

THE SOUTH CAROLINA COURT OF APPEALS

T. Terrell Bryan,

Appellant,

v.

SCDC,

Respondent.

The Honorable Matthews
Administrative Law Court
Grie. No. MCC I 1200-12
ALC Docket No. 13-ALJ-04-0065

PETITION FOR REINSTATEMENT/RECONSIDERATION

Appellant hereby petitions the Court for Reinstatement/Reconsideration, & states:

1. The Honorable V. Claire Allen, Deputy Clerk stated that I "... Cannot appeal from a memorandum of the Administrative Law Court," on 2/11/13. Thus denying me the right to petition the government or any department thereof for a redress of grievances. S.C. Const. art. I, §2 & U.S. Const. 1st Amendment. Noting I have a liberty interest where I lost 36 days good time.
2. Pursuant to Abney v. McGinnis, 380 F.3d 663 (C.A.2(N.Y.) 2001), exhaustion may be achieved under the Prison Litigation Reform Act (PLRA) in situations where prison officials fail to timely advance the inmate's grievance.
3. In the present case, the grievance was not timely advanced. I appealed to the administrative Law Court, they rejected it acting as co-counsel to SCDC failing to take judicial notice, as I informed them, that the grievance was not timely advanced, thus they had jurisdiction.
4. I properly & timely appealed to this Court where the deputy clerk is violating S.C. Const. art. I, §2 & U.S. Const. 1st Amendment. **WHEREFORE**, I move for Reinstatement/Reconsideration, for a Judge to issue an order.

2/19/13, SC
dated

I certify I served this on: Shanika Kenyetta
Johnson; 4444 Broad River Rd.; Col, SC 29210.

Without Prejudice,
X. T. Terrell Bryan, all rights reserved,
T. Terrell Bryan
#254638, SNU-BM, MCC I
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RECEIVED

FEB 22 2013

SC COURT OF APPEALS