

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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AUG 27 2020

Appeal from the Administrative Law Court
The Honorable H.W. Funderburk, Jr., Administrative Law Judge
Docket No. 19-ALT-15-0023-AP

SC Court of Appeals

Case No. 2019-002123

Jaquese Neely, #308317, APPELLANT,

v

South Carolina Department of Probation
Parole and Pardon Services, RESPONDENT.

SUPPLEMENTAL MOTION
FOR RECONSIDERATION AND
FOR EXTENSION OF TIME

Appellant, Jacquese Neely, submits the following as supplement to the Motion For Reconsideration And For Extension Of Time which Appellant submitted unto this Court, dated August 20, 2020.

Appellant, as an effort to fully explain to this Court the many barriers which has prevented him from complying with this Court's previous letter of correspondence dated July 6, 2020. Appellant submits as an attachment in conjunction with this supplemental filing, a Memorandum of the SCDC, Tiger River Correctional Institution's Warden, Jake Gadsden, Jr., which is dated June 19, 2020. (see Attached memorandum).

Appellant informs this Court that this Memorandum still stands as of today and remains to be in effect and does affect Appellant. The entire institution remains on the status which this Memorandum establishes, although it has

not been updated. The dorms at this institution remains on the "14 days quarantine clock" and the 14-day period restarts as other inmates are found to test positive for Covid-19. See Memorandum, "The quarantine will last approximately 14 days from the last inmate positive test."

Appellant emphasizes, it is a very unfortunate and disastrous situation at Tyger River as the National Guard Army has had to be relied upon to assist due to the many positive tests, shortage of staff due to the positive staff tests results, and extreme dangers presented at the Tyger River Correctional Institution which institution is the mostly impacted institution of prisoners in the state with the leading amount of Covid infections in the state of all correctional institutions.

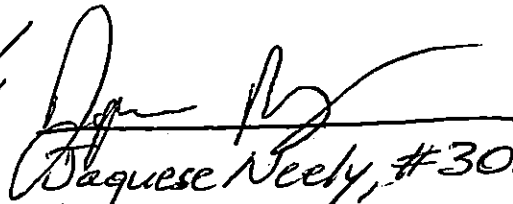
Appellant has also sought that medical would both contact the Courts, provide verification of Tyger River's status, provide verification of Appellant's status and condition, and would in the interest of equity, seek that time would be tolled for filings at Tyger River with the Courts. Appellant has been very ill.

CONCLUSION

WHEREFORE, APPELLANT prays this Court would reconsider its decision to dismiss Appellant's case for failure to timely file his Final Brief and would with understanding and equity allow Appellant opportunity to prepare and file his Final Brief or that this Court would proceed to rule on

the merits of this case in its equitable review.

Respectfully submitted,



Daquese Neely, #308317

APPELLANT

Tyger River Correctional Institution

200 Prison Road

Enoree, South Carolina 29335

This ~~21st~~^{24th} day of August, 2020.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

TYGER RIVER CORRECTIONAL INSTITUTION

MEMORANDUM

To: Effected Inmate

From: Jake Gadsden Jr. Warden

SUBJECT: QUARANTINE UNITS GOAL/EXPECTATION UNIT (5)

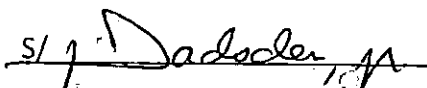
Date: June 19, 2020

Your Unit has been placed on Medical quarantine due to a positive COVID-19 test result by one of the inmates within the unit. The quarantine will last approximately 14 days from the last inmate positive test.

