

The Supreme Court of South Carolina

Robert William Wazney, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2020-000929

ORDER

Pursuant to Rule 204(a) of the South Carolina Appellate Court Rules, the appeal in the above entitled matter is hereby transferred to the South Carolina Court of Appeals.

FOR THE COURT

BY



DEPUTY CLERK

Columbia, South Carolina
June 30, 2020

cc:

Robert William Wazney, 00363679
Salley W. Elliott, Esquire
The Honorable Jenny Abbott Kitchings

RECEIVED

JUL 13 2020

SC Court of Appeals

RECEIVED

JUN 26 2020

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

S.C. SUPREME COURT

Appeal from South Carolina Department of Corrections

Grievance No.: LEECI-0718-19

ROBERT WILLIAM WAZNEY, Appellant,

v.

S.C. Dept. of Corr., Respondent.

RECEIVED

JUL 10 2020

SC Court of Appeals

NOTICE OF APPEAL

ROBERT WILLIAM WAZNEY appeals the decision of South Carolina Department of Corrections dated 8/13/19 and received disposition 5/29/20 and cannot obtain jurisdiction in the S.C. Administrative Law Court (ALC) because Appellant has filed 3 appeals in this calendar year and Appellant cannot afford ALC filing fees because Appellant is indigent. This appeal involves actual or threatened abuse, or neglect of an inmate by an employee of SCDC, and is a violation of procedural due process guaranteed by the United States Constitution Amendments V and XIV. Copy of "Memorandum" is attached. Appellant received written notice of Memorandum June 23, 2020.

June 25, 2020.

/s/

ROBERT WILLIAM WAZNEY
990 Wisacky Hwy.
Bishopville, SC 29010
Appellant pro se
803-428-2800

[Conformed Copy]

MEMORANDUM

TO: Appellant

From: Clerk's office, Administrative Law Court

Re: Filing Fee

If you file more than 3 administrative appeals during a calendar year, you are required to pay a \$25 filing fee pursuant to S.C. Code Ann. §1-23-670, which states in part:

"No filing fee is required in administrative appeals by inmates from final decisions of the Department of Corrections or the Department of Probation, parole and Pardon Services. However, if an inmate files three administrative appeals during a calendar year, then each subsequent filing during that year must be accompanied by a twenty-five-dollar filing fee."

Our records indicate you have filed 3 appeals in this calendar year and therefore the appeal attached is being returned and will not be processed unless it is accompanied by the appropriate fee.

RECEIVED

JUL 10 2020

SC Court of Appeals

page 2 of 4

[Conformed Copy]

[Stamp "INMATE COPY"]

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FORM

STEP 2

[side-note reads "Rec'd 8/22/19"]

Office Use Only

Inmate Name: ROBERT WILLIAM WAZNEY

Grievance No. LeeCI-0718-19

SCDC Number: 363679

Code: General

Policy

Institution Lee C.I.

Disc. Hear.

Class

Housing Unit: F32214

PREA

Date Received:

[Stamp "AUG 12 2019"]

IGC Initials:

Work Assignment: Dormworker

[Initials "DP"]

Date Received:

IGA Initials:

INMATES REASON FOR APPEAL (state-specific dissatisfaction):

Warden has failed to reply to Inmate Grievance Form Step 1 dated July 19, 2019 where on July 15, 2019, I was at Lee Library at front desk, Sgt. Fox was on post. I waited to speak with Sgt. Fox about my inadequate Law Library access and at 3:00PM when I presented my question which she did not like, Sgt. Fox threatened me telling me to "step away from the desk before I gas you", Sgt. Fox never resolved my issues. Answered KIOSK 19-01315252.

Grievant Signature: [Signature of WAZNEY] Date: August 10, 2019

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

This is being returned to you, as it is a duplicate of your Step 1 0681-19, which is being worked on.

Initials "RW" 8/13/19]

Responsible Official Signature

Date

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Grievant Signature

Date

IGC Signature

Date

PA 68 3-8-4

RECEIVED

JUN 26 2020

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from South Carolina Department of Corrections

Grievance No.: LEECI-0718-19

ROBERT WILLIAM WAZNEY, Appellant,

v.

S.C. Dept. of Corr., Respondent.

RECEIVED

JUL 10 2020

SC Court of Appeals

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copy of the forgoing NOTICE OF APPEAL was served upon all required parties by placing the same in the institutions mail system postage prepaid U.S. Mail addressed to the following addresses on June 25, 2020:

Office of General Counsel
at the S.C. Dept. of Corrections
PO Box 21787
Columbia, SC 29221-1787

Clerk, S.C. Supreme Court
PO Box 11330
Columbia, SC 29221

June 25, 2020.

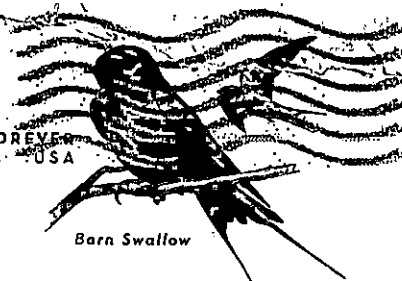
/s/

ROBERT WILLIAM WAZNEY
990 Wisacky Hwy.
Bishopville, SC 29010
Appellant pro se
803-428-2800

Page 4 of 4

ROBERT WILLIAM WAZNEY
F32214 363679
Lee Correctional Institution
990 Wisacky Highway
Bishopville, S.C. 29010

25 JUN 2020 PM 4:11 FOREVER
USA



Clerk, S.C. Supreme Court
PO Box 11330
Columbia, SC 29221

RECEIVED

JUN 26 2020

S.C. SUPREME COURT

29211-133030

