

STATE OF South CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
DEBORAH BROOKS BURDEN ADMINISTRATIVE LAW JUDGE

APPELLATE CASE NO. 2020-000582  
TRIAL COURT CASE NO. 2019 ALJ 040246 AP

JEROME McFADDEN, 136919, Appellant

V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, Respondent  
DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL

JEROME McFADDEN PRO SE  
PERRY CORRECTIONAL INST.  
430 OAKLAWN ROAD  
PELZER, S.C. 29669

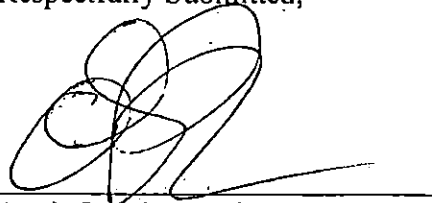
**RECEIVED**  
JUL 27 2020  
SC Court of Appeals

**STATE OF SOUTH CAROLINA  
IN THE ADMINISTRATIVE LAW COURT**

Jerome McFadden, #136919,	)	Docket No.: 19-ALJ-04-0246-AP
	)	[ <u>Grievance No.: PCI 1135-19</u> ]
Appellant,	)	
	)	<i>Hon. Deborah Brooks Durden</i>
v.	)	
	)	
South Carolina Department of Corrections,	)	<b>RESPONDENT'S MOTION TO</b>
	)	<b>FILE OUT OF TIME</b>
Respondent.	)	
<hr/>		

Respondent, by and through the undersigned attorney, respectfully requests to file Respondent's Brief in this case out of time. This case was assigned on May 29, 2019. SCDC filed the Record on July 19, 2019. Respondent's Brief was initially due September 16, 2019. However, on September 16, 2019, Respondent had not been served with Appellant's Brief and thus filed a Motion to Dismiss. This Court denied that motion on October 15, 2019 and ordered that Respondent file its Brief by November 4, 2019. Respondent lost track of and failed to meet this deadline and offers sincere apologies to both the Court and Appellant for this oversight. Respondent respectfully requests to file out of time Respondent's Brief in the above-captioned case.

Respectfully Submitted,



Annie Laurie Rumler  
Deputy General Counsel  
S.C. Department of Corrections  
4444 Broad River Road  
Columbia, South Carolina 29221  
(803) 896-1355

Columbia, South Carolina  
December 5, 2019

**STATE OF SOUTH CAROLINA  
IN THE ADMINISTRATIVE LAW COURT**

Jerome McFadden, #136919,	)	Docket No.: 19-ALJ-04-0246-AP
	)	[ <u>Grievance No.: PCI 1135-19</u> ]
Appellant,	)	
	)	<i>Hon. Deborah Brooks Durden</i>
v.	)	
	)	
South Carolina Department of Corrections,	)	<b>RESPONDENT'S BRIEF</b>
	)	
Respondent.	)	
<hr/>		

**STATEMENT OF THE CASE**

This matter is before the Administrative Law Court (“ALC” or “Court”) pursuant to the appeal of Jerome McFadden (“Appellant”), an inmate incarcerated with the South Carolina Department of Corrections (“SCDC” or “Department”). Appellant asserts that money has been inappropriately from his E.H. Cooper (inmate bank) account by SCDC.

On December 11, 2018, Appellant filed a Step 1 grievance challenging deductions taken from his E.H. Cooper account. On January 11, 2019, SCDC denied the Step 1 grievance. Thereafter, on January 15, 2019, Appellant filed a Step 2 grievance on the same grounds. On March 21, 2019, SCDC denied the Step 2 grievance. This appeal followed.

**STANDARD OF REVIEW**

The ALC’s jurisdiction to hear this matter is derived entirely from the decision of the South Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). When reviewing SCDC’s decisions in inmate grievance matters, the ALC sits in an appellate capacity. *Id.* at 377, 527 S.E.2d at 754. Subsequently, the supreme court clarified the ALC’s appellate jurisdiction over inmate appeals in *Sullivan v. S.C. Dep’t of Corr.*, 355 S.C. 437, 586 S.E.2d 124 (2003). In affirming, as modified, the ALC’s *en banc* decision of *McNeil v. S.C. Dep’t of Corr.*, 02-ALJ-04-00336-AP (September 5, 2001), the

supreme court held the ALC's jurisdiction was limited to (1) cases in which an inmate contends prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; (2) cases in which SCDC has taken an inmate's *state-created* liberty interest in major disciplinary hearings; and (3) cases in which an inmate's confinement implicates a *state-created* liberty interest. *See Sullivan*, 355 S.C. at 443, 586 S.E.2d at 127 (emphasis added).

