

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
APPEAL TO THE COURT OF APPEALS
The Honorable Shirley C. Robinson, Administrative Law Judge

APPELLATE CASE No: 2022-000442

Mr. Nathaniel Johnson, Jr. 211574,

Petitioner,

v.

South Carolina Department of Corrections,

Respondent,

APPENDIX

Dated: 6/10/22

/s/

Mr. Nathaniel Johnson, Jr. #211574
Mr. Nathaniel Johnson, Jr., 211574
ACI. Bamberg Unit F-4 B-35
P.O. Box 1151
Fairfax, S.C. 29827
Pro-Se Petitioner

Other Counsel of Record:

Imani Diane Byas, Esquire
Staff Attorney for Office of General Counsel
South Carolina Department of Corrections
P.O. Box 21787
Columbia, S.C. 29221-1787
(803)896-8508

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JUN 10 2022

S.C. SUPREME COURT

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SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FORM

STEP 1

33

PMOD 8-8-31

INMATE NAME: <u>Nathaniel Johnson Jr.</u>	RECEIVED WARDEN'S OFFICE ACID	OFFICE USE ONLY
SCDC NUMBER: <u>#211574</u>		Grievance No. <u>ACT-0060-19</u>
INSTITUTION: <u>Allendale Correctional Institution</u>		Code: General <u>MYH/L</u>
HOUSING UNIT: <u>Colleton Unit F-1 A#02</u>		Policy _____
WORK ASSIGNMENT: <u>Dorm Assigned</u>		Disc. Hear. _____
		Class. _____
		PREA _____
		Date Received <u>03/14/19</u>
		IGC Initials <u>MS-0418/19</u>

STATEMENT OF GRIEVANCE (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.)

ON Tuesday Feb. 26th 2019, I wrote an request to staff members in medical for an full reimbursement of any money paid to medical from 2007-2019. My complaint is against medical for stealing my money when the S.C. Constitution Art II Sec 2 mandates that all inmates in South Carolina's Department of Corrections may be entitled to receive free health care under the S.C. Provision 37.16 authorized under Part 1(b) of the 2005-06 S.C. Appropriations Act. The State legislature provided the means to all prisoners to receive free medical care regardless as to whether we could afford it or not. The immediate forgiving of all medical debts incurred and free health care to all inmates in the S.C. Department of Corrections. On Thursday Feb. 28th 2019, I received an response from Ms. Derrick in medical.

Nathaniel Johnson Jr. 2/28/19
Grievant Signature Date

ACTION REQUESTED:

I am demanding a full reimbursement of all monies paid or in debt for currently. That this practice be corrected immediately.

ACTION TAKEN BY IGC: ☒ PROCESSED ☐ UNPROCESSED ☐ OTHER

Investigation completed by Inmate Grievance Coordinator (IGC). Findings and documentation forwarded to Warden for a response.

[Signature]
IGC Signature

03/11/19
Date

(CONTINUE ON REVERSE SIDE)

33

WARDEN'S DECISION AND REASON:**GRIEVANCE #ACI-0068-19****INMATE NATHANIEL JOHNSON, #211574**

Inmate Johnson:

I have reviewed your grievance. Nurse P. Derrick, Nursing Supervisor, was contacted. She stated in accordance to SCDC Policy HS-18.17, Medical Copayment, established co-payment fees will be applicable to all inmates incarcerated in any SCDC facility regardless of his/her indigent status. Inmates who initiate visits to medical to include routine and emergency care, medications, and consultation services are considered by the Agency to have given implied consent for the assessment of the co-payment fee. When a medical entry is made into the automated system, the entry will automatically assess a medical co-payment charge for the inmate based upon the code entered. SCDC charges non-work release inmates \$5.00 per medical encounter and \$5.00 per filled prescription.

Therefore, your grievance is denied.

If you disagree with this Warden's Decision (Decision), you may file an appeal by completing SCDC Step 2 Inmate Grievance Form 10-5A, provided to you while serving you this Decision, and placing it in the Grievance Box at your local correctional institution within five (5) days of your receipt of this Decision.

Michael Dent 3-13-19
Warden Signature Date

☐ I accept the Warden's decision and consider the matter closed.☒ I do not accept the Warden's decision and wish to appeal.

Nathaniel Johnson Jr. #211574 3/14/19
Grievant Signature Date

[Signature] 03/14/19
IGC Signature Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

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SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

MAR 18 2019

INMATE GRIEVANCE FORM

STEP 2

INMATE GRIEVANCE

RECEIVED

Office Use Only

INMATE NAME: Nathaniel Johnson, Jr.

MAR 15 2019

SCDC NUMBER: #211574

INSTITUTION: Allendale Correctional Institution

HOUSING UNIT: Colleton Unit F-1 A#02

WORK ASSIGNMENT: Form Assigned

FIAZ

Grievance No.

Code: General

Policy

Disc. Hear.

Class

PREA

Date Received: 03/15/19

IGC Initials: MS

Date Received: 3/22/19

IGA Initials: 2/22/19

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):

Reason for Appeal is because of being dissatisfied with the Warden's response of what the Nurse P. Derrick, gave was false. My issue is with the violations to the South Carolina's State Constitution Art. XII Sec 2 which mandates that all inmates in S.C. Dept. of Corr. may be entitled to receive free health care under the S.C. Provision 37.16 authorized under Part 1(b) of the 2005-06 S.C. Appropriation Act. The State legislature provided the means to all prisoners to receive free medical care regardless as to whether we could afford it or not. I am requesting full reimbursement of all monies taken from me since 2007 until now. SCDC has been charging for what the State has deemed to be free.

Grievant Signature

Date

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

Your grievance has been reviewed. In it your allege South Carolina Department of Corrections is violating "South Carolina's State Constitution Art. XII Sec 2" by not providing "free medical care". You are requesting "full reimbursement of all monies taken from you since 2007 until now". Pursuant to Health Services policy HS-18.17 Medical CO-Payment, "SCDC is authorized to charge inmates a co-payment fee for any routine or emergency medical care, medications, and consultation service initiated or requested by the inmate. SCDC recognizes that the establishment of a co-payment system does not diminish its responsibility to provide inmates the opportunity to access necessary health care services regardless of their inability to pay. The Director of Health Services will be responsible for recommending a co-payment fee to the Agency Director that conforms with average national trends. The Agency Director will have final approval of the co-payment fee to be established for designated medical care and consultation services. The Agency Director reserves the right to adjust the established co-payment fee at any time to conform with changes in national trends, or in state or federal statutes or legislation, or other applicable requirements. Changes to the established co-payment fee will be posted at least 30 days prior to the effective date.

Therefore, your grievance is denied.

You may appeal this decision under the Administrative Procedures Act to the Administrative Law Court. In order to appeal, you must fill out the attached Notice of Appeal Form and submit it as instructed on the form within 30 days of receipt.

Responsible Official Signature Wayne McCord Date 4-15-19

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Grievant Signature

Date

IGC Signature

Date

32.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Nathaniel Johnson Jr.

Appellant,

VS.

South Carolina Department of Corrections,

Respondent.

