IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
HONORABLE JUDGE ROBINSON ADMINISTRATIVE LAW JUDGE

2021-000354

CASE NO. 21C0033 GRIEVANCE NO. LCI. 595-20

THE S.C. DEPT. OF CORRECTIONS,

RESPONDENT

Vs.

LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE,

APPELLANT

RECORD ON APPEAL

THE APPELLANT SETS FORTH THE FOLLOWING ITEMS IN THE RECORD ON APPEAL:

(1) A COPY OF THE AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE, FILING ORIGINAL BRIEF, (11) PAGES DATED MARCH 5, 2021.

(2) A COPY OF THE FINAL ORDER ISSUED BY JUDGE ROBINSON FROM THE ADMINISTRATIVE LAW COURT UNDER CASE NO. 21C00033

GRIEVANCE NO. LCI. 595-20.

(3) THE DESIGNATION OF MATTER.

(4) ALL BRIEFS INTENDED TO BE FILED BY THE APPELLANT.

THE APPELLANT DO HEREBY CERTIFY THAT THE RECORD ON APPEAL CONTAINS NO MATTER IRRELEVANT TO THE APPEAL.

LAWRENCE L. CRAWFORD AKA
JONAH GABRIEL JAHJAH T. TISHBITE
#300839 F2B. RM. 1260
LEE C.I. 990 WISACKY HWY.
BISHOPVILLE, S.C. 29010

JUNE 14, 2021

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
HONORABLE JUDGE ROBINSON ADMINISTRATIVE LAW JUDGE

2021-000354

CASE NO. 21C0033 GRIEVANCE NO. LCI. 595-20

THE S.C. DEPT. OF CORRECTIONS,

RESPONDENT

Vs.

LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE,

APPELLANT

DESIGNATION OF MATTER

THE APPELLANT SETS FORTH THE FOLLOWING ITEMS IN THE DESIGNATION OF MATTER:

(1) A COPY OF THE AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE, FILING ORIGINAL BRIEF, (11) PAGES DATED MARCH 5, 2021.

(2) A COPY OF THE FINAL ORDER ISSUED BY JUDGE ROBINSON FROM THE ADMINISTRATIVE LAW COURT UNDER CASE NO. 21C00033 GRIEVANCE NO. LCI. 595-20.

THE APPELLANT DO HEREBY CERTIFY THAT THE DESIGNATION OF MATTER CONTAINS NO MATTER IRRELEVANT TO THE APPEAL.

LAWRENCE L. CRAWFORD AKA
JONAH GABRIEL JAHJAH T. TISHBITE
#300839 F2B. RM. 1260
LEE C.I. 990 WISACKY HWY.
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JUNE 14, 2021

THE STATE OF SOUTH CAROLINA
THE ADMINISTRATIVE LAW COURT

LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE APPELLANT	CASE NO. 21C0033 GRIEVANCE NO. LCI - 595-20
Vs.	AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE, FILING ORIGINAL BRIEF
THE S.C. DEPT. OF CORRECTIONS RESPONDENT	

TO: THE S.C. ADMINISTRATIVE LAW COURT,
THE S.C. DEPT. OF CORRECTIONS ET. AL.,

THE APPELLANT GIVES ALL PARTIES JUDICIAL NOTICE. EVEN THOUGH THERE ARE TWO ISSUES OF CONCERN FOR WHICH THE APPELLANT SEEKS REMEDY AND RELIEF FROM. THE LITIGATION PRESENTED IS DONE TO ADDRESS BOTH ISSUES SIMULTANEOUSLY. THERE IS NO NEED TO BE REDUNDANT WHERE ONE BEARS A NEXUS TO THE OTHER.

AS IT RELATES TO THESE MATTERS, REQUIRING THE APPELLANT TO

USE THE KIOSK MAY APPEAR ON ITS FACE THAT SUCH A MATTER MAY NOT COME UNDER THE ADMINISTRATIVE LAW COURT'S JURISDICTION. BUT IF THE S.C. DEPT. OF CORRECTIONS IS USING THE ISSUE OF FORCING THE APPELLANT TO VIOLATE HIS RELIGIOUS BELIEFS AS A MEANS TO DENY THE APPELLANT FAIR AND JUST REVIEW AND OR OPPORTUNITY TO PROTECT HIS PROPERTY RIGHTS, AS WELL AS POTENTIALLY ANY PRESENT OR FUTURE STATE CREATED LIBERTY INTEREST RIGHTS? THE ISSUE OF FORCING THE APPELLANT TO VIOLATE HIS RELIGIOUS BELIEFS AS A MEANS OF PROTECTING HIS PROPERTY RIGHTS OR STATE CREATED LIBERTY INTEREST RIGHTS? THIS ISSUE WOULD THEN ALSO FALL UNDER THE ADMINISTRATIVE LAW COURT'S JURISDICTION WHERE THE S.C. DEPT. OF CORRECTIONS CREATED AN INABILITY FOR THE APPELLANT TO ADDRESS ANY OF THE CONCERNS THAT WOULD CLEARLY FALL UNDER THIS COURT'S JURISDICTION.