Moreover, regarding categories (2) and (3), *supra*, the supreme court has consistently emphasized that the liberty or property interest implicated must be one that is *state created*. *See Wicker v. S.C. Dep't of Corr.*, 360 S.C. 421, 602 S.E.2d 56 (2004) (emphasizing that the ALC's jurisdiction extends only to those cases involving the denial of "state created liberty interests" and that the Court's holding [*i.e.*, in *Wicker*] "is not to be viewed as expanding the jurisdiction of the [ALC] in any other circumstance."); *Slezak v. S.C. Dep't of Corr.*, 361 S.C. 327, 605 S.E.2d 506 (2004) (holding that the ALC "may summarily dismiss those appeals that do not implicate an inmate's *state created* liberty or property interest") (emphasis added).

Furthermore, the ALC should not disturb findings of an administrative agency if those findings are supported by substantial evidence on the record as a whole. *Pearson v. JPS Converter & Ind. Corp.*, 327 S.C. 393, 489 S.E.2d 219 (Ct. App. 1997). Stated differently, an Administrative Law Judge may not substitute his judgment for that of an agency "as to the weight of the evidence on questions of fact." S.C. Code Ann. § 1-23-380(5) (amended by 2008 Act No. 334, § 5, eff. June 16, 2008). Additionally, "an Administrative Law Judge may not reverse or modify an agency's decision unless substantial rights of the Appellant have been prejudiced because the decision is clearly erroneous in view of the substantial evidence on the whole Record, arbitrary or affected by

an error of law.” *Marietta Garage, Inc. v. S.C. Dep’t. of Pub. Safety*, 337 S.C. 133, 136-37, 522 S.E.2d 605; 607 (1999); *see* S.C. Code Ann. § 1-23-380(5)(e); *see also* *S.C. Dep’t. of Labor, Licensing & Regulation v. Girgis*, 332 S.C. 162, 503 S.E.2d 490 (1998).

“Substantial evidence” is evidence which, considering the record as a whole, would allow a reasonable mind to reach the same conclusion that the administrative agency reached. *Hendley v. S.C. State Budget & Control Bd.*, 325 S.C. 413, 481 S.E.2d 159 (Ct. App. 1996). The possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency’s finding from being supported by substantial evidence. *Grant v. S.C. Coastal Council*, 319 S.C. 348, 461 S.E.2d 388 (1995). Administrative agencies are afforded wide latitude in making decisions, as shown in the deferential standard of appellate review. *Heater of Seabrook, Inc. v. Pub. Svc. Comm’n of S.C.*, 332 S.C. 20, 503 S.E.2d 739 (1998).

In deciding appeals from inmate grievances, the ALC must consider that prisons officials are in the best position to decide inmate disciplinary matters. In *Al-Shabazz*, the supreme court “underscored that since prison officials are in the best position to decide inmate disciplinary matters, the Courts and therefore this tribunal adhere to a ‘hands off’ approach to internal prison disciplinary policies and procedures when reviewing inmate appeals under the APA.” 338 S.C. at 382, 527 S.E.2d at 257; *see also* *Pruitt v. State*, 274 S.C. 565, 266 S.E.2d 779 (1980) (referring to the traditional “hands off” approach of South Carolina courts regarding internal prison discipline and policy).

Finally, in *Tyrikus Perry, #314037, Appellants, v. SCDC, 07-ALJ-04-00109-AP*, 2008 WL 2752455 (June 3, 2008), this Court reiterated the long standing rule “A prison official’[s] failure to follow the prison’[s] own policies, procedures or regulations does not constitute a violation of due process, if constitutional minima are nevertheless met” citing

*Myers v. Klevenhagen*, 97 F.3d 91, 94 (5th Cir. 1996). Also in *Larry Hendricks*, #254256, Appellant, 04-ALJ-04-00170-AP, 2004 WL 3154731, at \*1 (June 23, 2004) this Court stated, “well-established law explains that an agency's failure to follow its own procedural rules and regulations does not violate an aggrieved party's constitutional due process rights since no such constitutional right exists.” See *Bd. of Curators v. Horowitz*, 435 U.S. 78, 92 (1978); *Hernandez v. Estelle*, 788 F.2d 1154, 1158 (5th Cir.1986); *Ogburn-Matthews v. Loblolly Partners (Ricefields Subdivision)*, 332 S.C. 551, 562, 505 S.E.2d 598, 603 (Ct.App. 1998), overruled on other grounds by *Brown v. S. C. Dep't of Health and Envtl. Control*, 348 S.C. 507, 560 S.E.2d 410 (2002).

