

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT
S.C. Department of Probation, Parole and Pardon Services

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DEC 22 2020

S. Phillip Lenski, Administrative Law Judge

SC Court of Appeals

Appellate Case No. 2019-002102

Docket No. 19-ALJ-15-0029-AP

Bernard Bagley, #175851,

Appellant,

v.

South Carolina Department of Probation,
Parole and Pardon Services,

Respondent.

SUBMISSION OF SUPPLEMENTAL MATERIALS ON RESPONDENT

The Appellant comes now before this Court pursuant to Rule 212(b)(c), SCACR, to request for consent to supplement the Record on Appeal, before argument commences because of occurrences or events which have happened since the date of the pleadings sought to be supplemented in accordance to Rule 15(c), SCRCP, in an effort to support the Court for an Order Granting Bail pending decision on appeal.

In addition, the Appellant was informed by SCDC Respondent's agents medical officials that there will be no surgery intervention for his medical condition, because he have a parole date. Appellant is in pain and suffering because of his medical condition and the Respondent is only treating him with meloxicam, el-la-vil, ibuprofen, advil, and tylenol which is causing gastrointestinal problems, dizziness, drowsiness, impaired daily activities, etc., in which he not not able to function properly due to the side effects and pain and suffering from his medical condition. SCDC officials do not want to pay for the medical cost for any surgery intervention which is a deliberate indifference towards him. Appellant is in pain and suffering and it appears on top of the pain and suffering he have to be concern about covid-19 due to medically vulnerable condition. Appellant know of white counterparts that have been authorized with similar or such surgeries, but since he is a 63 year old black man with similar conditions SCDC medical officials agents has decided that his pain and suffering is insignificant.

WHEREFORE, Appellant prays to be release on bail until the covid-19 pandemic is alleviated completely within SCDC prison system, and because the Appellant can get the adequate medical care and treatment that can correct his condition in the VA Hospital.

Respectfully submitted,

s/

Bernard Bagley, #175851, RECEIVED.

December 17, 2020

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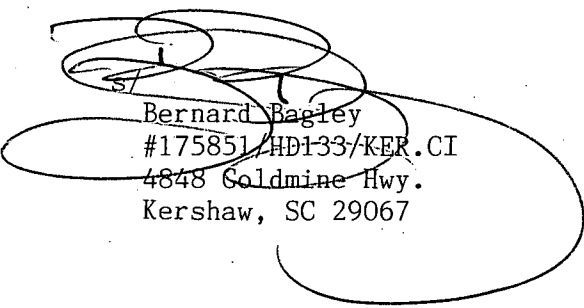
South Carolina Department of Probation,
Parole and Pardon Services,

Respondent.

CERTIFICATE OF SERVICE

I hereby certify that I, Bernard Bagley, on the 17th day of December, 2020, served a copy of his Submission of Supplemental Materials on Respondent, and Appendix on the Respondent by depositing the same in the U.S. Mail, postage prepaid, addressed as follows: SCDPPPS Office of General Counsel
Matthew C. Buchanan, Esq.
P.O. Box 207
Columbia, SC 29202

December 17, 2020


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S.C. Court of Appeals

Jenny A. Kitchings, Clerk

P.O. Box 11629

Columbia, S.C. 29211-1629

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SC Court of Appeals