NOTICE OF APPEAL

DOCKET NO. 19-ALJ-04-00240
GRIEVANCE NO.: ACI-0068-19

Notice is hereby given that Nathaniel Johnson Jr. #211574 does hereby appeal the final decision of the South Carolina Department of Corrections dated 4-15-19 and received on 5-3-19, a copy of which is attached. A general statement of the grounds for appeal is (See S.C. Code Ann. § 1-23-380(A)(6)):

(1). Whether SCDC's policy HS-18.17 authorizing charges to inmates account for co-payment and medical care or meds violates State law?

(2). Whether the Appellant is entitled to receive free medical and free health care under the S.C. Provision 37.16 authorized under Part 1(b) of the 2005-06 S.C. Appropriation Act?

Nathaniel Johnson Jr. #211574
Appellant's Name

P.O. Box 1151, Fairfax, SC 29827
Mailing Address

Nathaniel Johnson Jr.
Signed

5/6/19
Dated

City, State, Zip Code

CERTIFICATE OF SERVICE

I hereby certify that I, N. Johnson Jr. (your name), on the 6 day of May, 20 19, in Fairfax, (city), South Carolina, served a copy of the foregoing Notice of Appeal on all parties to this matter by depositing the same in the United States Mail, postage paid, or in the mail room of the undersigned's institution and addressed as follows:

Name of person/Agency served: General Counsel
S.C. Dept. of Corrections
Address: P.O. Box 21787

City, State, Zip Code: Columbia, SC. 29221-1787

Nathaniel Johnson Jr. Nathaniel Johnson Jr.
Print your name Sign your name
(See reverse side for instructions)

Dear Appellant:

5/9/2019

Page 27

Below is information regarding your case which has been filed with the ALC. Please refer to the Rules of Procedure (enclosed) for the time frames on filing briefs and other matters.

Medical Co-pay

Case number	Inmate number	Inmate first name	Inmate last name	Grievance No	Respondent	Filing date	Date Assigned	Judge last name
19C0240	211574	NATHANIEL	JOHNSON	ACI 68-19	DOC	5/6/2019	5/9/2019	ROBINSON

You must file all original documents and correspondence regarding this case directly with the above-named Judge and serve a copy on the Dept. of General Counsel, S.C. Dept. of Corrections, PO Box 21787, Columbia, SC 29221.

FILED

MAY 09 2019

SC ADMIN. LAW COURT

24

State of South Carolina
Administrative Law Court

Nathaniel Johnson Jr. #211574,
Appellant,

VS.

South Carolina Dept. of Corrections
Respondent,

Docket No: 19C0240

Grievance No: ACI-0068-19

Appellant's Brief

Appellant's Brief

Other Counsel:
General Counsel
S.C. Dept. of Corrections
P.O. Box 21787
Columbia, SC. 29221-1787

Nathaniel Johnson Jr. #211574
ACI. Colleton Unit F-1 A#02
1057 Revolutionary Trail Hwy 47
P.O. Box 1151
Fairfax, SC. 29827
Pro-Se Appellant

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MAY 20 2019 24

SC ADMIN. LAW COURT

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Statement of the Issues on Appeal

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1. Whether SCDC's policy HS-18.17 authorizing charges to inmates account for co-payment of meds, medical health care violate State law?
2. Whether the Appellant is entitled to receive free medical health care under the SC Provision 37.16 authorized under Part 1(b) of the 2005-06 Appropriation Act?

Statement of the Case

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On Tuesday February 26th 2019, the Appellant wrote an request to staff member, form 19-11, for an response.

On Thursday Feb. 28th 2019, the Appellant received an response from Nurse P. Derrick. Appellant, proceeded with step 1 grievance procedure on the same date.

On March 14th 2019, Appellant, received the Warden's response. Appellant, disagreed with the Warden's response, and then proceeded with step 2 on the same date received.

On April 15th 2019, the Appellant, received a response from the responsible official Mr. Wayne C. McCabe. On May 6th 2019, the Appellant filed his Notice of Appeal, after exhausting his grievance process.

Argument

1. Appellant argues that SCDC's policy HS-18.17 does violate the State's Constitution Article #1 Chapter #13 Section ~~24-13-80~~ (B)(2), which states that all defrauded cost paid by a municipality or county for medical services for an inmate which have been requested by the inmate. This item does not apply to medical costs incurred as a result of injuries sustained by an inmate or other medically necessary treatment for which that inmate is determined not to be responsible.

2. Appellant, further argues that he is entitled to an full reimbursement of all monies paid to medical for services rendered since 2007. Appellant has been made aware that all medical care or health care debts incurred are deemed to be free medical and free health care under the ~~SC Division 37.16~~ authorized under ~~Part 1(b) of the 2005-06 S.C. Appropriation Act.~~

Conclusion

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Wherefore, Nathaniel Johnson Jr. #211574, the Appellant prays that this Honorable Court, grants relief sought by ordering the Agency to reimburse all monies paid for medical services, as justice is so required, as a matter of law.

Dated: May 14th, 2019

Respectfully submitted,
Nathaniel Johnson Jr. #211574
Mr. Nathaniel Johnson Jr. #211574
ACI, Colleton Unit F-1 A#02
1057 Revolutionary Trail Hwy 47
P.O. Box 1151
Fairfax, SC. 29827

~~10~~ 29

State of South Carolina
Administrative Law Court

Nathaniel Johnson Jr. #211574,
Appellant,

vs.

South Carolina Dept of Corrections,
Respondent,

Docket No: 19C0240

Grievance No: ACI-0068-19

Certificate of Service

Certificate of Service

The undersigned hereby certify that on this 14th day of May, 2019, in Fairfax, South Carolina, served a true copy of the Appellant's Brief on all parties to this matter by depositing into the Allendale Correctional Institution mailroom addressed to the following below.

General Counsel
S.C. Dept of Corrections
P.O. Box 21787
Columbia, S.C. 29221-1787

Respectfully submitted,
x Nathaniel Johnson Jr. #211574
Mr. Nathaniel Johnson Jr. #211574
P.O. Box 1151
Fairfax, S.C. 29827

FILED

MAY 20 2019

jurisdiction was limited to (1) cases in which an inmate contends prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; (2) cases in which SCDC has taken an inmate's *state-created* liberty interest in major disciplinary hearings; and (3) cases in which an inmate's confinement implicates a *state-created* liberty interest. *See Sullivan*, 355 S.C. at 443, 586 S.E.2d at 127 (emphasis added).

Moreover, regarding categories (2) and (3), *supra*, the South Carolina Supreme Court has consistently emphasized that the liberty or property interest implicated must be one that is *state created*. *See Wicker v. S.C. Dep't of Corr.*, 360 S.C. 421, 602 S.E.2d 56 (2004) (emphasizing that the ALC's jurisdiction extends only to those cases involving the denial of "state created liberty interests" and that the Court's holding [*i.e.*, in *Wicker*] "is not to be viewed as expanding the jurisdiction of the [ALC] in any other circumstance."); *Slezak v. S.C. Dep't of Corr.*, 361 S.C. 327, 605 S.E.2d 506 (2004) (holding that the ALC "may summarily dismiss those appeals that do not implicate an inmate's *state created* liberty or property interest") (emphasis added).