#### ARGUMENT

Appellant initiated this action by filing a Request to Staff Member on November 5, 2018 requesting a statement for his E.H. Cooper account. See Record, p. 4. This statement was mailed to him on November 7, 2018. See Record, p. 4. However, there was no copy of this statement in the Grievance Branch records for this grievance. Additionally, SCDC's response to Appellant's Step 1 Grievance notes that “a printout showing charges you incurred during the time frame you have questioned” was attached. This printout was also not in the Grievance Branch records for this grievance nor was there any indication of the dates of the “time frame . . . questioned.” It is thus unclear what records, exactly, were reviewed during the Grievance process. In order to ensure that all transactions about which Appellant is here appealing are considered, Respondent will address all deductions made from Appellant's E. H. Cooper account for the purpose of paying court costs as these payments are the issue Appellant addresses in his brief.

Appellant argues that deductions made from his E.H. Cooper account for the payment of court fees violated his due process rights because the court fees in question had

already been paid in full. *See* Appellant's Brief, p. 3 & Appellant's Statement of the Case, p. 2. However, Appellant is incorrect. SCDC has received two orders from Patricia S. Connor, Clerk of Court for the United States Court of Appeals for the Fourth Circuit ("Appellate Court") regarding court fees owed by the Plaintiff. *See* Supp. Record, pp. 6-8 & 14-16. These orders were related to case number 13-1540 and case number 15-7106. *See* Supp. Record, pp. 6-8 & 14-16. Both orders stated that Appellant owed a debt to the Appellate Court, \$450 and \$505, respectively, and that monthly payments were to be made from his account until the debts were satisfied pursuant to 28 U.S.C. § 1915(b)(PLRA). *See* Supp. Record, pp. 6-8 & 14-16. The debt for case number 13-1540 was incurred on May 9, 2013 and entered by SCDC on January 3, 2014. *See* Supp. Record, p. 1. The debt for case number 15-7106 was incurred on August 25, 2015 and entered by SCDC on September 8, 2015. *See* Supp. Record, p. 9.

The deductions at issue here are mandated by 28 U.S.C. § 1915(b)(PLRA) which states, in relevant part,

[I]f a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee. The court shall assess and, when funds exist, collect, as a partial payment of any court fees required by law, an initial partial filing fee . . .

(2) After payment of the initial partial filing fee, the prisoner shall be required to make monthly payments . . . The agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of the court each time the amount in the account exceeds \$10 until the filing fees are paid.

SCDC has made 25 monthly deductions from Appellant's account totaling \$272.05 towards court fees owed in case 13-1540. *See* Supp. Record, pp. 1-5. SCDC has made 21 monthly deductions from Appellant's account totaling \$131.90 towards court fees owed in case 15-706. *See* Supp. Record, p. 9-13. As of today's date, December 5, 2019, Appellant currently owes the Appellate Court a total of \$551.05; \$177.95 for case 13-1540 and

\$373.10 for case 15-706. *See* Supp. Record, pp. 1 & 9. Pursuant to 28 U.S.C. § 1915(b)(PLRA), SCDC is obligated to continue to make these deductions until the filing fees are paid in full. Appellant asserts that these debts “have long been satisfied.” *See* Appellant’s Statement of the Case, p. 2. However, he has not presented any evidence whatsoever to support that assertion.

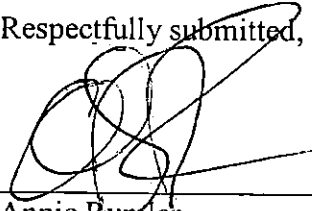
Appellant also asserts that the deductions in question are being made pursuant to 42 U.S.C. § 1915(f)(2)(c) and that this is a violation of his due process rights because this statute only applies to prisoner wages, not to monies sent by loved ones. *See* Appellant’s Statement of the Case, p. 2. The statutory citation provided by Appellant does not appear to refer to any actual law. Title 42 of the United States Code had a section 1915 at one time but it was relocated via a series of acts passed during the 1940s. To the extent that Appellant is intending to refer to 28 U.S.C. § 1915(b)(PLRA), or to any subsection of 28 U.S.C. § 1915, his assertion is simply incorrect. There is not any language in 28 U.S.C. § 1915 which limits the type of funds from which these debts can be paid.

### CONCLUSION

The record conclusively establishes that the “substantial evidence on the whole record” supports the Department’s final agency decision. The deductions SCDC has made from Appellant’s E.H. Cooper account for the payment of outstanding court fees were proper pursuant to 28 U.S.C. § 1915 and did not violate Appellant’s due process rights in any way. Appellant has the burden of proving that the decision of the Department is clearly erroneous, or arbitrary or capricious, or an abuse of discretion. Porter v. Public Service Comm’n, 333 S.C. 12, 507 S.E.2d 328 (1998). Appellant has not met this burden and the Department’s final agency decision should be affirmed.

Signature block on following page.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Annie Rumler", written over a horizontal line.