GOAL:

1. The primary goal is to stop the spread of the virus by isolating the unit from the rest of the population and restricting inmate movement and interacts within the unit.
2. No inmate will be allowed to leave the wing for any reason except for medical emergencies.
3. All inmates will be offered a temperature check twice per day.
4. Meals and Medication will be brought to the unit.
5. To eliminate the probability of any inmate coming in contact with every other inmate in the unit, inmates will be assigned to groups based on cell number.
6. Groups will consist of six (6) consecutive cells (ex.1-6,7-13 etc.)
7. Groups will be authorized to be out of their cells for showers and phone calls for two hours each day/ The remaining time it is expected that group member will be in their assigned cells or visiting in the cell of another member of the group. No more than four (4) inmate members in a cell at one time. **DO NOT BE ON THE ROCK!**
8. The **ONLY** inmate authorized to be on the rock are the Ward Keepers. The Ward Keeper & his cellmate must pass a COVID-19 test before the Ward keeper is allowed to work.

Remember the goal is to minimize your contact with anyone else to stop the spread. Every 14 days quarantine clock. The more compliance the quicker the quarantine will end


Jake Gadsden Jr. Warden

JG/sw

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Appeal from the Administrative Law Court

The Honorable H. W. Funderburk, Jr., Administrative Law Judge
Docket No. 19-ALJ-15-0023-AP

Case No. 2019-002123

Jaquese Neely, #308317, APPELLANT,

South Carolina Department of Probation
Parole and Pardon Services, RESPONDENT.

CERTIFICATE OF SERVICE

I, Jaquese Neely, hereby certify that I have served the Supplemental Motion For Reconsideration And For Extension Of Time, and Memorandum of the SCDC, Tyger River Correctional Institution's Warden, Jake Gadsden, Jr., on Respondent by placing a copy of the same inside of a postage prepaid envelope and placing said envelope in the hands of Tyger River Correctional Institutional mail room personnel on this 24th day of August, 2020, for mailing via the United States Mail, addressed as follows: Matthew C. Buchanan, General Counsel, SC Dept. of Probation, Parole and Pardon Services, P.O. Box 207, Columbia, South Carolina 29202.

sworn and subscribed before me
this 24 day of August, 2020

Dennis E. Barron
Notary Public for South Carolina
My Commission Expires: 1/3/30

Jaquese Neely, #308317
APPELLANT

Tyger River Correctional Institution
200 Prison Road
Enoree, South Carolina 29335



August 24, 2020

Jaquese Neely, #308317
Tyger River Correctional Institution
200 Prison Road
Enoree, South Carolina 29335

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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SC Court of Appeals

RE: Jaquese Neely, #308317 v SC Dept. Probation, Parole
and Pardon Services Appellate Case No 2019-002123

Dear Honorable Clerk:

Enclosed for filing, please find the Supplemental Motion
For Reconsideration And For Extension Of Time, and
Memorandum of the SCDC, Tyger River Correctional
Institution's Warden, Dale Gadsden, Jr., along with
a Certificate of Service for the same.

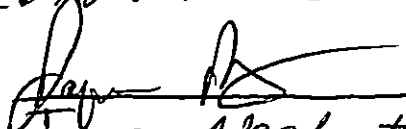
ATTENTION!

I have been unable to provide copies of to serve
the respondent with copies as I am experiencing
dire difficulties as a result of the drastic COVID-19
infection rate at this institution. (Please see my prior
filing).

Please serve the respondent and also provide one file-
stamped copy of this filing.

Thank you for your assistance in this matter.

Sincerely,

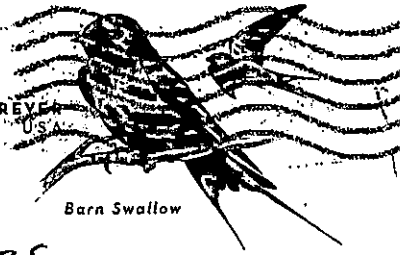

Jaquese Neely, #308317

Jaquese Neely, #308317
Tyger River Correctional Institution
200 Prison Road
Enoree, South Carolina 29335

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FOREVER
USA



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AUG 24 2020

TRC MAILROOM

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

LEGAL MAIL
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Christmas
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SC Court of Appeals

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