SCDC interprets *Slezak* as encouraging, for the sake of judicial economy, the ALC to summarily dismiss inmate cases that do not involve a state-created liberty or property interest. Recently, the South Carolina Court of Appeals has interpreted *Slezak* to mean that where a state-created liberty interest is not implicated in a prisoner appeal, a judge of the ALC "should" dismiss the appeal. *Skipper v. S.C. Dep't of Corr.*, 370 S.C. 267, 633 S.E.2d 910 (Ct. App. 2006).

Furthermore, a reviewing court will not disturb findings of an administrative agency if its findings are supported by substantial evidence on record as a whole. *Pearson v. JPS Converter & Industry Corp.*, 327 S.C. 393, 489 S.E.2d 219 (Ct. App. 1997). "Substantial evidence" is evidence which, considering record as a whole, would allow a reasonable mind to

reach the conclusion reached by the administrative agency. *Hendley v. S.C. State Budget & Control Bd.*, 325 S.C. 413, 481 S.E.2d 159 (Ct. App. 1996). The possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency's finding from being supported by substantial evidence. *Grant v. S.C. Coastal Council*, 319 S.C. 348, 461 S.E.2d 388 (1995). Administrative agencies are afforded wide latitude in making decisions, as shown in the deferential standard of appellate review. *Heater of Seabrook, Inc. v. Public Svc. Comm'n of S.C.*, 332 S.C. 20, 503 S.E.2d 739 (1998).

ARGUMENTS

I. THE COURT SHOULD DISMISS THIS APPEAL BECAUSE NO STATE CREATED LIBERTY OR PROPERTY INTEREST IS IMPLICATED IN THIS APPEAL

In order for the ALC to properly hear cases involving an inmate's liberty or property interest, the South Carolina Supreme Court has consistently emphasized that the liberty or property interest implicated must be one that is *state created*. See *Wicker v. S.C. Dep't of Corr.*, 360 S.C. 421, 602 S.E.2d 56 (2004) (emphasis added). While the Court in *Wicker* did find that there was a state created interest in wages for working, the Court also states that this was a "very limited circumstance" and the "holding [] is extremely limited and is not to be viewed as expanding the jurisdiction of the ALJ in any other circumstances". *Id.* at 424, n.1. Appellant does not allege that the deductions from his account are from working wages, nor does he allege that the Department is preventing him from earning wages.

The *Wicker* court stated that in addition to cases that involve inmate discipline and erroneous sentence calculation, a state-created interest can arise in instances that invoke procedural due process under the Fourteenth Amendment. *Id.* at 424, 602 S.E.2d at 58 (citing *Al-Shabazz v. State*, 338 S.C. 354, 369, 527 S.E.2d 742, 750 (1999) ("procedural due process is guaranteed when an inmate is deprived of an interest encompassed by the Fourteenth

Amendment's protection of liberty and property."'). An individual claiming a protected property interest under the Fourteenth Amendment must have a "legitimate claim of entitlement to it". *Kentucky Dep't of Corr. v. Thompson*, 490 U.S. 454, 460 (1989). Procedural due process is not invoked in the present case. Courts have held that debits for costs such as medical copayments are not deprivations under the Fourteenth Amendment because an inmate is being provided a service or good in exchange for the funds debited. *Browder v. Ankrom*, 2005 WL 1026045, at *5 (W.D. Ky. Apr. 25, 2005). The U.S. Sixth Circuit Court of Appeals held that although inmates have a protected property interest in their money, inmates are not deprived when deductions are made for value received. *Bailey v. Carter*, 15 F. App'x 245, 251 (6th Cir. 2001) (citing *Jensen v. Klecker*, 648 F.2d 1179, 1183 (8th Cir.1981) (per curiam)).

Similarly, the U.S. District Court for the District of South Carolina held that charges for medical copayments are not deprivations under the Fourteenth Amendment. *Sturkey v. Ozmint*, 2009 U.S. Dist. LEXIS 18786, *6, 2009 WL 649569 (D.S.C. March 10, 2009) (holding that "debts such as those made for filing fees, medical services, and expenses are not 'deprivations' because the inmate has been provided with a service or good in exchange for the money debited."'). Accordingly, deductions for medical copayments are not deprivations under the Fourteenth Amendment.

Further, a claim arising from the deprivation of property without due process is actionable under 42 U.S.C. § 1983.¹ *Browder* at *5 (citing *Lynch v. Household Finance*, 405 U.S. 538 (1972)). Additionally, Appellant has the option of filing an action for conversion in the state circuit court. *See Moseley v. Oswald*, 376 S.C. 251, 656 S.E.2d 380, 382 (2008) (indicating that South Carolina courts define conversion as "the unauthorized assumption in the

¹ The U.S. Fourth Circuit Court of Appeals vacated summary judgement for defendants in a § 1983 action regarding an inmate's E.H. Cooper account being deducted for medical expenses resulting from an attack by five inmates. *Burks v. Pate*, 119 F. App'x 447 (4th Cir. 2005).

exercise of the right of ownership over goods or personal chattels belonging to another to the exclusion of the owner's rights"); *Hawkins v. City of Greenville*, 358 S.C. 280, 594 S.E.2d 557, 566 (Ct. App. 2004) (conversion is a wrongful act that may arise by the illegal use or misuse, or by a wrongful taking or detention, of another's personal property). Thus, private rights of action are available to Appellant. If Appellant feels he was deprived of property without due process, he may file a conversion action in state court or a § 1983 action in Federal District Court. However, to the extent that the ALC wishes to exert jurisdiction in this case, deductions for medical copayments are not deprivations under the Fourteenth Amendment. Therefore, deductions from Appellant's account for medical copayments does not invoke a state-created property or liberty interest and the Court should dismiss this case.

II. THE COURT SHOULD AFFIRM SCDC'S FINAL AGENCY DECISION

To the extent the Court declines to dismiss this case for the above reasons, SCDC respectfully requests that the Court affirm its final agency decision denying Appellant's Step 2

grievance. In this case, Appellant complains that SCDC's debiting of his account for copayments made to medical violates South Carolina Code section 24-13-80(B)(2) because he is entitled to free medical care. Subsection (B)(2) of the statute allows a "reasonable deduction" to "defray the costs paid by a municipality or county for medical services for an inmate, which have been requested by the inmate, if the deduction does not exceed five dollars for each occurrence of treatment received by the inmate." S.C. Code Ann. § 24-13-80 (B)(2). Subsection (B)(2) also states that "[t]his item does not apply to medical costs incurred as a result of injuries sustained by an inmate or other medically necessary treatment for which an inmate is determined not to be responsible." * Subsection (B)(2) does not apply to the medical copayments debited from Appellant's account by SCDC, a state agency, since it only applies to

"the costs paid by a municipality or county." Therefore, Appellant's argument, which is based upon the language in subsection (B)(2), is misplaced.

Appellant also argues that the 2005-2006 South Carolina Appropriations Act, Proviso 37.16, entitles him to free healthcare. The language contained in the proviso has been included in the South Carolina Appropriations Act since the 2003-2004 fiscal year and is now in Proviso 65.8. The medical payments at issue in this case are authorized by the South Carolina Appropriations Act, Proviso 65.8, which states as follows:

The Department of Corrections shall be authorized to charge inmates a nominal fee for any medical treatment or consultation provided at the request of or initiated by the inmate. A nominal co-pay shall be charged for prescribed medications. Inmates shall not be charged for psychological or mental health visits.