ISSUES PRESENTED FOR REVIEW

(1) DID THE S.C. DEPT. OF CORRECTIONS ERR, AND WAS THE APPELLANT'S 1st., 5th., 6th., 14th. AMENDMENT RIGHTS OF THE U.S. CONSTITUTION VIOLATED, AS WELL AS ARTICLE IV § 2 OF THE U.S. CONST., AS WELL AS THE APPELLANT'S DUE PROCESS RIGHTS, AS WELL AS 42 U.S.C. § 12203(a)(b) OF ADA, BY THE S.C. DEPT. OF CORRECTIONS NOT PERMITTING AN ALTERNATIVE, EASILY MADE AVAILABLE, MEANS TO INITIATE THE EXHAUSTION PROCESS VIA THEIR POLICIES, WHICH LED TO VIOLATIONS OF THE FREE EXERCISE CLAUSE WHICH TOOK AWAY REMEDY PRODUCING AN INABILITY FOR THE APPELLANT TO ADDRESS THE LOSS OF HIS PROPERTY AND ANY PRESENT OR POTENTIALLY FUTURE PROPERTY AND OR STATE CREATED LIBERTY INTEREST RIGHTS, MAKING SUCH POLICIES UNCONSTITUTIONAL AND VOID WHEN IT COMES TO THE APPELLANT?

(2) DUE TO THE AFOREMENTIONED MANIFEST INJUSTICE, SHOULD REMEDY BE GIVEN AS WELL AS SANCTIONS IMPOSED AND THE APPELLANT BE

PERMITTED TO USE STAFF REQUEST FORMS TO ENTER THE GRIEVANCE PROCESS AND THE S.C. DEPT. OF CORRECTIONS BE REQUIRED TO REPLACE THE APPELLANT'S RADIO, ICE COOLER AND KOSS HEADPHONES THAT WERE LOST IN TRANSPORT AND OR WHEN PLACED ON LOCKUP THAT THEY CREATED AN INABILITY FOR HIM TO ADDRESS, WHICH ITEMS THEY ALREADY HAVE SITTING WITHIN THEIR VARIOUS PROPERTY CONTROL OFFICES WITHIN THEIR INSTITUTIONS?

INSOMUCH, STATES MAY UNDER CERTAIN CIRCUMSTANCES, BY ADOPTING PRISON REGULATIONS AND OR POLICIES, CREATE LIBERTY INTEREST, WHICH ARE PROTECTED BY THE 5th. AND 14th. AMENDMENTS RELATED TO DUE PROCESS LAW. IF THOSE POLICIES PERTAINING TO REGULATIONS PREVENT INMATES FROM SEEKING REDRESS OR REMEDY, FORCING THEM TO ILLEGALLY FORFEIT OTHER SUBSTANTIAL CONSTITUTIONAL RIGHTS AND PROTECTIONS, SUCH AS THEIR ACTION PREVENTING THE PROTECTION OF PROPERTY DESTROYED OR LOST BY THE S.C.D.C. EMPLOYEES, OR PREVENT THE INMATE FROM PROTECTING OTHER CLEAR LIBERTY INTEREST CLAIMS, IMPOSING AN ATYPICAL AND SIGNIFICANT HARDSHIP ON INMATE IN RELATION TO ORDINARY INCIDENTS OF PRISON LIFE? SUCH POLICIES BECOME UNCONSTITUTIONAL, A VIOLATION OF DUE PROCESS AND VOID, SANDERS v CONNER, 515 U.S. 472, 115 S.Ct. 2293, 132 L.E.2d. 418, 63 U.S.L.W. 4601 (U.S.1995); VERNON CHARLES PATTON, PLAINTIFF v. SHELBY COUNTY SHERIFF'S DEPT. ET. AL., DEFENDANTS, 2021 WL 640833 (W.D.Tenn.2021).

