

STATE OF SOUTH CAROLINA
In the Court of Appeals

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NOV 05 2020

Appeal from Final Agency Decision

SC Court of Appeals

App. Case No. 2020-000995
Grievance-LEECI-0168-20

ROBERT WILLIAM WAZNEY, Appellant,

v.

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

MOTION TO REINSTATE

Appellant has filed a notice of appeal, arising out of Lee Correctional Institution's grievance case number 0168-20, from a memorandum of the Administrative Law Court (ALC) Clerk's Office explaining that Appellants appeal will not be processed unless it is accompanied by the appropriate filing fee. Appellant is indigent and cannot afford to pay ALC costs and fees. Because the memorandum is not a final order, appellate case number 2020-000995 was dismissed (see Order 7/31/20).

After a long Covid-19 lockdown, Appellant unable to provide Court with proper papers due to circumstances out of Appellants control, extensions were applied to permit Appellant to reinstate claim. Appellants rights are to be determined by his appeal and requests for this court to reinstate Appellants appeal. The final agency decision(s) are attached herewith and Appellants Motion To Proceed Without Payment Of Costs And Fees and its supporting affidavit, additionally, is attached herewith.

With good cause shown, and notice to all parties, Appellant requests leave of the court to reinstate this appeal, in the interest of justice.

November 2
2020.

/s/

ROBERT WILLIAM WAZNEY
990 Wisack Highway
Bishopville, SC 29010

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FOR

STEP 1

INMATE COPY

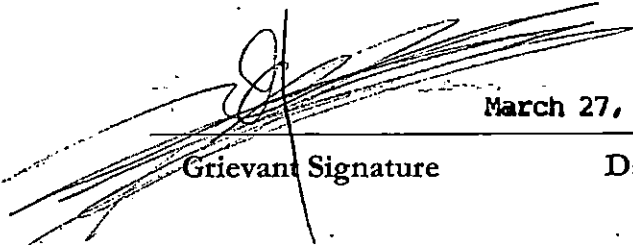
INMATE NAME: ROBERT WILLIAM WAZNEY
 SCDC NUMBER: 363679
 INSTITUTION: Lee C. I.
 HOUSING UNIT: F32214
 WORK ASSIGNMENT: Dormworker

OFFICE USE ONLY
 Grievance No. LECCI-0108-7
 Code: General U-15
 Policy _____
 Disc. Hear. _____
 Class. _____
 PREA _____
 Date Received 4-1-20
 IGC Initials DW

MAR 30 2020
 YTW

STATEMENT OF GRIEVANCE (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.)

Student Inmates regularly receive priority access over Inmates with pending court deadlines, to the education department, and I asked Warden Nelson as to why. Warden Nelson failed to answer my request. KISOK 20-01553672.

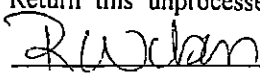

 Grievant Signature
 March 27, 2020
 Date

ACTION REQUESTED:

I request Warden to answer my question.

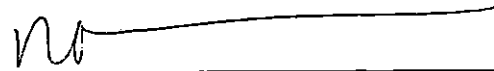
ACTION TAKEN BY IGC: PROCESSED UNPROCESSED OTHER

You have failed to indicate how the incident you related affects you personally. Although you may submit grievances on any subject, I will not respond to issues that do not affect you personally. Therefore this grievance is being returned to you unprocessed. You may refile showing how this incident affected you. Return this unprocessed grievances for date verification with any refile within 5 days.


 IGC Signature
 4-7-20
 Date

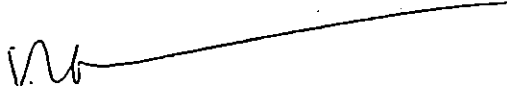
Rec'd 5-9-20

WARDEN'S DECISION AND REASON:

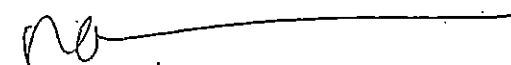


Warden Signature Date

- I accept the Warden's decision and consider the matter closed.
- I do not accept the Warden's decision and wish to appeal.



Grievant Signature Date



IGC Signature Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2

Office Use Only

INMATE NAME: <u>ROBERT WILLIAM WAZNEY</u>	Grievance No. _____ Code: General _____ Policy _____ Disc. Hear. _____ Class _____ PREA _____ Date Received: _____ IGC Initials: _____ Date Received: _____ IGA Initials: _____
SCDC NUMBER: <u>363679</u>	
INSTITUTION: <u>Lee C.I.</u>	
HOUSING UNIT: <u>f32214</u>	
WORK ASSIGNMENT: <u>Dormworker</u>	

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):--
 Warden failed to answer and resolve my Step 1 grievance, LEECI-0168-20, where I stated 'Student Inmates regularly receive priority access over Inmates with pending court deadlines, to the education department, and I asked Warden Nelson as to why. Warden Nelson failed to answer my request. Kiosk 20-01553672.'. Warden is expected to exercise good judgment, to exhibit a helpful attitude when discussing Inmates problems and to try to solve problems or answer questions within the scope of his position and duties. Warden is negligent and has failed to perform his duties by not providing answer to my question. I received copy of Step 1 grievance reply on May 4, 2020.

Grievant Signature _____ Date MAY 07, 2020

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

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
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ROBERT WILLIAM WAZNEY, Appellant,

v.

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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of the forgoing ~~MOTION TO PROCEED WITHOUT PAYMENT OF COSTS AND FEES and AFFIDAVIT AND FINANCIAL STATEMENT IN SUPPORT OF MOTION TO PROCEED WITHOUT PAYMENT OF COSTS AND FEES and MOTION TO REINSTATE~~ were served upon all parties to this action by placing copy of the same in the U.S. Mail, postage paid, and addressed to the following addresses on this day:

Clerk, S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

Salley W. Elliott
PO Box 21787
Columbia, SC 29221-1787

November 2, 2020.

/s/

ROBERT WILLIAM WAZNEY
990 Nisack Highway
Bishopville, SC 29010
Appellant, pro se (forced)

ROBERT WILLIAM WAZNEY
F32214 363679
Lee Correctional Institution
990 Wisacky Highway
Bishopville, SC 29010

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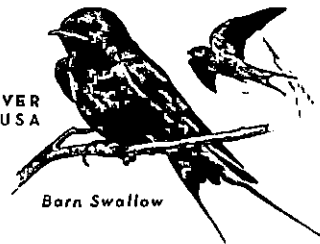
SC Court of Appeals

Clerk, S.C. Court of Appeals

PO BOX 11629

COLUMBIA SC 29211

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USA



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