Annie Rumler  
Deputy General Counsel  
S.C. Department of Corrections  
4444 Broad River Road  
Columbia, South Carolina 29221  
(803) 896-1355

December 4, 2019  
Columbia, South Carolina

**STATE OF SOUTH CAROLINA  
IN THE ADMINISTRATIVE LAW COURT**

Jerome McFadden, #136919,

Appellant,

v.

South Carolina Department of Corrections,

Respondent.

---

) Docket No.: 19-ALJ-04-0246-AP


) [Grievance No.: PCI 1135-19]

) *Hon. Deborah Brooks Durden*

) **RESPONDENT'S MOTION TO  
SUPPLEMENT THE RECORD**

Respondent, by and through the undersigned attorney, respectfully requests to supplement the record. Attached are two court orders regarding debts owed by Appellant and SCDC records showing payments made towards those debt by SCDC from Appellant's E.H. Cooper account. Respondent respectfully requests to supplement the record filed in this matter with the attached document.

Respectfully Submitted,



\_\_\_\_\_  
Annie Laurie Rumler  
Deputy General Counsel  
S.C. Department of Corrections  
4444 Broad River Road  
Columbia, South Carolina 29221  
(803) 896-1355

Columbia, South Carolina  
December 5, 2019

filing fee has been paid in full.

If an inmate has been ordered to make PLRA payments in more than one action or appeal in the federal courts, the total amount collected for all cases cannot exceed 20 percent of the inmate's preceding monthly income or trust account balance, as calculated under 28 U.S.C. § 1915(b)(1) & (2).

Fees for this petition shall be paid as follows:

**\*Total Fee: \$450**

**\* All payments shall include:**

Appeal No.: 13-1540

**\* All payments shall be mailed to:**

Clerk, U.S. Court of Appeals  
1100 East Main Street  
Richmond, VA 23219

In the event petitioner is transferred, the balance due shall be collected and paid to the Clerk by the custodian at petitioner's next institution. Petitioner's custodian shall notify the Clerk, U. S. Court of Appeals, in the event petitioner is released from custody.

This order is subject to rescission should the court determine that petitioner has had three prior cases dismissed as frivolous, malicious, or for failure to state a claim and that petitioner is not in imminent danger of serious physical injury.

A copy of this order shall be sent to petitioner's custodian and to all parties.

**For the Court--By Direction**

/s/ Patricia S. Connor, Clerk

FILED: August 25, 2015

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

No. 15-7106  
(0:12-cv-01627-BHH)

---

JEROME MCFADDEN

Plaintiff - Appellant

v.

S. B. LEWIS, Associate Warden; FRANK MURSIER, Major McCI; LEROY  
CARTLEDGE, Warden at McCI McCormick Correctional Institution

Defendants - Appellees

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ORDER

---

JEROME MCFADDEN (136919), has applied to proceed without prepayment of fees and given written consent to the collection in installments of the filing fee from appellant's trust account in accordance with the terms of the Prison Litigation Reform Act, 28 U.S.C. § 1915(b)(PLRA). The court grants appellant leave to proceed without full prepayment of fees and directs that:

an initial partial fee of 20 percent of the greater of the average monthly deposits or average monthly balance for

the six-month period immediately preceding the filing of the notice of the appeal be paid from appellant's trust account when funds are available; and

monthly payments of 20 percent of the preceding month's income be collected from the appellant's trust account and forwarded to the Clerk, U.S. District Court, each time the amount in the account exceeds \$10 until the filing fee has been paid in full.

If an inmate has been ordered to make PLRA payments in more than one action or appeal in the federal courts, the total amount collected for all cases cannot exceed 20 percent of the inmate's preceding monthly income or trust account balance, as calculated under 28 U.S.C. § 1915(b)(1) & (2).

Fees for this appeal shall be paid as follows:

**\*Total Fee: \$505**

**\* All payments shall include:**

Appeal No.: 15-7106  
Civil Action No.: 0:12-cv-01627-BHH

**\* All payments shall be mailed to:**

Clerk, U.S. District Court  
Matthew J. Perry, Jr. United States Courthouse  
901 Richland Street  
Columbia, SC 29201

In the event appellant is transferred to another institution, the balance due shall be collected and paid to the clerk by the custodian at appellant's next institution. Appellant's custodian shall notify the Clerk, U. S. District Court, in the event appellant is released from custody.

This order is subject to rescission should the court determine that appellant has had three prior cases dismissed as frivolous, malicious, or for failure to state a claim and appellant is not under imminent danger of serious physical injury.

