

The State of South Carolina  
In The Court of Appeals

Appeal From Administrative Law Court  
Honorable Deborah Brooks Durden

Case Nos. 12-ALJ-04-0025-AP,  
12-ALJ-04-0044-AP

Billy Lisenby, JR., #200273 ..... Appellant,

v.

South Carolina Department of Corrections ..... Respondent

Response TO Respondent's Motion TO Compel Appellant  
TO Supplement The Record

The above Appellant ask that the Respondent's "Motion TO Compel Appellant TO Supplement The Record" be denied for unforeseen reasons. On January 31<sup>st</sup> 2013 Per "South Carolina Department of Corrections Headquarters" several officers raided his room and confiscated all of his legal documents that were in his legal box. When Appellant received his right to inspect his legal box nearly every document dealing with S.C.D.C had been destroyed, especially evidence concerning the above cases.

Appellant notified the General Counsel of the confiscation of his legal box on 2-1-13. Deyne Haile responded on February 13<sup>th</sup> 2013. [See Enclosed letter].

Appellant ask that the Respondent's Motion be denied. Per S.C.D.C Policy S.C.D.C are required to keep the needed documents up to 5 years. It would be prejudice to the Appellant when the Respondent's are the ones who confiscated his documentation, and they had knowledge of this before this Motion was filed.

Dated: March 28<sup>th</sup> 2013

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APR 01 2013

SC Court of Appeals

Billy Lee Lisenby

Billy Lee Lisenby JR, #200273

200 Prison Rd.

Enoree S.C. 29335

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Certificate of Service

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I hereby certify that I have served Respondent's a copy of Appellant's Response To Respondent's Motion To Compel Appellant To Supplement The Record, by depositing a copy of same in the United States Mail, postage prepaid, on March 28<sup>th</sup>, 2013, addressed to the Respondent as follows:

Shanika K. Johnson  
Staff Attorney  
S.C. Dept. of Corrections  
P.O. Box 21787  
Columbia, S.C. 29221-1787

Billy Lee Lisenby, JR.  
Billy Lee Lisenby JR, #200273  
200 Prison Rd. Smu #48  
Enoree S.C. 29335

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
OFFICE OF GENERAL COUNSEL  
RESPONSE TO INMATE CORRESPONDENCE**

TO: Inmate Billy Lisenby  
SCDC #: 200273  
INSTITUTION: Tyger River CI  
FROM: Dayne Haile  
DATE: February 13, 2013  
RE: Your Four Correspondences Dated 2/1/13

I am in receipt of your four correspondences dated February 1, 2013 regarding grievances, legal materials and your legal box.

Upon receipt of these correspondences I contacted Warden Riley. Warden Riley informed me that he met with you last week to discuss the request to staffs you sent to him. These requests to staff contained some of the same complaints that you sent to our office.

Warden Riley discussed the confiscation of your legal box due to the improper storage of non-legal items. You were informed again of the process for retrieving legal materials from your legal boxes via request to staff. You were subsequently allowed to go through all of your legal materials and sort them into four boxes. You were allowed to prepare a table of contents for yourself so that you would be certain about what materials you needed from what box based on your multitude of deadlines. Your legal boxes are being stored in the property room in SMU and you have been advised to request access through Capt. Barry Tucker when you need specific items.

In regards to your grievances, please request grievance materials through the Institutional Grievance Coordinator in compliance SCDC GA01.12-Inmate Grievance System.

In the future, please address these concerns through the institution so they can be handled at the institutional level.

S/ Dayne Haile  
Dayne Haile

cc: Warden  
Inmate Records