

# The South Carolina Court Appeals

Darrell Sturkey #182368 Appellant

VS

S.C.D.C

Respondent

2018-000722

Designation of matter

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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


STG Related - Refer to STG Committee

Yes  No  Unknown

This incident is DRUG related

Yes  No  Unknown

Printed Name: G. Kerby 013451

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

Major/Responsible Authority:

903

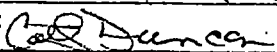
Responsible Authority

Action Taken

Informal Resolution  
 Administrative Resolution

Refer to Disciplinary Hearing

Printed Name: CATHY DUNCAN 947a

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

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:	Employee(s)/Witnesses Involved:
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 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Printed Name: <u>Stacyl. Baber</u> 1525	This incident is DRUG related <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Signature: <u>Stacyl. Baber</u> Title: <u>LT</u> Date/Time: <u>8.1.17</u>	<b>Responsible Authority</b> <b>Action Taken</b>  <input type="checkbox"/> Informal Resolution <input type="checkbox"/> Administrative Resolution <input type="checkbox"/> Refer to Disciplinary Hearing
Major/Responsible Authority: <u>SUPPORTING STATEMENT</u>	
Printed Name: <u>CATNY DUNCAN</u> 9500	
Signature: <u>Catny Duncan</u> Title: <u>Asst</u> Date/Time: <u>8/4/17</u>	

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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

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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 Court Just. mail room on this 21 day of February to be placed in the U.S. mail w/ postage prepaid

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

Atty AT Law  
Mrs. Christina Bigelow  
4444 Broad River Rd  
Columbia SC 29210

SWORN to before me  
this 21 day of Feb.

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

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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,

Dwight Sturkey

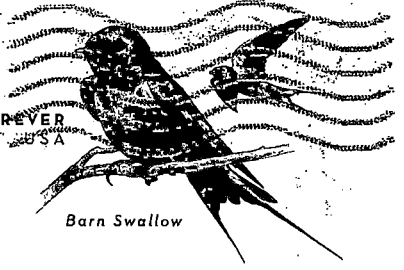
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SC Court of Appeals

Darrell Sturkey #182368  
4-7-127

Tyger River Correctional Institution  
200 Prison Road  
Enoree, SC 29335

GREENVILLE SC 29615

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USA



Barn Swallow

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SC Court of Appeals

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

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MAR 15 2019  
TYRCI MAILROOM

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.



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