

THE SOUTH CAROLINA COURT OF APPEALS

EX REL TERRANCE GRIFFIN
#327735
APPELLANT,
VS.

DOCKET NO. 21-ALJ-0326-
AD
GRIEVANCE NO. = LCF-12H9
NOTICE OF APPEAL

STATE OF SOUTH CAROLINA;
ALC RESPONDENTS SCDC

RECEIVED

NOV 17 2021

SC Court of Appeals

TO: CLERK OF COURT

THIS MATTER IS BEFORE THE S.C. COURT OF APPEALS
PURSUANT TO THE ABOVE NOTICE OF APPEAL BY EX REL
TERRANCE GRIFFIN (APPELLANT).

FACTUAL BACKGROUND

ON SEPT. 1, 2021 EX REL APPELLANT SUBMITTED A NOTICE
OF APPEAL TO THE S.C. ALC & SCDC RESPONDENT. SEE EXH.
A ON SEPT. 16, 2021 APPELLANT'S CASE WAS FILED UNDER
21COB26 AND ASSIGNED TO JUDGE FUNDERBURK. HOWEVER,
ON SEPT. 29, 2021 JUDGE FUNDERBURK DISMISSED APPELLANT'S
APPEAL ALLEGEDLY DUE TO APPELLANT NOT PROVIDING
A CERTIFICATE OF SERVICE OF HIS NOTICE OF APPEAL
ON THE SCDC RESPONDENT, AND HIS APPEAL DOES NOT INVOLVE
THE DEPRIVATION OF A STATE-CREATED LIBERTY OR
PROPERTY INTEREST, AND BECAUSE THE COURT CANNOT
PROVIDE THE REMEDY APPELLANT SEEKS. SEE EXH. B PURSUANT
TO SCACR RULE 203(A)(B)(6) THE ABOVE APPEAL FOLLOWS.

NOVEMBER 12, 2021
RIDGEVILLE, SC

RESPECTFULLY SUBMITTED,
s/ Ex Rel Terrance Griffin
EX REL TERRANCE GRIFFIN
LIEBER C.F.
136 WILBORN AVE.
RIDGEVILLE, SC 29172

EX REL TERRANCE GRIFFIN #327735

LIEBER C.I.
136 WILBORN AVE.
RIDGEVILLE, SC 29472
NOVEMBER 12, 2021

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SC Court of Appeals

SC COURT OF APPEALS
CLERK'S OFFICE
1015 SUMNER STREET
COLUMBIA, SC 29201

RE: NOTICE OF APPEAL & EXPLANATION
FOR DELAY IN FILING

DEAR SIR OR MADAM:

PLEASE TAKE NOTICE THAT ON 10/1/2021 APPELLANT RECEIVED JUDGE H.W. FUNDERBURK, JR.'S 9/29/2021 ORDER OF DISMISSAL. WHILE HOUSED AT LIEBER C.I. COVID-19 TESTING WAS COMMENCED AT LIEBER C.I. DUE TO CORONAVIRUS OUTBREAK, AND ON 10/18/2021 APPELLANT REFUSED TO BE TESTED BECAUSE LIEBER C.I.'S MEDICAL STAFF FAIL TO DISCLOSE TEST RESULTS UPON REQUEST. PRIOR TO HIS 10/18/2021 REFUSAL APPELLANT TESTED NEGATIVE ON 10/13/2021, AFTER BEING COERCED BY LIEBER C.I.'S WARDEN. FROM 10/18/2021 TO 11/10/2021 APPELLANT WAS HOUSED IN AN ISOLATED UNIT AT LEE C.I. FOR REFUSING A COVID TEST. ALL OF APPELLANT'S PERSONAL PROPERTY (I.E. LEGAL DOCS.) WAS CONFISCATED AT LIEBER, AND THE LEE C.I.'S BUSINESS OFFICE DECLINED TO PROVIDE APPELLANT WITH ANY LEGAL MATERIALS TO FILE A NOTICE OF APPEAL, IN SPITE OF HIS INDIGENT STATUS, LEE C.I. STAFF BEING PLACED ON NOTICE OF HIS DEADLINES, AND HIS REQUESTS FOR HIS LEGAL DOCUMENTS & SUPPLIES. FOR THIS EXCEPTIONAL REASON APPELLANT ASK THAT THIS COURT CONSIDERS HIS BELATED NOTICE OF APPEAL.

SINCERELY,
Ex Rel Terrance Griffin

CC: SCDC OFFICE OF
GENERAL COUNSEL;
H.W. FUNDERBURK, JR.
SC ALC

EX REL TERRANCE GRIFFIN #327735
LIEBER C.I.
136 WILBORN AVE.
RIDGEVILLE, SC 29472

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SC Court of Appeals

THE SOUTH CAROLINA COURT OF APPEALS
1015 SUMNER STREET
COLUMBIA, SC 29201

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NOV 15 2021

MAIL ROOM
LIEBER C.I.



29201-372699