H. B. 3720, GENERAL APPROPRIATIONS BILL, FISCAL YEAR ~~2018-2019~~. A plain reading of the Proviso clearly authorizes the Department to charge inmates a nominal fee for any requested medical treatment or consultation.

SCDC Policy HS-18.17, section 3.2, states that "[c]o-payment fees will be charged in any instance in which the inmate initiates or requests any routine or emergency medical care or consultation, to include, ~~*~~ but not be limited to sick call requests." Section 2.2 provides that "Inmates **should not be** denied or refused access to health care services because s/he has insufficient funds to pay the medical co-payment fee." ~~*~~ This policy is in keeping with Proviso 65.8 and does not violate state law. Accordingly, Appellant's argument that he should be reimbursed for all medical expenses is without merit.

For the reasons discussed above, this Court should affirm SCDC's final agency decision.

CONCLUSION

The Court should dismiss this appeal because this case does not invoke a state created property or liberty interest. However, to the extent the Court declines to dismiss this appeal,

the Court should affirm the Departments' decision.

Respectfully Submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**



Imani Byas
Staff Attorney
S.C. Department of Corrections
4444 Broad River Road
Columbia, South Carolina 29221
(803) 896-8508

August 27, 2019
Columbia, South Carolina

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State of South Carolina
Administrative Law Court

Nathaniel Johnson Jr. #211574,
Appellant,

-VS-

South Carolina Dept. of Corrections
Respondent,

Docket No: 19-AW-04-0240-AP
Grievance No: ACI-0068-19

Notice of Motion For Summary
Judgment

Now comes Nathaniel Johnson Jr. #211574, the Appellant who hereby moves for an Order of Summary Judgment in his favor. Appellant submits to this Honorable Court that the alleged facts specifying the events that took place in this case, it appears without substantial controversy, including the extent to which the amount of damages or other relief is not in controversy, and directing such further proceedings may not be necessary. This matter is set before the Honorable Shirley L. Robinson, Administrative Law Judge. The Appellant asserts that he is entitled to a judgment as a matter of law.

FILED
Respectfully submitted
Nathaniel Johnson Jr. #211574
AUG 13 2019
SC ADMIN. LAW COURT
20.

State of South Carolina
In the Administrative Law Court

Nathaniel Johnson Jr. # 211574
Appellant,

v.

S.C. Department of Corrections,
Respondent,

Docket No. 19-ALJ-04-0240-AP
Grievance No. ACT 68-19

Hon. Shirley C. Robinson, ALJ
Amended Motion

For Summary Judgment

This matter is before the Administrative Law Judge in pursuant to an appeal from the final decisions of the agency (SCDC) South Carolina Department of Corrections. Appellant filed his Notice of Appeal on May 6th 2019. The Respondents filed its brief in this matter on August 27th 2019, shortly after the Appellant filed with the Court, his original Motion for an Summary Judgment. Please take Judicial Notice, that the Appellant filed his first Motion for an Summary Judgment, at the same time in the case of 19-ALJ-04-0271-AP Grievance No ACT 100-19.

The foregoing matters as follow:

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4.

SC ADMIN. LAW COURT

Standard of Review

5

The (ALC) Administrative Law Court sits in an appellate capacity under the (APA) DC Administrative Procedure Act, rather than as an independent finder of fact. The standard used by appellate bodies to review agency decisions is provided by DC Code Ann § 1-23-600(5) Supp 2016 Section § 1-23-380(5) reads:

The court may not substitute its judgment for the judgment of the agency as to the weight of the evidence on question of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if the substantial rights of the Appellant have been prejudiced because the administrative findings, interference, conclusions, or decisions are:

- (a) in violation of constitutional or statutory provisions;
- (b) in excess of the statutory authority of the agency;
- (c) made upon unlawful procedure;
- (d) affected by other error of law;
- (e) clearly erroneous in view of the reliable, probative and substantial evidence on the whole record;
- (f) arbitrary or capricious or characterized by abuse of discretion

5.

Argument

6.

1. Appellant asserts that the State's agency (SEDC) has created policies and procedures that violated procedural and substantive due process rights of the Appellant. Thus, depriving him of his protected liberty and property interest in violation of the Fifth and Fourteenth Amendment Sec 1.
2. The Appellant's E.H. Cooper trust account has been debited in deduction of the amount of \$200.00 per year since 2007, for medical co-pay and prescription meds. The Fourteenth Amendment Section 1 reads:
No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.
The responsible official admitted in step 2 Wayne C. McCabe, that this matter exceeds the jurisdiction of SEDC's authority.
Changes will be posted at least 30 days prior to its effective date.

3. The Fifth and Fourteenth Amendment prohibits the government from taking or depriving an inmate of life, liberty, or property without due process of law.

A violation of procedural or substantive due process requires 1). that the state has interfered with the inmate's protected liberty or property interest; and 2). that procedural safeguards were constitutionally insufficient to protect against unjustified deprivations or the taking of one's protected liberty or property interest, that were state created interest through unlawful policies and procedures.

4. The State's agency (SCDC) created regulations and policies that deprive the Appellant of his liberty and protected property interest. The Appropriation Act Article 65.8 and the agency (SCDC)'s policy HS-18.17 violates the Ex Post Facto Clause of the SC. Constitution Art 1 Sec 7 and the U. S. Constitution Art. 1 Secs 9 & 10 cl 3, which provide that neither Congress nor any state shall pass an ex post facto law.

5. See *State v. Huitt, 302 S.C. 169, 394 S.E.2d. 486 (S. C. 1990), in order for the ex post facto clause to be applicable the statute or provision in question must be criminal or penal in purpose and nature.
6. Also, See *Weaves v. Graham, 450 U.S. 24, 101 S.Ct. 960, 67 L.Ed.2d. 17 (1981), a law which imposes additional punishment to that prescribed at the time the offense was committed is prohibited under the Ex Post Facto Clauses of the S.C. Constitution and the U.S. Constitution Art I Secs 9 & 10 cl 3.
- Therefore, the new Proviso 65.8 of the General Appropriation Act 2018-19, was not in effect at the time of the Appellant's previous offense, and does not apply.

Conclusion

The Court should based its opinion on the standard of review that such procedural change created a state policy or procedure that infringed on the substantial rights of the Appellant and his Amended Motion for an Summary Judgment should be granted as a matter of law.

State of South Carolina
In the Administrative Law Court

Nathaniel Johnson Jr. #211574,
Appellant,

v.

SC. Department of Corrections,
Respondent,

Docket No. 19-ALJ-04-0240-AP
Grievance No. ACT 68-19

Hon. Shirley C. Robinson, ALJ
Certificate of Service

I hereby certify that a copy of the Appellant's Amended Motion for an Summary Judgment was this 3rd day of September, 2019, served upon the Respondent, Cheron Hess, Administrative Asst., Office of General Counsel, South Carolina Department of Corrections, 4444 Broad River Road, P.O. Box 21787, Columbia, SC. 29221-1787, by placing into the Allendale Correctional mailroom inter-agency mail.