NO MAN SHALL BE DEPRIVED OF LIFE, LIBERTY OR PROPERTY WITHOUT DUE PROCESS OF LAW, WHICH SUBSTANTIAL CONSTITUTION RIGHTS ARE NOT SUBJECT TO FORFEITURE DUE TO INCARCERATION. PRISON WALL DO NOT ACT AS A BARRIER TO DENY CONSTITUTIONAL RIGHTS. ONCE THE S.C. DEPT. OF CORRECTION SEIZED OR TOOK INTO THEIR POSSESSION THE INMATE'S PROPERTY WITHOUT HIS CONSENT AND RESTRAINS HIS LIBERTY FOR THE PURPOSE OF TRANSPORTING THE INMATE OR PLACING HIM IN SOLITARY CONFINEMENT, CREATING AN INABILITY FOR THE INMATE TO SECURE HIS PROPERTY, AND THE S.C. DEPT. OF CORRECTIONS

THEREUPON, TAKE POSSESSION OF SAID PROPERTY RECEIVING IT INTO THEIR CUSTODIAL CARE FOR THE PURPOSE OF THE LIBERTY INTEREST AND OR INMATE PROPERTY RIGHT, AND THEN THEY LOST AND OR ALLOWED TO BE STOLEN, THE INMATE'S AND OR APPELLANT'S RADIO, ICE COOLER AND KOSS HEADPHONES. THE POLICY BECOMES UNCONSTITUTIONAL WHERE IN THIS CASE HE IS DENIED OPPORTUNITY OF REMEDY, ESTABLISHED IN ACTS OF MACHINATION TO DENY THE APPELLANT ACCESS TO DUE PROCESS TO CHALLENGE THE LOSS OF THAT PROPERTY, LOST IN THE CARE OF THE S.C. DEPT. OF CORRECTIONS EMPLOYEES, AND HAVE IT REPLACED, WHERE THEY FAILED TO ADEQUATELY PROTECT THAT PROPERTY IN THEIR CUSTODIAL CARE, WOLFF v. McDONNELL 418 U.S. 539, 556 (1974); JOSE ROBERTO ZAIZA, PLAINTIFFS, v. CLARK ET. AL., DEFENDANTS, 2021 WL 632607 (E.D.Cali.2021); WASHINGTON v. GLUCKSBERG, 521 U.S. 702, 117 S.Ct. 2258(U.S.1997); DISTRICT ATTORNEY'S OFFICE FOR THIRD JUDICIAL DIST. v. OSBORNE, 557 U.S. 52, 129 S.Ct. 2308, 174 L.Ed.2d. 38 (U.S.2009).

INMATES LACK A SEPARATE CONSTITUTIONAL ENTITLEMENT TO A SPECIFIC PRISON GRIEVANCE PROCEDURE AND THIS IS NOT WHAT THE APPELLANT IS ARGUING, RAMIREZ v. GALAZA, 334 F3d. 850, 860 (9th.Cir.2003), BUT NOT IF THE PROCEDURAL MECHANISM DOES POSE OR CONFERS SUBSTANTIAL CONSTITUTIONAL RIGHTS UPON AN INMATE, WHERE IT SUBSTANTIALLY BURDENS THE FREE EXERCISE CLAUSE OF THE 1st. AMENDMENT AND RELIGIOUS BELIEFS, AND PRODUCES ACTS OF RETALIATION IN VIOLATION OF ADA, WHICH THEN WOULD GIVE RISE TO A PROTECTED LIBERTY INTEREST. THE GOVERNMENT MAY NOT COMPEL RELIGIOUS BELIEFS, SUBSTANTIALLY BURDEN ITS PRACTICE, OR PUNISH THE EXPRESSION OF RELIGIOUS DOCTRINE WHICH BY THEIR ACTIONS THEY ARE DOING, OR IMPOSE SPECIAL DISABILITIES BASED ON RELIGIOUS VIEWS WHERE THE APPELLANT IS DISABLED IN THE ABILITY TO PROTECT HIS PROPERTY RIGHTS, OR STATE CREATED LIBERTY INTEREST RIGHTS, OR LEND ITS POWER TO A PARTICULAR SIDE IN CONTROVERSIES OVER RELIGIOUS AUTHORITY, JOSEPH MICHAEL DEVON ENGEL, PLAINTIFF v. E.R.D.C.C. ET. AL., DEFENDANTS, 2021 WL 694903 (E.D.Missouri.2021); ROBERT WIGGINS, PLAINTIFF v. THOMAS GIFFIN

