Capt. Date/Time: 8-1-17 4:36 PM

Major/Responsible Authority:

903

Printed Name: CATHY DUNCAN 947an

Signature:  Title: Capt Date/Time: 8/4/17

STG Related - Refer to STG Committee

☐ Yes ☒ No ☐ Unknown

This incident is DRUG related

☒ Yes ☐ No ☐ Unknown

Responsible Authority

Action Taken

☐ Informal Resolution
☐ Administrative Resolution
☒ Refer to Disciplinary Hearing

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Ex. B

Page _____ of _____

Institution/Center: <u>Livesay</u>				Date of Report: <u>8/1/17</u>	
Reporting Official (Full Name): <u>Katherine Scott</u>				Time of Report: <u>2:38 PM</u>	
Employee ID #: <u>047365</u>				Date of Incident: <u>8/1/17</u>	
Location of Incident: <u>Mailroom</u>				Time of Incident: <u>1:22 PM</u>	
Inmate(s)/Resident:		SCDC #	Age:	Sex:	Race:
1. <u>Darryl Sturkey (182368)</u>		1. <u>Katherine Scott</u>			
2. _____		2. <u>Lt Thomas</u>			
3. _____		3. _____			
4. _____		4. _____			
5. _____		5. _____			

On the above date and approximate time:

Lt. Thomas asked me (Katherine Scott) to write an incident report in reference to a suspicious item found in a letter addressed to Inmate Darryl Sturkey (182368). The item, a piece of foil paper with an unidentified object inside, was found in a small plastic bag. The letter and all its contents are currently in Lt. Thomas' possession for further investigation.

The End

Signature: <u>Katherine Scott</u>	Title: <u>Admin Asst / Mailroom Supv.</u>
Evidence: <u>Letter and Contents</u>	
Disposition of Evidence: _____	

Supervisor's Comments: <u>Refer to DHO</u>		STG Related - Refer to STG Committee () Yes (☒) No () Unknown	
Printed Name: <u>Stacy L. Baber</u> 1525		This incident is DRUG related	
Signature: <u>Stacy L. Baber</u> Title: <u>LT</u> Date/Time: <u>8.1.17</u>		(☒) Yes () No () Unknown	
Major/Responsible Authority: _____		Responsible Authority	
SUPPORTING STATEMENT		Action Taken	
Printed Name: <u>CATNY DUNCAN</u> 9500		() Informal Resolution	
Signature: <u>Catny Duncan</u> Title: <u>Asst</u> Date/Time: <u>8/4/17</u>		() Administrative Resolution	
		() Refer to Disciplinary Hearing	

The South Carolina Court of Appeals

RECEIVED

MAR 20 2019

SC Court of Appeals

Darrell Sturkey, #182368

V.

South Carolina Department of Corrections, Respondent.

Appellant Case No. 2018-000722

Ms. Christina Catoe Bigelow, Esquire ——— Respondent,

V.

Darrell Sturkey #182368 ——— Appellant.

PROOF of SERVICE

I, Darrell Sturkey, 182368, Appellant, declare under penalty of perjury that the above listed information is true, and I did mail a notarized copy in the U.S. Mail at Tyger River South Carolina Department of Correction on this Date February 27, 2019

SWORN TO And Subscribed Before Me

This 27 Day Feb. 2019

Paul Davis

Notary Public For South Carolina

My Commission Expires: Dec. 10, 2024

Date:

cc

Respectfully submit

Darrell Sturkey

Darrell Sturkey #182368

Tyger River Corr. Inst.

200 Prison Road

Enoree, SC 29335

The South Carolina Court of Appeals

Darrell Sturkey #182368 Appellant

vs

S.C.D.C.

Respondent

#2018-000722

RECEIVED

MAR 20 2019

PROOF OF SERVICE

SC Court of Appeals

I, Darrell Sturkey hereby swore that I have served the below persons my initial brief by placing the above said into the Tiger River Corrs Inst. mail room on this 21 day of February to be placed in the U.S. mail w/ postage prepaid

The Hon. Clerk Kitchings
P.O. Box 11629
Columbia SC 29211

Atty AT LAAL
Wes. Christina Bigelow
4444 Broad River Rd
Columbia SC 29210

SWORN to before me
this 21 day of Feb.

/s/ Darrell Sturkey

Paul James Co
Notary Public

My Commission Expires Dec 10, 2024

The South Carolina Court of Appeal

Darrell Sturkey #182368 — Appellant

S.C.D.C. — ^{VS} Respondent

RECEIVED

MAR 20 2019

SC Court of Appeals

2018 -000722

PROOF OF SERVICE
Is submitted

I, Darrell Sturkey, 182368, Appellant, declare under penalty of perjury that the about listed information is true, and I did mail a notarized copy in the U.S. Mail at Tyger River South Carolina Department of Correction on the this Date March 15, 2019

Sworn To And Subscribed Before Me
This 15 Day MAR. 2019

Notary Public For South Carolina
My Commission Expires DEC. 10, 2022

Date:
CC

Respectfully Submitte
Darrell Sturkey

Darrell Sturkey #182368
Tyger River Corr. Inst.
200 Prison Road
Enoree, SC 29335

Dear Ms. V. Claire Allen

I hope this fixes the deficiency in my case, on this matter.

Thank you for your response,

Very truly yours,

Daxell Sturkey

RECEIVED

MAR 20 2019

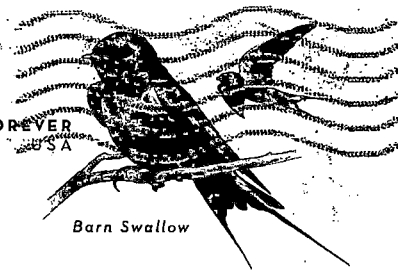
SC Court of Appeals

Darrell Sturkey #182368
4-7-127

Tyger River Correctional Institution
200 Prison Road
Enoree, SC 29335

GREENVILLE SC 29615

15 MAR 2019 PM 2:11 FOREVER
USA



RECEIVED

MAR 20 2019

RECEIVED

MAR 15 2019

TYRCI MAIL ROOM

SC Court of Appeals

South Carolina Court of Appeals
Jenny ABBOTT Kitchings, Clerk
Post office Box 11629
Columbia, South Carolina 29211

29211-162929



THE DEPARTMENT OF CORRECTIONS HAS
NOT CENSORED THIS ITEM. THEREFORE,
THE DEPARTMENT DOES NOT ASSUME
RESPONSIBILITY FOR ITS WRITTEN
CONTENTS - TYGER RIVER CORRECTIONAL
INSTITUTION, S.G. DEPARTMENT OF
CORRECTIONS.



THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT 

© USPS 2016