A copy of this order shall be sent to appellant's custodian, to the Clerk, U. S. District Court, and to all parties.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

INPI355D  
INPI355M  
SCDC ID : 136919

SCDC INMATE FINANCIAL SYSTEM  
INMATE PAYROLL APPLICATION  
DISPLAY INMATE RESTITUTION

12/04/19  
C058106

MCFADDEN, JEROME -

CHRR LOC: PERRY

OFFENDER TYPE: ADULT-STRAIGHT  
TYPE OF RESTITUTION ...: XA APPELLATE COURT  
FUND .....: 1000  
COST CENTER.....: N040421010  
FUNC AREA.....: M241  
ACCOUNT.(BUDGET CLASS): 032110  
DATE INCURRED .....: 08/25/15  
AMOUNT OF RESTITUTION.: 505.00

PAYMENTS/ DEBITS: 131.90  
CREDITS .....: 0.00  
BALANCE .....: 373.10  
DEDUCTION TYPE : F FULL PAY  
PARTIAL AMOUNT.: 0.00  
PAYMENT START IND: Y

TEXT .....: 15-7106 0:12-CV-01627-BHH

UPDATED BY: EHCDEPG2  
CREATED BY: SUBER

DATE: 08/22/19 HOLD PAYABLE/COOPER: 0.00

DATE: 09/08/15

TYPE	DATE	AMOUNT
COOPER PAYMENT	09/04/19	10.00
COOPER PAYMENT	08/07/19	10.92
COOPER PAYMENT	07/03/19	0.01
COOPER PAYMENT	06/05/19	0.01
COOPER PAYMENT	05/01/19	0.01

PAGE> 0001

RESTITUTION ADJUSTMENT HISTORY DISPLAYED...  
PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SDC INMATE FINANCIAL SYSTEM 12/04/19  
INPI355M INMATE PAYROLL APPLICATION C058106  
SCDC ID : 136919 DISPLAY INMATE RESTITUTION

MCFADDEN, JEROME - CURR LOC: PERRY

OFFENDER TYPE: ADULT-STRAIGHT  
TYPE OF RESTITUTION ...: KA APPELLATE COURT

FUND .....: 1000 PAYMENTS/DEBITS: 272.05

COST CENTER.....: N040421010 CREDITS .....: 0.00

FUNC AREA.....: M241 BALANCE .....: 177.95

ACCOUNT.(BUDGET CLASS):: 032110 DEDUCTION TYPE : F FULL PAY

DATE INCURRED .....: 05/09/13 PARTIAL AMOUNT : 0.00

AMOUNT OF RESTITUTION ..: 450.00 PAYMENT START IND: Y

TEXT .....: 13-1540 0:12-CV-01627-MGL

UPDATED BY: EHCDEPG2 DATE: 08/22/19 HOLD PAYABLE/COOPER: 9.85

CREATED BY: SMITH III DATE: 01/03/14

TYPE	DATE	AMOUNT
COOPER PAYMENT	12/04/19	0.01
COOPER PAYMENT	11/06/19	0.01
COOPER PAYMENT	10/02/19	0.02
COOPER PAYMENT	09/04/19	9.96
COOPER PAYMENT	08/07/19	9.15

PAGE> 0001

RESTITUTION ADJUSTMENT HISTORY DISPLAYED...

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SCDC INMATE FINANCIAL SYSTEM 12/04/19  
INPI355M INMATE PAYROLL APPLICATION C058106  
SCDC ID : 136919 DISPLAY INMATE RESTITUTION

MCFADDEN, JEROME - CURR LOC: PERRY

OFFENDER TYPE: ADULT-STRAIGHT

TYPE OF RESTITUTION ....: XA APPELLATE COURT

FUND .....: 1000

COST CENTER.....: N040421010

FUNC AREA.....: M241

ACCOUNT.(BUDGET CLASS)..: 032110

DATE INCURRED .....: 05/09/13

AMOUNT OF RESTITUTION ..: 450.00

TEXT .....: 13-1540 0:12-CV-01627-MGL

UPDATED BY: EHCDEPG2

DATE: 08/22/19 HOLD PAYABLE/COOPER: 9.85

CREATED BY: SMITH III

DATE: 01/03/14

TYPE	DATE	AMOUNT
COOPER PAYMENT	03/07/18	5.00
COOPER PAYMENT	12/06/17	2.50
COOPER PAYMENT	04/05/17	14.90
COOPER PAYMENT	03/01/17	44.22
COOPER PAYMENT	01/04/17	0.03

PAGE> 0002

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SCDC INMATE FINANCIAL SYSTEM 12/04/19  
 INPI355M INMATE PAYROLL APPLICATION C058106  
 SCDC ID : 136919 DISPLAY INMATE RESTITUTION  
 MCFADDEN, JEROME - CURR LOC: PERRY