ET. AL., DEFENDANTS, 2021 WL 706720 (S.D.N.Y.2021). SINCE THE PENOLOGICL PARTIES AND OR INSTITUTION HAVE AN ALTERNATIVE METHOD READILY, EASILY AVAILABLE, WHICH WOULD NOT PLACE A SUBSTANTIAL IMPACT ON GUARDS OR STAFF OR THE GRIEVANCE SYSTEM ITSELF VIA STAFF REQUEST, WHICH IS ALMOST IDENTICAL TO THE KIOSK SYSTEM IN THIS INSTANCE, WHERE SUCH WOULD HAVE ONLY A DE MINIMUS ADVERSE EFFECT ON ANY VALID PENOLOGICAL INTEREST. THE PLAINTIFF MUST BE PERMITTED TO MAINTAIN HIS RELIGIOUS BELIEFS AND BE PERMITTED TO EXERCISE THE ALTERNATIVE, EASILY MADE AVAILABLE, METHOD TO ENTER THE GRIEVANCE PROCESS TO ADDRESS HIS MATTERS OF STATE CREATED LIBERTY INTEREST AND PROPERTY RIGHTS, SALAHUDDIN v. GOORD, 467 F3d. 263, 274 (2nd.Cir.2006)(CITING TURNER v. SAFLEY, 482 U.S. 78, 84 (1987); ROBERT WIGGINS, PLAINTIFF v. THOMAS GRIFFIN, ET. AL., DEFENDANTS, 2021 WL 706720 (S.D.N.Y.2021).

TO BE CLEAR THE APPELLANT IS NOT SEEKING A SECOND INDEPENDENT GRIEVANCE SYSTEM OR PROCEDURE THAN OTHER INMATES. THE APPELLANT SEEKS TO USE THE SAME EXACT GRIEVANCE SYSTEM OF DUE PROCESS PUT IN PLACE BY THE S.C. DEPT. OF CORRECTIONS. THE ONLY ALTERATION THAT THE APPELLANT SEEKS TO ADDRESS BEFORE THE COURT IS THE INITIAL STEP ONLY, IN WHICH AN INMATE MUST ENTER INTO THE PROCESS, ONE SINGLE STEP. THE APPELLANT HAS NO DISAGREEMENT WITH THE REMAINDER OF THE ENTIRE GRIEVANCE PROCESS. THUS, IT CANNOT BE CONSTRUED THAT THE APPELLANT IS SEEKING AN INDEPENDENT GRIEVANCE PROCESS. THE PLAINTIFF SEEKS ONLY, THAT INSTEAD OF INITIATING THE INITIAL PROCESS BY INFORMAL RESOLUTION BY USING THE KIOSK SYSTEM WHICH THE PLAINTIFF SEES SUCH SYSTEMS AS "THE MARK OF THE BEAST" SYSTEMS FOUND WITHIN THE 3 MAINSTREAM RELIGIONS. THE APPELLANT SEEKS TO DO THE INITIAL STEP **"ONLY"** BY "INMATE STAFF REQUEST" AS OPPOSED TO MAKING USE OF THE KIOSK SYSTEM. THIS IS A DE MINIMUM, EASILY MADE AVAILABLE, METHOD FOR PURPOSES OF INFORMAL RESOLUTION WHERE THE APPELLANT WOULD BE ALLOWED TO COMPLETE THE REMAINDER OF THE PROCESS THE SAME EXACT WAY AS ANY OTHER INMATE WITHIN THE CONFINEMENT OF THE S.C. DEPT. OF CORRECTIONS. ONLY THE INITIAL STEP PLACES A SUBSTANTIAL BURDEN ON THE APPELLANT'S RELIGIOUS BELIEFS, VIOLATING THE FREE EXERCISE CLAUSE OF THE 1st.