Tuesday September 3rd, 2019

Respectfully submitted,
x Nathaniel Johnson Jr. #211574
Mr. Nathaniel Johnson Jr. #211574
ACT. Colleton Unit F-1 A#05

P.O. Box 1151

Fairfax, SC 29827

6 of 6 Pro-Se Appellant

FILED

SEP 03 2019

9.

ADMIN. LAW COURT

1.

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Nathaniel Johnson, 211574,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

) Docket No.: 19-ALJ-04-0240-AP
) Grievance No.: ACI 68-19
)
)
)
)
)
)
)
)
)

ORDER

STATEMENT OF THE CASE

This matter is before the South Carolina Administrative Law Court ("ALC" or "Court") pursuant to the appeal filed by Nathaniel Johnson ("Appellant"), an inmate incarcerated with the South Carolina Department of Corrections ("Department"). Appellant seeks judicial review of the Department's decision denying his grievance in which he challenges the constitutionality of Department Policy HS-18.17 and seeks reimbursement for medical healthcare payments.

DISCUSSION

Constitutionality of Department Policy HS-18.17

Appellant contends that Department Policy HS-18.17 authorizes charges to inmate accounts for medical healthcare co-payments in violation of S.C. Const. art. I, § 13¹ and S.C. Code Ann. § 24-13-80(B)(2).² Essentially, Appellant is challenging the constitutionality of Department Policy HS-18.17, and this Court has no authority to rule on the constitutionality of the policy. See *Video Gaming Consultants, Inc.*, 342 S.C. at 39, 535 S.E.2d at 645 ("[W]e hold if the only issue is a constitutional challenge to a statute or regulation, a party should seek a declaratory judgment from circuit court rather than going before an ALJ."); See also *Hendricks v. S.C. Dep't of Corr.*, 385 S.C. 625, 628, 686 S.E.2d 191, 193 n.3 (2009) ("The ALC was correct to abstain from determining the constitutionality of SCDC Policy GA-01.03."); See also *Beaufort Cty. Bd. of Educ. v. Lighthouse Charter Sch. Comm.*, 335 S.C. 230, 241, 516 S.E.2d 655, 660-61 (1999) (citation

¹ S.C. Const. art. I, § 13 discusses taking private property, economic development, and remedy of blight.

² S.C. Code Ann. § 24-13-80(B)(2) states in part that "[t]he administrator or director, whichever is appropriate, may establish, by rules, criteria for a reasonable deduction from money credited to the account of an inmate to: defray the costs paid by a municipality or county for medical services for an inmate, which have been requested by the inmate, if the deduction does not exceed five dollars for each occurrence of treatment received by the inmate..."

SEP 16 2019

ADMIN LAW CC

FILED

3.

in this matter. Therefore, the Court finds *Howard* to be controlling, and the case must be dismissed for lack of jurisdiction.

ORDER

Based upon the foregoing, IT IS HEREBY ORDERED that this appeal is **DISMISSED**.
AND IT IS SO ORDERED.³


SHIRLEY C. ROBINSON
Administrative Law Judge

September 16, 2019
Columbia, South Carolina

CERTIFICATE OF SERVICE
This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the mail agency. Mail packet addressed to the party (ies) or their attorney (s).
This 16 day of September 2019
By: [Signature]
Administrative Law Judge

³ On August 13, 2019, Appellant filed a Motion for Summary Judgement. On September 3, 2019, Appellant filed an Amended Motion for Summary Judgement. Because the Court is dismissing this appeal, Appellant's Motion is moot. See *Curtis v. State*, 345 S.C. 557, 567, 549 S.E.2d 591, 596 (2001) (citation omitted) (The Court "will not pass on moot and academic questions or make an adjudication where there remains no actual controversy.").



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

September 27, 2019

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627

Dear Mr. Johnson:

Upon reviewing your notice of appeal, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- The required filing fee has not been submitted. The correct filing fee is \$250.00.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Christina Catoe Bigelow, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
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September 27, 2019

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627

Dear Mr. Johnson:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review

filings for redaction or to determine if materials should be sealed.

----- This is to advise that the title in the above matter has been changed to read as follows:

Nathaniel Johnson, Jr., #211574, Appellant,

v.

South Carolina Department of Corrections, Respondent.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Christina Catoe Bigelow, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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www.sccourts.org

October 07, 2019

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627

Dear Mr. Johnson:

Upon reviewing your application to proceed in forma pauperis, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your application will not be considered:

- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

V. Claire Allen, Deputy
CLERK

cc: Christina Catoe Bigelow, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
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1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
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FAX: (803) 734-1839
www.sccourts.org

November 19, 2019

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627

Dear Mr. Johnson:

Upon reviewing your initial brief and designation of matter, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected on the final brief and record on appeal:

- The caption/title does not comply with Rule 267(a), SCACR. Specifically, agency names should not be abbreviated. The title should read as follows:

Nathaniel Johnson, Jr., #211574, Appellant,

v.

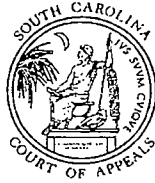
South Carolina Department of Corrections, Respondent.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Christina Catoe Bigelow, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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December 06, 2019

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Ms. Christina Catoe Bigelow, Esquire
4444 Broad River Road
Columbia SC 29210

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627

Dear Mr. Johnson and Ms. Bigelow:

Enclosed is the Court's decision on the motion to proceed in forma pauperis. The respondent's initial brief and designation of matter must be served and filed within thirty (30) days from the date of this letter.

Very truly yours,

V. Claire Allen, Deputy
CLERK

The South Carolina Court of Appeals

Nathaniel Johnson, Jr., #211574, Appellant,

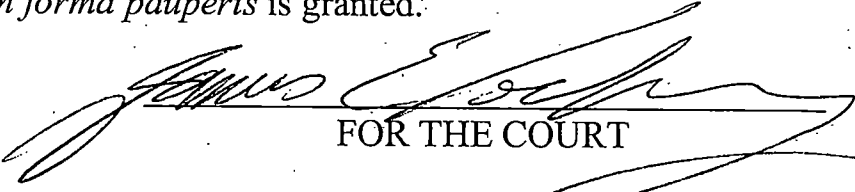
v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2019-001627

ORDER

The motion to proceed *in forma pauperis* is granted.



FOR THE COURT

Columbia, South Carolina

cc:

Nathaniel Johnson, Jr., #211574

Christina Catoe Bigelow, Esquire

FILED

Dec. 4, 2019



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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January 17, 2020

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627, 2019-001628

Dear Mr. Johnson:

Upon reviewing your records on appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- The document is improperly paginated. Specifically, each page shall be numbered consecutively, beginning with the index, pursuant to Rule 210(c), SCACR. One corrected copy of each record on appeal will suffice for correction.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Imani Diane Byas, Esquire

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM THE ADMINISTRATIVE LAW COURT
Shirley C. Robinson, Administrative Law Judge
Case No:19-ALJ-04-0240-AP

Appellate Case No:2019-001627

Nathaniel Johnson, Jr. #211574,

Appellant,

V.