OFFENDER TYPE: ADULT-STRAIGHT  
 TYPE OF RESTITUTION ...: XA APPELLATE COURI  
 FUND .....: 1000 PAYMENTS/DEBITS: 272.05  
 COST CENTER.....: N040421010 CREDITS .....: 0.00  
 FUNC AREA.....: M241 BALANCE .....: 177.95  
 ACCOUNT.(BUDGET CLASS):: 032110 DEDUCTION TYPE : F FULL PAY  
 DATE INCURRED .....: 05/09/13 PARTIAL AMOUNT : 0.00  
 AMOUNT OF RESTITUTION ..: 450.00 PAYMENT START IND: Y

TEXT .....: 13-1540 0:12-CV-01627-MGL  
 UPDATED BY: EHCDEPG2 DATE: 08/22/19 HFD PAYABLE/COOPER: 9.85  
 CREATED BY: SMITH III DATE: 01/03/14

TYPE	DATE	AMOUNT
COOPER PAYMENT	11/02/16	0.75
COOPER PAYMENT	09/07/16	23.58
COOPER PAYMENT	08/03/16	0.01
COOPER PAYMENT	07/06/16	0.06
COOPER PAYMENT	05/04/16	3.85

PAGE> 0003

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SCDC INMATE FINANCIAL SYSTEM 12/04/19  
INPI355M INMATE PAYROLL APPLICATION C058106  
SCDC ID : 136919 DISPLAY INMATE RESTITUTION

MCFADDEN, JEROME - CURR LOC: PERRY

OFFENDER TYPE: ADULT-STRAIGHT

TYPE OF RESTITUTION ... : XA APPELLATE COURT

FUND ..... : 1000 PAYMENTS/DEBITS: 272.05

COST CENTER..... : N040421010 CREDITS ..... : 0.00

FUNC AREA..... : M241 BALANCE ..... : 177.95

ACCOUNT.(BUDGET CLASS).. : 032110 DEDUCTION TYPE : F FULL PAY

DATE INCURRED ..... : 05/09/13 PARTIAL AMOUNT : 0.00

AMOUNT OF RESTITUTION .. : 450.00 PAYMENT START IND: Y

TEXT ..... : 13-1540 0:12-CV-01627-MGL

UPDATED BY: EHCDEPG2 DATE: 08/22/19 HOLD PAYABLE/COOPER: 9.85

CREATED BY: SMITH III DATE: 01/03/14

TYPE	DATE	AMOUNT
COOPER PAYMENT	04/06/16	7.75
COOPER PAYMENT	10/07/15	0.25
COOPER PAYMENT	08/05/15	29.74
COOPER PAYMENT	07/01/15	0.03
COOPER PAYMENT	06/03/15	5.23

PAGE> 0004

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SCDC INMATE FINANCIAL SYSTEM 12/04/19  
INPI355M INMATE PAYROLL APPLICATION C058106  
SCDC ID : 136919 DISPLAY INMATE RESTITUTION

MCFADDEN, JEROME - CURR LOC: PERRY

OFFENDER TYPE: ADULT-STRAIGHT  
TYPE OF RESTITUTION ...: XA APPELLATE COURT  
FUND .....: 1000 PAYMENTS/DEBITS: 272.05  
COST CENTER.....: N040421010 CREDITS .....: 0.00  
FUNC AREA.....: M241 BALANCE .....: 177.95  
ACCOUNT.(BUDGET CLASS)..: 032110 DEDUCTION TYPE : F FULL PAY  
DATE INCURRED .....: 05/09/13 PARTIAL AMOUNT : 0.00  
AMOUNT OF RESTITUTION ..: 450.00 PAYMENT START IND: Y  
TEXT .....: 13-1540 0:12-CV-01627-MGL  
UPDATED BY: EHCDEPG2 DATE: 08/22/19 HOLD PAYABLE/COOPER: 9.85  
CREATED BY: SMITH III DATE: 01/03/14

TYPE	DATE	AMOUNT
COOPER PAYMENT	05/06/15	74.69
COOPER PAYMENT	04/01/15	0.03
COOPER PAYMENT	03/04/15	15.28
COOPER PAYMENT	02/04/15	15.00
COOPER PAYMENT	04/02/14	10.00

PAGE> 0005.