AMENDMENT, THE DUE PROCESS CLAUSE OF THE 5th. AMENDMENT AND THE 14th. AMENDMENT EQUAL PROTECTION OF THE LAWS CLAUSE, THE APPELLANT IS DENIED REMEDY AND CAN NO LONGER PROTECT HIS PROPERTY RIGHTS OR HIS STATE CREATED LIBERTY INTEREST RIGHTS WITHOUT AN AVAILABLE METHOD THAT WOULD NOT SUBSTANTIALLY BURDEN OR VIOLATE HIS RELIGIOUS BELIEFS. THE DAMAGE BY THIS ACTION HAS ALREADY OCCURRED WHERE THE APPELLANT LOST PROPERTY THAT WAS IN THE CARE OF THE S.C.D.C. EMPLOYEES AND WAS DENIED REMEDY TO ADDRESS. NOR CAN THE APPELLANT HAVE HIS SERIOUS MEDICAL NEEDS ADDRESSED VIA THE GRIEVANCE SYSTEM WHERE THE APPELLANT FALLS UNDER THE AMERICANS WITH DISABILITIES ACT AND THE S.C.D.C. EMPLOYEES ARE ACTING IN ACTS OF RETALIATION IN VIOLATION OF 42 U.S.C. § 12203(a)(b) OF ADA DUE TO HE FILING OTHER PENDING LEGAL ACTION AGAINST THEM, WILSON v. WEXFORD MEDICAL, 2021 WL 261375 (S.D.W.Va.2021); JOHNSON v. GOFF, 2021 WL 39639 (W.D.WIS.2021); JACOBS v. N.C. ADMINISTRATIVE OFFICE OF THE COURTS, 780 F3d. 562(4th.Cir.2015); SUAREZ TORRES v. PANADERIA v. REPOSTERIA ESPANA, INC., --F3d --, 2021 WL 613201 (1st.Cir.2021); SOUTH CAROLINA DEPT. OF CORRECTIONS v. MITCHELL, 377 S.C. 256, 659 S.E.2d. 233 (S.C.App.2008); S.C. CODE ANN. 1976, § 1-23-310 ET. SEQ.; SOUTH CAROLINA DEPT. OF CORRECTIONS v. CARTRETTE, 387 S.C. 640, 694 S.E.2d. 18 (S.C.App.2010); AL-SHABAZZ v. STATE 338 S.C. 354, 527 S.E.2d. 742 (S.C.App.2000); HOWARD v. S.C. DEPT. OF CORRECTIONS, 399 S.C. 618, 733 S.E.2d. 211 (S.C.App.2012); WATFORD v. SOUTH CAROLINA DEPT. OF CORRECTIONS, 2017 WL 4619206 (S.C.App.2017).

INASMUCH, THE APPELLANT HAS ALREADY LISTED A SUBSTANTIAL AMOUNT OF PROPERTY LOST UNDER RESTRAINT DURING TRANSPORT FROM ONE INSTITUTION TO ANOTHER OR WHILE PLACED ON SOLITARY WHERE STATE CREATED LIBERTY INTEREST IN RESTRAINING LIBERTY FOR TRANSPORT OR SOLITARY CONFINEMENT PURPOSES CREATED AN INABILITY FOR THE APPELLANT TO PROTECT HIS PROPERTY IN CUSTODIAL CARE OF THE S.C. DEPT. OF CORRECTIONS EMPLOYEES FOR THE SAKE OF TRANSFER WHERE HE WAS DENIED REMEDY, STOLEN OR DESTROYED, UNCHALLENGED TO THIS VERY DATE. THIS INJUSTICE IS COMPOUNDED BY THE FACT THAT IN ACTS OF

RETALIATION IN VIOLATION OF 42 U.S.C. § 12203(a)(b) OF ADA THEY, S.C.D.C., NOW USES THIS NEW POLICY THAT WAS NOT IN PLACE WHEN THE APPELLANT CAME INTO THE SYSTEM, THAT SUBSTANTIALLY BURDEN THE FREE EXERCISE OF HIS RELIGIOUS BELIEFS, WHEN THERE IS A CLEAR ALTERNATIVE THAT WOULD INFLICT UPON THEM DE MINIMUM EFFORTS ADDRESSING THESE MATTERS WHERE BY RETALIATION, VIOLATING 42 U.S.C. § 12203(a)(b), THEY REJECTED THIS EASILY MADE AVAILABLE ALTERNATIVE METHOD IN ACTS OF MACHINATION TO THWART FAIR AND JUST JUDICIAL REVIEW, TO CREATE A DEFECT IN EXHAUSTION, CONSPIRING UNDER COLOR OF STATE LAW. SEE ROSS v. BLAKE, 136 S.Ct. 1850, 2016 WL 3128839 (U.S.2016).