South Carolina Department of Corrections,

Respondent,

RECORD ON APPEAL

Is Nathaniel Johnson Jr. #211574

Mr. Nathaniel Johnson, Jr. #211574

ACI. Colleton Unit F-1 A#05

1057 Revolutionary Trail Hwy 47

P.O. Box 1151

Fairfax, S.C. 29827

Pro-Se Appellant

Ms. Imani Byas, Staff Attorney

Office of General Counsel

S.C. Department of Corrections

P.O. Box 21787

Columbia, S.C. 29221-1787

(803)896-8508

INDEX

1. Order from the Administrative Law Judge filed on September 16th, 2019, and received on September 17th, 2019. pages#1-3
2. Appellant's Amended Motion for Summary Judgment filed on September 3rd, 2019 pages#4-9
3. Respondent's Brief received dated August 27th, 2019. pages#10-18.
4. Appellant's Motion for Summary Judgment filed on August 13th, 2019. page#19
5. Respondent's Record received dated July 16th, 2019, pages#20-24.
6. Brief of the Appellant filed on May 20th, 2019, pages#25-30.
7. Notice of Appeal filed with the S.C. Administrative Law Court on May 5th, and case was assigned to the Honorable Shirley C. Robinson, ALJ, on May 9th, 2019, pages#31-32.
8. Answer received back from the Step#2 Grievance from the responsible official Mr. Wayne C. McCabe, dated April 15th, 2019, page#33.
9. Warden's response received back from the Step#1 Grievance on March 14th, 2019, page#34.
10. Answer received back from the medical nurse Ms. Derrick, dated February 28th, 2019, page#35.
11. Inmate's Exhibits from E.H. Cooper Trust Fund Account Statements, pages#36-60.
12. Exhibit of an Newspaper clipping as proof, page#61.

CERTIFICATE OF APPELLANT

The undersigned hereby certify that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

Dated: January 27th, 2020

Is: Nathanial Johnson Jr. #211574

Appellant's
Exhibit #2
ACI-68-19
Case NO: 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

DATE: 09/01/10 TO 09/30/10

CURR BAL AS OF 10/01/10: 5539.81

Appellant's Case No:
2019-001628

36

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
09/30/10	MEDICAL CO-P	0.00	5.00	5539.81
09/28/10	OPERATING FE	0.00	0.49	5544.81
09/28/10	SINGLE CHECK	0.00	28.00	5545.30
09/28/10	OPERATING FE	0.00	0.49	5573.30
09/28/10	SINGLE CHECK	0.00	10.00	5573.79
09/23/10	MEDICAL CO-P	0.00	5.00	5583.79
09/21/10	CANTEEN PURC	0.00	20.11	5588.79
09/17/10	RX COPAY	0.00	5.00	5608.90
09/13/10	CANTEEN PURC	0.00	16.73	5613.90
09/10/10	RX COPAY	0.00	5.00	5630.63
09/10/10	RX COPAY	0.00	5.00	5635.63
09/10/10	CANTEEN PURC	0.00	23.53	5640.63
09/03/10	INTEREST	4.73	0.00	5664.16
09/02/10	POSTAGE	0.00	1.76	5659.43

E.H. COOPER

ACCOUNT STATEMENT

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

DATE: 10/01/10 TO 10/31/10

CURR BAL AS OF 11/08/10: 5449.63

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
10/28/10	CANTEEN PURC	0.00	21.27	5455.37
10/20/10	VOID CHECK	10.00	0.00	5476.64
10/19/10	CANTEEN PURC	0.00	23.03	5466.64
10/15/10	CANTEEN PURC	0.00	15.59	5489.67
10/11/10	POSTAGE REST	0.00	0.88	5505.26
10/08/10	RX COPAY	0.00	5.00	5506.14
10/04/10	CANTEEN PURC	0.00	14.31	5511.14
10/01/10	CANTEEN PURC	0.00	14.36	5525.45

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

DATE: 11/01/10 TO 11/30/10

CURR BAL AS OF 12/02/10: 5443.75

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
11/12/10	POSTAGE REST	0.00	0.88	5443.75
11/09/10	MEDICAL CO-P	0.00	5.00	5444.63
11/06/10	INTEREST	4.58	0.00	5449.63
11/06/10	INTEREST	4.68	0.00	5445.05
11/05/10	RX COPAY	0.00	5.00	5440.37
11/05/10	RX COPAY	0.00	5.00	5445.37
11/05/10	RX COPAY	0.00	5.00	5450.37

36.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 01/01/11 TO 01/31/11

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case NO:

209-001628

37.

CURR BAL AS OF 02/02/11: 5355.47

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
01/27/11	POSTAGE REST	0.00	0.61	5360.47
01/24/11	POSTAGE REST	0.00	0.88	5361.08
01/21/11	RX COPAY	0.00	5.00	5361.96
01/14/11	RX COPAY	0.00	5.00	5366.96
01/13/11	CANTEEN PURC	0.00	16.11	5371.96
01/06/11	INTEREST	4.52	0.00	5388.07
01/05/11	POSTAGE	0.00	0.44	5383.55
01/04/11	CANTEEN PURC	0.00	12.45	5383.99

ACCOUNT STATEMENT

DATE: 02/01/11 TO 02/28/11

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

CURR BAL AS OF 03/01/11: 5315.04

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
02/24/11	POSTAGE	0.00	0.17	5324.90
02/11/11	RX COPAY	0.00	5.00	5325.07
02/11/11	RX COPAY	0.00	5.00	5330.07
02/11/11	RX COPAY	0.00	5.00	5335.07
02/11/11	RX COPAY	0.00	5.00	5340.07
02/10/11	CANTEEN PURC	0.00	19.88	5359.95
02/05/11	INTEREST	4.48	0.00	5355.47
02/01/11	MEDICAL CO-P	0.00	5.00	5355.47

JOHNSON, NATHANIEL -

CURR BAL AS OF 04/05/11: 5021.92

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
03/28/11	POSTAGE REST	0.00	0.44	5036.92
03/24/11	CANTEEN PURC	0.00	39.52	5037.36
03/21/11	OPERATING FE	0.00	0.49	5076.88
03/21/11	SINGLE CHECK	0.00	8.00	5077.37
03/21/11	OPERATING FE	0.00	0.49	5085.37
03/21/11	SINGLE CHECK	0.00	18.00	5085.86
03/21/11	OPERATING FE	0.00	0.49	5103.86
03/21/11	SINGLE CHECK	0.00	138.20	5104.35
03/21/11	OPERATING FE	0.00	0.49	5242.55
03/21/11	SINGLE CHECK	0.00	19.95	5243.04
03/21/11	POSTAGE REST	0.00	0.88	5262.99
03/17/11	POSTAGE REST	0.00	1.05	5263.87
03/14/11	CANTEEN PURC	0.00	39.57	5264.92
03/11/11	RX COPAY	0.00	5.00	5304.49
03/04/11	RX COPAY	0.00	5.00	5309.49
03/04/11	RX COPAY	0.00	5.00	5314.49
03/04/11	INTEREST	4.45	0.00	5319.49
03/01/11	COPIES	0.00	9.25	5315.04
03/01/11	POSTAGE REST	0.00	0.61	5324.29

37.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 04/01/11 TO 04/30/11

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

AA - 32 Appellants Case No.