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SCDC INMATE FINANCIAL SYSTEM 12/04/19  
INPI355M INMATE PAYROLL APPLICATION C058106  
SCDC ID : 136919 DISPLAY INMATE RESTITUTION

MCFADDEN, JEROME -

CURR LOC: PERRY

OFFENDER TYPE: ADULT-STRAIGHT  
TYPE OF RESTITUTION ...: XA APPELLATE COURT  
FUND .....: 1000  
COST CENTER.....: N040421010  
FUNC AREA.....: M241  
ACCOUNT.(BUDGET CLASS): 032110  
DATE INCURRED .....: 08/25/15  
AMOUNT OF RESTITUTION ..: 505.00

PAYMENTS/DEBITS: 131.90  
CREDITS .....: 0.00  
BALANCE .....: 373.10  
DEDUCTION TYPE : F FULL PAY  
PARTIAL AMOUNT : 0.00  
PAYMENT START IND: Y

TEXT .....: 15-7106 0:12-CV-01627-BRH

UPDATED BY: EHCDEPG2 . DATE: 08/22/19 HOLD PAYABLE/COOPER: 0.00  
CREATED BY: SUBER DATE: 09/08/15

TYPE	DATE	AMOUNT
COOPER PAYMENT	04/03/19	0.01
COOPER PAYMENT	03/06/19	0.01
COOPER PAYMENT	02/06/19	0.01
COOPER PAYMENT	01/02/19	0.01
COOPER PAYMENT	12/05/18	0.01

PAGE> 0002

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SCDC INMATE FINANCIAL SYSTEM 12/04/19  
INPI355M INMATE PAYROLL APPLICATION C058106  
SCDC ID : 136919 DISPLAY INMATE RESTITUTION

**MCFADDEN, JEROME -**

CURRENT: **PERRY**

OFFENDER TYPE: **ADULT-STRAIGHT**

TYPE OF RESTITUTION ...: **XA APPELLATE COURT**

FUND .....: **1000**

PAYMENTS/DEBITS: **131.90**

COST CENTER.....: **N040421010**

CREDITS .....: **0.00**

FUNC AREA.....: **M241**

BALANCE .....: **373.10**

ACCOUNT. (BUDGET CLASS): **032110**

DEDUCTION TYPE : **F FULL PAY**

DATE INCURRED .....: **08/25/15**

PARTIAL AMOUNT : **0.00**

AMOUNT OF RESTITUTION : **505.00**

PAYMENT START IND: **Y**

TEXT .....: **15-7106 0:12-CV-01627-BHH**

UPDATED BY: **EHCDEPG2**

DATE: **08/22/19** HOLD PAYABLE/COOPER: **0.00**

CREATED BY: **SUBER**

DATE: **09/08/15**

TYPE	DATE	AMOUNT
COOPER PAYMENT	11/07/18	8.00
COOPER PAYMENT	03/07/18	5.00
COOPER PAYMENT	12/06/17	2.50
COOPER PAYMENT	04/05/17	14.90
COOPER PAYMENT	03/01/17	35.00

PAGE> 0003

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SCDC INMATE FINANCIAL SYSTEM 12/04/19  
INPI355M INMATE PAYROLL APPLICATION C058106  
SCDC ID : 136919 DISPLAY INMATE RESTITUTION

MCFADDEN, JEROME -

CURR LOC: FERRY

OFFENDER TYPE: ADULT-STRAIGHT

TYPE OF RESTITUTION ...: KA APPELLATE COURT

FUND .....: 1000

PAYMENTS/DEBITS: 131.90

COST CENTER.....: N040421010

CREDITS .....: 0.00

FUNC AREA.....: M241

BALANCE .....: 373.10

ACCOUNT.(BUDGET CLASS): 032110

DEDUCTION TYPE : F FULL PAY

DATE INCURRED .....: 08/25/15

PARTIAL AMOUNT : 0.00

AMOUNT OF RESTITUTION ..: 505.00

PAYMENT START IND: Y

TEXT .....: 15-7106 0:12-CV-01627-BHH

UPDATED BY: EHCDEPG2

DATE: 08/22/19 HOLD PAYABLE/COOPER: 0.00

CREATED BY: SUBER

DATE: 09/08/15

TYPE	DATE	AMOUNT
COOPER PAYMENT	11/02/16	9.46
COOPER PAYMENT	10/05/16	0.54
COOPER PAYMENT	09/07/16	14.00
COOPER PAYMENT	05/04/16	5.00
COOPER PAYMENT	04/06/16	14.50

PAGE> 0004

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SCDC INMATE FINANCIAL SYSTEM 12/04/19  
INPI355M INMATE PAYROLL APPLICATION C058106  
SCDC ID : 136919 DISPLAY INMATE RESTITUTION