IT BECOMES PERSPICUOUS THAT THE ACTIONS OF THE S.C. DEPT. OF CORRECTIONS VIOLATE THE APPELLANT'S CONSTITUTIONAL RIGHTS UNDER THE EQUAL PROTECTION OF THE LAWS CLAUSE AS WELL AS THE FREE EXERCISE CLAUSE AND HIS RIGHTS UNDER THE AMERICANS WITH DISABILITIES ACT VIA RETALIATORY BEHAVIOR PRESENTED BY THEIR ACTIONS, CABI v. BOSTON CHILDREN'S HOSPITAL, 161 F.Supp.3d. 136(2016); EARLY v. STATE, S.E.2d.,--2016 WL 6092514; GRAVES v. DILLON COUNTY BOARD OF EDUC., 2015 WL 139492 (DSC.2012); U.S. v. HARE, 820 F3d. 93 (4th.Cir.2016). THE COURTS HAVE EXPLAINED THE HISTORY OF THE REMEDY CLAUSE INDICATES THAT IT'S PURPOSE IS TO PROTECT ABSOLUTE COMMON LAW RIGHTS RESPECTING PERSONS PROPERTY, AND REPUTATION, AND THOSE RIGHTS EXISTED WHEN THE CONSTITUTION WAS ESTABLISHED. THE COURT HAS STATED THAT THE GUARANTEE OF REMEDY BY THE DUE COURSE OF JUSTICE FOR INJURY TO PERSON, PROPERTY, OR REPUTATION, "IS ONE OF THE MOST SACRED AND ESSENTIAL OF ALL THE CONSTITUTIONAL GUARANTEES" AND THAT "WITHOUT IT A FREE GOVERNMENT CANNOT BE PRESERVED AND SUCH A CONSTITUTIONAL GUARANTEE OF REMEDY DO NOT DISAPPEAR JUST BECAUSE A PERSON MAY BE INCARCERATED, SMOTHERS v. GRESHAM TRANSFER INC., 332 Or. 83, 23 P.3d. 333 (2011); GEARIN v. MARION COUNTY, 110 Or. 390, 396, 233 P. 929. THE COURT ALSO STATED THAT THE PURPOSE OF THE REMEDY CLAUSE IS TO MAKE THE COMMON LAW MAXIM "THAT THERE IS NO WRONG

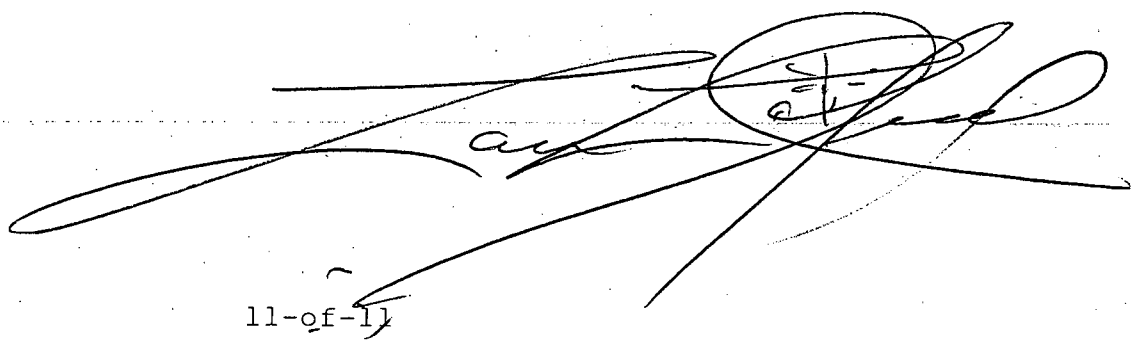
WITHOUT A REMEDY" A FIXED AND PERMANENT "RULE OF LAW OF THIS STATE", PLATT v. NEWBERRY ET. AL., 104 Or. 148, 153, 205 P. 296(1922). THE SAME PRINCIPLE OF LAW APPLIES HERE WITHIN THE STATE OF SOUTH CAROLINA. UNDER THE 1st. AMENDMENT THE S.C. DEPT. OF CORRECTIONS CANNOT BURDEN THE FREE EXERCISE OF RELIGIOUS BELIEFS, ESPECIALLY WHERE THEY BEAR NEXUS TO PROPERTY RIGHTS AND STATE CREATED LIBERTY INTEREST RIGHTS PURSUANT TO OBTAINING REMEDY RELATED THERETO, OR THEY MAY NOT PROHIBIT THE EXPRESSION OF AN IDEA BECAUSE SOCIETY FINDS THE IDEA OFFENSIVE, OR DISAGREEABLE. THE FREE EXERCISE CLAUSE IN CONJUNCTION WITH OTHER CONSTITUTIONAL PROTECTIONS, SUCH AS FREEDOM OF RELIGION AND RIGHTS UNDER THE AMERICANS WITH DISABILITIES ACT, CAN BAR APPLICATION OF A SEEMINGLY NEUTRAL GENERALLY APPLICABLE POLICY SET IN PLACE BY THE S.C. DEPT. OF CORRECTIONS WHERE THE APPLICATION OF SUCH A POLICY WOULD ALSO VIOLATE THE APPELLANT'S RIGHTS UNDER THE EQUAL PROTECTION OF THE LAWS CLAUSE, MASTERPIECE CAKESHOP LTD. v. COLORADO CIVIL RIGHTS COM'N, 138 S.Ct. 1719, 201 L.Ed.2d. 35(U.S.2018); McFAUL v. RAMSEY, 61 U.S. (20 HOW) 523, 525, 15 L.Ed. 1010, 1011 (U.S.1858); U.S. v. SEEGER, 380 U.S. 163 (U.S.1965); U.S. v. RUE, F.Supp.3d., 2015 WL 5007930 (S.D.Tex.2015); SIBLEY v. HERGENROEDER, F.Supp.2d., 2006 WL 3354137 (D.C.Md.2006); NEW HOPE FAMILY SERVICES INC. v. POOLE, 966 F3d. 145(2nd.Cir.2020); TELESCOPE MEDIA GROUP v. LUCERO, 936 F3d. 740 (8th.Cir.2019); CHELSEY NELSON PHOTOGRAPHY LLC. v. LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, F.Supp.3d.--, 2020 WL 4745771 (W.D.Ky.2020).

