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JAN 19 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEAL

APPEAL FROM TASPER COUNTY

RICHARD CORRECTIONAL INSTITUTION

BLAZO STANZIG, DIRECTOR

JEROME ADAMS ————— PLAINTIFF
✓

SOUTH CAROLINA DEPARTMENT OF
CORRECTIONS HEALTH CARE AUTHORITY ————— RESPONDENT

BRIEF

CC: FILED

S.C. APPEAL COURT

S.C. DEPT. OF CORRECTIONS

St. Anne Williams
JEROME ADAMS

P.O. BOX 2039

MOOREHEAD, S.C.

29936

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TABLE of AUTHORITIES

CASES

Hampton v. Haley 403 S.C. 398

STATUTES

South Carolina COE Act. § 24-7-110 (1976)

Other AUTHORITIES

19 S.C. JUR. CONSTITUTIONAL LAW § 30

ISSUE

Did the Department of Corrections violate separation of powers principle?

DISCUSSION

where the Agency was unable to protect the Appellant, the Agency

Should have sought Aid from the Governing County.

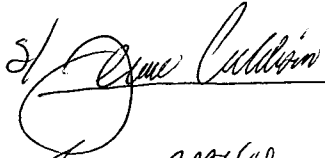
ARGUMENT

The exclusive power to make law and provide for the enforcement is vested in the General Assembly, subject only to those restrictions expressly set forth in the Constitution. ordinarily, this power to legislate cannot be delegated. the test for determining whether the General Assembly has delegated power to legislate whether an act is complete in and of itself when it is passed, a complete statute must declare a legislative policy or lay down intelligible principle to which an administrative body must conform. if a law is complete, the non delegability permits an administrative agency to fill up the details by prescribed rules and regulations for the complete operation and enforcement of the law. consistent with the statute.

Conclusion

wherefore the appellant pray this Hon. Court for a trio and/or permanent injunction to cease and desist encroachment

of legislative intent of S.C. § 17-1-60 (1976)



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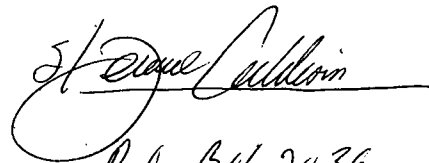
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CERTIFICATE of SERVICE

The undersigned hereby certify that initial Appeal Brief has been filed this 13th day of January 2021 by depositing the same inter Agency mail Address to:

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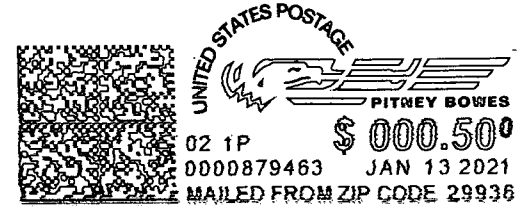
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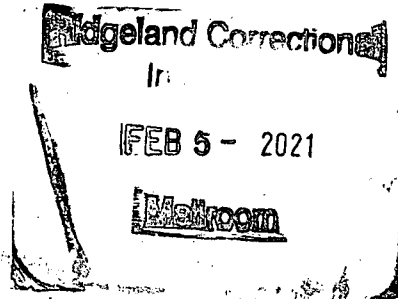
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