**MCFADDEN, JEROME -**

CURR LOC: **PERRY**

OFFENDER TYPE: **ADULT-STRAIGHT**

TYPE OF RESTITUTION ...: **XA** APPELLATE COURT

FUND .....: **1000**

PAYMENTS/DEBITS: **131.90**

COST CENTER.....: **N040421010**

CREDITS .....: **0.00**

FUNC AREA.....: **M241**

BALANCE .....: **373.10**

ACCOUNT.(BUDGET CLASS): **032110**

DEDUCTION TYPE : **F FULL PAY**

DATE INCURRED .....: **08/25/15**

PARTIAL AMOUNT : **0.00**

AMOUNT OF RESTITUTION .: **505.00**

PAYMENT START IND: **Y**

TEXT .....: **15-7106 0:12-CV-01627-BHH**

UPDATED BY: **EHCDEPG2**

DATE: **08/22/19** HOLD PAYABLE/COOPER: **0.00**

CREATED BY: **SUBER**

DATE: **09/08/15**

----- TYPE -----

DATE ----- AMOUNT -----

**COOPER PAYMENT**

**10/07/15 2.00**

PAGE> 0005

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ

INPI355D SCDC INMATE FINANCIAL SYSTEM 12/04/19  
INPI355M INMATE PAYROLL APPLICATION C058106  
SCDC ID : 136919 DISPLAY INMATE RESTITUTION

**MCFADDEN, JEROME -**

CURR LOC: PERRY

OFFENDER TYPE: ADULT-STRAIGHT

TYPE OF RESTITUTION ...: XA APPELLATE COURT

FUND .....: 1000

PAYMENTS/DEBITS: 131.90

COST CENTER.....: N040421010

CREDITS .....: 0.00

FUNC AREA.....: M241

BALANCE .....: 373.10

ACCOUNT.(BUDGET CLASS): 032110

DEDUCTION TYPE : F FULL PAY

DATE INCURRED .....: 08/25/15

PARTIAL AMOUNT : 0.00

AMOUNT OF RESTITUTION .: 505.00

PAYMENT START IND: Y

TEXT .....: 15-7106 0:12-CV-01627-BHH

UPDATED BY: EHCDEPG2

DATE: 08/22/19 HOLD PAYABLE/COOPER: 0.00

CREATED BY: SUBER

DATE: 09/08/15

----- TYPE -----

DATE ----- AMOUNT -----

COOPER PAYMENT

10/07/15 2.00

PAGE> 0005

PFKEYS: 3:ADDADJ 4:MODADJ ENTER:DISADJ





**SOUTH CAROLINA**  
DEPARTMENT OF CORRECTIONS  
*Safety, Service, and Stewardship*

HENRY McMASTER, Governor  
BRYAN P. STIRLING, Director

December 5, 2019

The Honorable Deborah Brooks Durden  
South Carolina Administrative Law Court  
Edgar A. Brown Building, Suite 224  
1205 Pendleton Street  
Columbia, South Carolina 29201

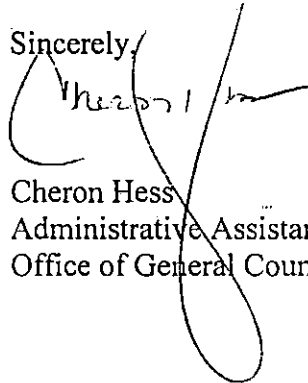
Reference: Inmate Jerome McFadden, #136919, vs. SCDC  
Docket No. 19-ALJ-04-0246-AP

Dear Judge Durden:

Find enclosed an original and one copy of the *Respondent's Motion to File Out of Time, Respondent's Brief, and Motion To Supplement the Record* on the above referenced case. Please file the original in your office and return a clocked-in copy to me in the enclosed self-addressed envelope.

If you have any questions or concerns, please do not hesitate to contact me at (803) 896-3922.

Sincerely,

  
Cheron Hess  
Administrative Assistant  
Office of General Counsel

Enclosures

cc: Inmate Jerome McFadden, #136919  
File

STATE OF South CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**  
JUL 27 2020  
SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
REBORAH BROOKS BURDEN ADMINISTRATIVE LAW JUDGE

APPELLATE CASE NO. 2020-000582

TRIAL COURT CASE NO. 2019 ALS 040246 AP

JEROME MCFADDEN, #136919, APPELLANT

V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, RESPONDENT.

CERTIFICATE OF RECORD DESIGNATED  
FOR APPEAL

THE APPELLANT JEROME MCFADDEN HEREBY  
CERTIFY THAT THE RECORD HEREIN DESIGNATED FOR APPEAL  
CONTAINS NO MATTER WHICH IS IRRELEVANT TO THE  
APPEAL OF THIS CASE.

Jerome McFadden

This 22<sup>nd</sup> day of July 2020

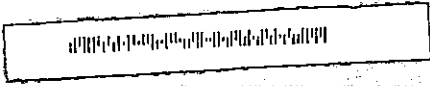
JEROME McFadden 136919  
Perry Correctional Institution  
430 OAKLAWN ROAD  
Perry, SC 29669



RECEIVED  
JUL 27 2020  
SC Court of Appeals

RECEIVED  
JUL 23 2020  
P.C.I. MAILROOM

South Carolina Court of Appeals  
JENNY ABBOTT Kitchings Clerk  
Post Office Box 11629  
Columbia, SC 29211



LEGAL MAIL