DUE TO THE APPELLANT BEING DENIED REMEDY SINCE THE S.C. DEPT. OF CORRECTIONS INITIATED THE KIOSK SYSTEM, NEVER BEING ABLE TO SEEK THE RETURN OF HIS PROPERTY SINCE THAT TIME AND DUE TO THE NEW CASES NOW COMING OUT OF THE U.S. SUPREME COURT ABOUT VIOLATING A PERSON'S RELIGIOUS RIGHTS UNDER THE FREE EXERCISE CLAUSE. THE APPELLANT MOTIONS FOR SANCTIONS AND THAT THE S.C. DEPT. OF CORRECTIONS ALLOW THE PLAINTIFF TO USE INMATE STAFF REQUEST FOR INFORMAL RESOLUTION AND TO CORRESPOND WITH THE

S.C.D.C. EMPLOYEES AND THAT THEY BE REQUIRED TO RESPOND IN A TIMELY MANNERS TO ALLOW THE APPELLANT TO ENTER ANY ESTABLISHED GRIEVANCE PROCESS, WHICH INCLUDE THEY BEING REQUIRED TO REPLACE THE APPELLANT'S RADIO, ICE COOLER AND KOSS HEADPHONES, THE OLDER MODEL, NOT EAR BUDS. THE LAW AS DETERMINED BY THE UNITED STATES SUPREME COURT IS CLEAR ON THE ISSUES SUCH AS THE ONES BEING ARGUED WITHIN THIS CASE. IF A RULING HAS BEEN OBTAINED BY AN UNCONSTITUTIONAL JUDICIAL DETERMINATION AND OR LEGISLATIVE STATUTE AND OR INTERPRETATION OF LAW AND OR ACT, WHICH IN THIS CASE INCLUDES AN UNCONSTITUTIONAL POLICY BY THE S.C. DEPT. OF CORRECTIONS. THE LAW EXPLAINED IF THIS POSITION IS WELL TAKEN, WHICH IT IS, IT EFFECTS THE **"FOUNDATION"** OF THE **"WHOLE"** (EMPHASIS ADDED) POLICY WHEN IT COMES TO THE APPELLANT'S RELIGIOUS BELIEFS, UNCONSTITUTIONAL ACTION VOIDS EVERYTHING THAT IT ENTERS. AN UNCONSTITUTIONAL S.C.D.C. POLICY IS **"VOID"** WHEN IT COMES TO THE APPELLANT'S RIGHTS UNDER THE FREE EXERCISE CLAUSE AND IS AS IF THERE WERE NO SUCH POLICY LEVIED OR EXISTING AGAINST THE APPELLANT AT ALL. THE GENERAL RULE IS THAT AN UNCONSTITUTIONAL POLICY BEING SUCH WHERE IT EFFECTS OR SUBSTANTIALLY BURDEN THE FREE EXERCISE OF RELIGION, THOUGH HAVING THE FORM AND NAME OF POLICY, IT IS IN REALITY NO POLICY BY SUCH ACTION, BUT IS **"WHOLLY VOID"** AND INEFFECTIVE FOR ANY PURPOSE IN ADDRESSING THE APPELLANT, SINCE ITS UNCONSTITUTIONALITY DATES FROM THE TIME OF ITS ENACTMENT AND OR WHEN IT WAS IMPOSED UPON THE APPELLANT....IN LEGAL CONTEMPLATION IT IS INOPERATIVE AGAINST THE APPELLANT AS IF IT HAD NEVER BEEN DONE OR PASSED....SINCE AN UNCONSTITUTIONAL POLICY VIOLATING THE FREE EXERCISE CLAUSE IS VOID, THE GENERAL PRINCIPLE FOLLOWS THAT IT IMPOSES NO DUTY (DUTY TO USE THE KIOSK TO INITIATE INFORMAL RESOLUTION), CONFERS NO RIGHTS (S.C.D.C. HAS NO RIGHT TO REQUIRE THIS OF THE APPELLANT), BESTOWS NO POWER OR AUTHORITY ON ANY PERSON (S.C.D.C. DOES NOT HAVE THE POWER OR AUTHORITY TO REQUIRE ME TO VIOLATE MY RELIGIOUS BELIEFS), AFFORDS NO PROTECTION (THEY ARE NOT PROTECTED FROM REVERSING THE ACTION AND REPLACING MY PROPERTY), AND JUSTIFIES NO ACTS PERFORMED UNDER IT (SUCH AS THEY REQUIRING ME TO USE THE KIOSK)....A VOID ACT

