

Ryan T. Braxton #380443
Case No. 20-ALJ-04-0208-AP

Brief;
Administrative Law Court

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OCT 05 2020

SC Court of Appeals

Statement of Issues:

Inmate Grievance MRWRC 11-20 OF:
853 - Unauthorized use of a inmates telephone
pin #; 902 Class II escape (aiding and abetting).
Specifically that my allowing the defendant,
Eric Dickerson, to use my pin # does not
directly or indirectly indicate that I was involved
in any way in the escape that took place from
Manning Re-entry in Manning, SC. And that
not only does the evidence presented by my
accusers not indicate guilt on my part, but
both directly and circumstantially indicates
my innocence. I was never mentioned in any
phone call made, and only allowed one phone call
voluntarily. Which means Eric Dickerson used
my pin # without my permission as well as
with it. Also I have technicalities on all
my paperwork. My living area. My living area
at the time of the offense occurred was Ward 9,
bunk 2b at Manning Institution. However, the
living area listed on all my disciplinary
paperwork is Ward 6, Bunk 11-T at Manning
Institution. And I cannot be responsible for
a call made from Perm 04 - phone # 2 is listed

in evidence provided by my accuser if I was in fact living in Ward 6-11T, as Ward 9 is on the Hill at Manning, and Ward 6 is in the tunnel at Manning, and these are completely separate areas of the institution and are physically inaccessible from one another. In short, I allowed Eric Dickerson to use my pin # one time only, but 2 calls were made. So he stole my pin #. I had no knowledge of any escape before, during, or after the fact as is indicative of aiding and abetting. I did not work at Public Works, had no ties to or connection with Dickerson, nor could I have benefitted in any way from his escape or helping him escape. There is no evidence aside from my pin # being used that I was involved, and ample evidence both physical and circumstantial that I had no reason to help him escape. And finally, if the evidence presented is to be believed, I could not have physically done any of the things I've been accused of. Allowing unauthorized use of my pin #, or aiding and abetting on escape from Public Works.

Statement of Case:

- + Incident report written 12-27-19, served as evidence on 1-13-20 by C. Russell.
- + Grievance Form written by myself on 1-20-20.
- + Disciplinary Report/Hearing Record served 1-17-20.
- + Form returned with Warden's Decision 2-21-20, Decision Not accepted 2-21-20.
- + Grievance Step 2 written by myself 2-21-20.
- + Responsible Officials decision received 4-1-20.
Notice of Appeal written and sent by myself 4-3-20.
- + Docket No. 20CO208 assigned 4-30-20.
- + Initial brief Not filed on my behalf within time limit due to institutional Quarantine Evans (CI).
- + Respondents Motion to Dismiss filed Aug. 18, 2020.
- + Notification of Quarantine sent by myself soon after, exact date not recorded.
- + Notice of Continuance received Sept. 10, 2020.
- * Respondents record received June 23, 2020.

Argument

+ Issue of Responsibility-

I was charged with 853 (unauthorized use of a pin #) and 902 (class 2 escape), aiding and abetting. The incident report reads that investigator Jeffcoat listened to a call placed by Ryan Braxton - 380443 to phone number 861-409-6712, planning an escape from Public Works as well as selling ice.

However she also charged me with ~~both~~ 853 unauthorized use of a pin #. Charging me with both offenses, yet stating that the call was made by me rather than simply from my phone account makes the incident report contradictory to actual events. By my own admission, I allowed the actual-escapee to make one, not two phone calls from my pin, meaning one of the calls listed in the U-track report was made without my permission. Therefore, I accept responsibility for a ~~of~~ single phone call.

But my responsibility for a phone call being made does not also give me responsibility for the content of that call.

Circumstantial evidence - The incident report in question reads as such; That

Investigator Jeffcoat listened to a call made by Ryan Braxton to 864-409-6712 where a plan was made to escape from Public Works, as well as selling ice.

Investigator Jeffcoat's statement that she listened to a call made by myself, yet charging me with 853 unauthorized use of a pin # is contradictory. As is the fact that I am not mentioned in the phone call, directly or indirectly. Of course the fact that I did not work at public works, but State House Detail instead is never mentioned in the report or anywhere else; I had and have no connection with Public Works and stood to benefit in no way from another inmates escape.

Major Technicality - As is listed on all pertinent paperwork, my living area is Ward 6 - bunk 11-T. This is incorrect. My actual living area was Ward 9-2-b at the time of the offense. Also, according to the incident report and V-track investigation, the phone calls in question came from Unit 9A - phone #3, so by the evidence presented by my accuser, I cant physically have been responsible for the call being made.

Conclusion

In summary, both my accusers statements and the evidence presented are contradictory to the facts and there is ample circumstantial evidence to show my lack of involvement in the given offense. Therefore, I request my conviction be overturned and all lost good time returned.

Certificate of Service

I, Ryan Braxton, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof in the United States mail, postage paid, or by electronic mail, to the address provided by the party(ies) and/or their attorney(s)

Ryan Braxton
[Signature]

ALC
Edgar A. Brown Building
1205 Pendleton St, Suite 224
Columbia, SC 29201

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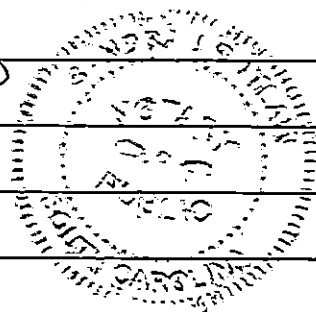
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SCDC Office of General Counsel
P.O. Box 21787
4444 Broad River Road
Columbia SC 29221-1787

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P.O. Box 11629
Columbia SC 29211

delivered to and subscribed before me
on the 1st day of October 2020
[Signature]
Notary Public of South Carolina
211724



Ryan Braxton 3804413
Evans CI
610 HWY 9 West
Bennettsville SC 29512

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Jenny Abbott Kitchings
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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