CURR BAL AS OF 05/05/11: 4535.00

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
04/28/11	CANTEEN PURC	0.00	125.00	4612.37
04/20/11	POSTAGE REST	0.00	2.64	4737.37
04/19/11	CANTEEN PURC	0.00	36.99	4740.01
04/14/11	CANTEEN PURC	0.00	31.88	4777.00
04/12/11	POSTAGE REST	0.00	1.05	4808.88
04/12/11	PERSONAL EQU	0.00	187.79	4809.93
04/06/11	INTEREST	4.34	0.00	4997.72
04/05/11	CANTEEN PURC	0.00	28.54	4993.38
04/01/11	RX COPAY	0.00	5.00	5021.92
04/01/11	RX COPAY	0.00	5.00	5026.92
04/01/11	RX COPAY	0.00	5.00	5031.92

CURR BAL AS OF 06/01/11: 4018.05

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
05/31/11	SPECIAL FUND	0.00	60.00	4018.05
05/31/11	SPECIAL FUND	0.00	50.00	4078.05
05/29/11	SPECIAL FUND	0.00	28.00	4128.05
05/26/11	CANTEEN PURC	0.00	83.64	4156.05
05/24/11	CANTEEN PURC	0.00	13.10	4239.69
05/20/11	RX COPAY	0.00	5.00	4252.79
05/20/11	CANTEEN PURC	0.00	24.83	4257.79
05/18/11	CANTEEN PURC	0.00	67.99	4282.62
05/13/11	CANTEEN PURC	0.00	124.63	4350.61
05/13/11	OPERATING FE	0.00	0.49	4475.24
05/13/11	SINGLE CHECK	0.00	53.30	4475.73
05/12/11	INTEREST	4.03	0.00	4529.03
05/06/11	RX COPAY	0.00	5.00	4525.00
05/06/11	RX COPAY	0.00	5.00	4530.00
05/02/11	PERSONAL EQU	0.00	28.02	4535.00
05/02/11	PERSONAL EQU	0.00	49.35	4563.02

CURR BAL AS OF 07/06/11: 3645.81

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
06/20/11	CANTEEN PURC	0.00	14.66	3770.53
06/17/11	RX COPAY	0.00	5.00	3785.19
06/17/11	RX COPAY	0.00	5.00	3790.19
06/17/11	RX COPAY	0.00	5.00	3795.19
06/15/11	CANTEEN PURC	0.00	75.07	3800.19
06/13/11	CANTEEN PURC	0.00	10.13	3875.26
06/08/11	CANTEEN PURC	0.00	118.08	3885.39
06/04/11	INTEREST	3.63	0.00	4003.47
06/03/11	POSTAGE	0.00	5.58	3999.84
06/03/11	CANTEEN PURC	0.00	12.63	4005.42

Appellant's
Exhibit #5
ACT-68-19

Appellant's Case No: ~~480~~
2019-001628

WB-146

Case No. 19C0240 SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER
ACCOUNT STATEMENT DATE: 07/01/11 TO 07/31/11
ACCOUNT NO. 00211574
JOHNSON, NATHANIEL -

39.

CURR BAL AS OF 08/03/11: 3114.89

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
07/26/11	CANTEEN PURC	0.00	124.94	3257.84
07/22/11	RX COPAY	0.00	5.00	3382.78
07/22/11	RX COPAY	0.00	5.00	3387.78
07/18/11	SPECIAL FUND	0.00	0.50	3392.78
07/18/11	SPECIAL FUND	0.00	9.50	3393.28
07/18/11	SPECIAL FUND	0.00	0.67	3402.78
07/18/11	SPECIAL FUND	0.00	12.83	3403.45
07/15/11	CANTEEN PURC	0.00	7.85	3416.28
07/15/11	OPERATING FE	0.00	0.49	3424.13
07/15/11	SINGLE CHECK	0.00	33.30	3424.62
07/13/11	CANTEEN PURC	0.00	80.67	3457.92
07/11/11	Reimburse PERSONAL EQU	0.00	49.11	3538.59
07/11/11	PERSONAL EQU	0.00	28.02	3587.70
07/11/11	PERSONAL EQU	0.00	18.06	3615.72
07/07/11	COPIES	0.00	15.25	3633.78
07/07/11	INTEREST	3.22	0.00	3649.03
07/05/11	CANTEEN PURC	0.00	124.72	3645.81

COUNT STATEMENT

ACCOUNT NO. 00211574
JOHNSON, NATHANIEL -

WB-146

CURR BAL AS OF 09/02/11: 2870.76

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
08/31/11	CANTEEN PURC	0.00	124.99	2874.40
08/26/11	POSTAGE	0.00	1.88	2999.39
08/19/11	RX COPAY	0.00	5.00	3001.27
08/19/11	RX COPAY	0.00	5.00	3006.27
08/19/11	RX COPAY	0.00	5.00	3011.27
08/19/11	MEDICAL CO-P	0.00	5.00	3016.27
08/12/11	CANTEEN PURC	0.00	11.32	3021.27
08/10/11	CANTEEN PURC	0.00	27.24	3032.59
08/10/11	INTEREST	3.22	0.00	3059.83
08/08/11	CANTEEN PURC	0.00	86.30	3056.61
08/04/11	VOID PERSONA	28.02	0.00	3142.91
08/03/11	PERSONAL EQU	0.00	18.06	3114.89
08/02/11	CANTEEN PURC	0.00	124.89	3132.95

39.

Appellant's

Exhibit #6

ACI-68-19

Case No. 1900240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 09/01/11 TO 09/30/11

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No.

CURR BAL AS OF 10/11/11: 1959.72

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
09/29/11	CANTEEN PURC	0.00	12.21	2180.57
09/28/11	CANTEEN PURC	0.00	103.05	2192.78
09/23/11	OPERATING FE	0.00	0.49	2295.83
09/23/11	SINGLE CHECK	0.00	59.95	2296.32
09/21/11	CANTEEN PURC	0.00	115.77	2356.27
09/16/11	RX COPAY	0.00	5.00	2472.04
09/16/11	RX COPAY	0.00	5.00	2477.04
09/16/11	RX COPAY	0.00	5.00	2482.04
09/13/11	CANTEEN PURC	0.00	125.00	2487.04
09/07/11	CANTEEN PURC	0.00	111.45	2612.04
09/03/11	INTEREST	3.22	0.00	2723.49
09/02/11	OPERATING FE	0.00	-0.49	2720.27
09/02/11	SINGLE CHECK	0.00	150.00	2720.76
09/01/11	POSTAGE	0.00	3.64	2870.76

CURR BAL AS OF 11/01/11: 1852.80

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
10/31/11	CANTEEN PURC	0.00	9.02	1852.80
10/19/11	CANTEEN PURC	0.00	105.30	1861.82
10/14/11	RX COPAY	0.00	5.00	1967.12
10/14/11	RX COPAY	0.00	5.00	1972.12
10/14/11	CANTEEN PURC	0.00	10.20	1977.12
10/12/11	CANTEEN PURC	0.00	93.60	1987.32
10/12/11	DEPOSIT	121.20	0.00	2080.92
10/07/11	RX COPAY	0.00	5.00	1959.72
10/07/11	CANTEEN PURC	0.00	15.30	1964.72
10/07/11	OPERATING FE	0.00	0.49	1980.02
10/07/11	SINGLE CHECK	0.00	12.00	1980.51
10/07/11	OPERATING FE	0.00	0.49	1992.51
10/07/11	SINGLE CHECK	0.00	80.00	1993.00
10/07/11	INTEREST	2.08	0.00	2073.00
10/05/11	CANTEEN PURC	0.00	109.65	2070.92

CURR BAL AS OF 12/08/11: 1348.44

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
11/17/11	CANTEEN PURC	0.00	43.61	1521.95
11/15/11	CANTEEN PURC	0.00	27.40	1565.56
11/11/11	RX COPAY	0.00	5.00	1592.96
11/11/11	RX COPAY	0.00	5.00	1597.96
11/11/11	RX COPAY	0.00	5.00	1602.96
11/11/11	RX COPAY	0.00	5.00	1607.96
11/10/11	MEDICAL CO-P	0.00	5.00	1612.96
11/09/11	CANTEEN PURC	0.00	124.73	1737.69
11/04/11	CANTEEN PURC	0.00	115.66	1853.35
11/04/11	POSTAGE	0.00	1.08	1854.43
11/03/11	INTEREST	1.63	0.00	

40.