CANNOT BE LEGALLY CONSISTENT WITH A VALID ONE. AN UNCONSTITUTIONAL POLICY CANNOT OPERATE TO SUPERSEDE AN EXISTING LAW OR BE PERMITTED TO DEPRIVE A PERSON OF LEGAL REMEDY. INDEED INSOFAR AS A POLICY RUNS COUNTER TO THE FUNDAMENTAL LAW OF THE LAND (THE U.S. CONSTITUTION, THE FREE EXERCISE CLAUSE, THE EQUAL PROTECTION OF THE LAWS CLAUSE, AND ADA), IT IS SUPERSEDED THEREBY, AN UNCONSTITUTIONAL POLICY IS NOT MERELY ERRONEOUS, BUT IT IS ILLEGAL AND VOID IN THIS CASE AGAINST THE APPELLANT AND CANNOT BE A LEGAL MEANS TO DENY THE APPELLANT REMEDY TO PROTECT HIS PROPERTY OR STATE CREATED LIBERTY INTEREST RIGHTS. ALL RULES, STATUTES, POLICIES OR PRACTICES, WHICH ARE REPUGNANT TO THE U.S. CONSTITUTION ARE "**NULL**" AND "**VOID**", UNITED STATES v. LIBOUS, 858 F3d. 64 (2nd.Cir.2017); CITY OF LEBANNON v. MILBURN, 286 Or. App. 212, 398 P.3d. 486(2017); PEOPLE v. FIELDS, N.E.3d., ILL. App. (1st.) 122012 UB; FARROW v. LIPETZKY, 2017 WL 1540637 (N.C.Cali.2017) UNITED STATES v AJRAWAT --Fed. Appx --, 2018 WL 30456129 (4th.Cir.2018); MARTIN v. UNITED STATES, 2018 WL 1626578, * 2 D.Md.; PYNE v. UNITED STATES, F.Supp.3d., 2016 WL 1377402(D.C.Md.2016); MARBURY v. MADISON, 5TH U.S. (2 CRANCH) 137, 180; JOHNSON v. UNITED STATES, --S.Ct.--, 2015 WL 2473450(U.S.2015); LOUMIET v. UNITED STATES, 65 F.Supp.3d. 19 (2014); MONTGOMERY v. LOUISIANA 136 S.Ct. 718 193 L.Ed.2d. 599, 84 U.S.L.W. 4063(U.S.2016); 24 SENATORIAL DIST. REPUBLICAN COMMITTEE v. ALCORN 820 F3d. 624 (4th.Cir.2016),

RESPECTFULLY,
JONAH THE TISHBITE



MARCH 5, 2021

THE STATE OF SOUTH CAROLINA
THE ADMINISTRATIVE LAW COURT

LAWRENCE L. CRAWFORD AKA
JONAH GABRIEL JAHJAH T. TISHBITE

APPELLANT

Vs.

THE S.C. DEPT. OF CORRECTIONS

RESPONDENT

CASE NO. 21C0033
GRIEVANCE NO. LCI. 595-20

AFFIDAVIT OF SERVICE

I, LAWRENCE L. CRAWFORD, DO HEREBY CERTIFY, THAT I HAVE MAILED AND OR SERVED A COPY OF AN AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE, FILING ORIGINAL BRIEF, ON THE ADMINISTRATIVE LAW COURT AND THE S.C. DEPT. OF CORRECTIONS VIA GENERAL COUNSEL, BY PLACING IT IN THE INSTITUTION MAILBOX,U.S. MAIL POSTAGE PREPAID ON MARCH 4, 2021.

RESPECTFULLY,
LAWRENCE L. CRAWFORD

MARCH 4, 2021