Appellant's
Exhibit #7

ACI-68-19

Case No: 19C0240

400 235
NORTH CAROLINA DEPARTMENT OF CORRECTIONS
E.H. COOPER
ACCOUNT STATEMENT
ACCOUNT NO. 00211574
JOHNSON, NATHANIEL -

DATE: 12/01/11 TO 12/31/11

AB-35 41.
Appellant's Case No.

CURR BAL AS OF 01/04/12: 984.62

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
12/30/11	CANTEEN PURC	0.00	11.23	989.62
12/28/11	CANTEEN PURC	0.00	10.08	1000.85
12/20/11	CANTEEN PURC	0.00	122.90	1010.93
12/19/11	CANTEEN PURC	0.00	12.43	1133.83
12/19/11	MEDICAL CO-P	0.00	5.00	1146.26
12/16/11	RX COPAY	0.00	5.00	1151.26
12/16/11	RX COPAY	0.00	5.00	1156.26
12/16/11	POSTAGE REST	0.00	2.20	1161.26
12/14/11	CANTEEN PURC	0.00	174.98	1163.46
12/13/11	MEDICAL CO-P	0.00	5.00	1338.44
12/09/11	RX COPAY	0.00	5.00	1343.44
12/08/11	CANTEEN PURC	0.00	174.85	1348.44
12/06/11	INTEREST	1.34	0.00	1523.29

CURR BAL AS OF 01/31/12: 123.28

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
12/30/11	CANTEEN PURC	0.00	11.23	989.62
12/28/11	CANTEEN PURC	0.00	10.08	1000.85
12/20/11	CANTEEN PURC	0.00	122.90	1010.93
12/19/11	CANTEEN PURC	0.00	12.43	1133.83
12/19/11	MEDICAL CO-P	0.00	5.00	1146.26
12/16/11	RX COPAY	0.00	5.00	1151.26
12/16/11	RX COPAY	0.00	5.00	1156.26
12/16/11	POSTAGE REST	0.00	2.20	1161.26
12/14/11	CANTEEN PURC	0.00	174.98	1163.46
12/13/11	MEDICAL CO-P	0.00	5.00	1338.44
12/09/11	RX COPAY	0.00	5.00	1343.44
12/08/11	CANTEEN PURC	0.00	174.85	1348.44
12/06/11	INTEREST	1.34	0.00	1523.29

ACCOUNT NO. 00211574
JOHNSON, NATHANIEL -

CURR BAL AS OF 02/01/12: 729.28

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
01/20/12	RX COPAY	0.00	5.00	729.28
01/13/12	RX COPAY	0.00	5.00	734.28
01/11/12	CANTEEN PURC	0.00	9.12	739.28
01/10/12	SPECIAL FUND	0.00	0.37	748.40
01/10/12	SPECIAL FUND	0.00	7.13	748.77
01/10/12	CANTEEN PURC	0.00	70.83	755.90
01/06/12	RX COPAY	0.00	5.00	826.73
01/06/12	CANTEEN PURC	0.00	124.87	831.73
01/05/12	PERSONAL EQU	0.00	28.02	956.60
01/03/12	MEDICAL CO-P	0.00	5.00	984.62

41.

Appellant's
Exhibit #8

ACT-68-19

Case No: 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
E.H. COOPER
ACCOUNT STATEMENT
ACCOUNT NO. 00211574
JOHNSON, NATHANIEL -

DATE: 02/01/12 TO 02/29/12

Appellant's Case No.

CURR BAL AS OF 03/06/12: 518.48

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
02/28/12	CANTEEN PURC	0.00	10.31	518.48
02/23/12	CANTEEN PURC	0.00	124.96	528.79
02/17/12	RX COPAY	0.00	5.00	653.75
02/17/12	RX COPAY	0.00	5.00	658.75
02/17/12	RX COPAY	0.00	5.00	663.75
02/13/12	CANTEEN PURC	0.00	46.34	668.75
02/09/12	CANTEEN PURC	0.00	15.85	715.09
02/09/12	INTEREST	0.65	0.00	730.94
02/09/12	INTEREST	1.01	0.00	730.29

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
03/29/12	CANTEEN PURC	0.00	50.08	125.60
03/22/12	CANTEEN PURC	0.00	49.67	175.68
03/21/12	POSTAGE REST	0.00	1.32	225.35
03/20/12	OPERATING FE	0.00	0.50	226.67
03/20/12	SINGLE CHECK	0.00	130.73	227.17
03/16/12	RX COPAY	0.00	5.00	357.90
03/16/12	RX COPAY	0.00	5.00	362.90
03/16/12	RX COPAY	0.00	5.00	367.90
~~03/16/12~~	~~POSTAGE REST~~	~~0.00~~	~~0.90~~	~~372.90~~
03/16/12	CANTEEN PURC	0.00	34.43	373.80
03/15/12	CANTEEN PURC	0.00	25.07	408.23
03/15/12	POSTAGE REST	0.00	0.41	433.30
03/14/12	MEDICAL CO-P	0.00	5.00	433.71
03/13/12	COPIES	0.00	0.50	438.71
03/13/12	POSTAGE REST	0.00	0.01	439.21
03/12/12	OPERATING FE	0.00	0.50	439.22
03/12/12	SINGLE CHECK	0.00	28.40	439.72
03/12/12	POSTAGE	0.00	0.02	468.12
03/07/12	CANTEEN PURC	0.00	50.34	468.14

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
04/23/12	CANTEEN PURC	0.00	6.04	1515.39
04/20/12	RX COPAY	0.00	2.16	1521.43
04/20/12	DEPOSIT	1500.00	0.00	1523.59
04/20/12	DEPOSIT	8.45	0.00	23.59
04/18/12	CANTEEN PURC	0.00	6.29	15.14
04/06/12	RX COPAY	0.00	1.08	21.43
04/06/12	RX COPAY	0.00	5.00	22.51
04/06/12	RX COPAY	0.00	5.00	27.51
04/06/12	POSTAGE REST	0.00	0.02	32.51
04/05/12	POSTAGE REST	0.00	0.01	32.53
04/05/12	INTEREST	0.29	0.00	32.54
04/05/12	INTEREST	0.55	0.00	32.25
04/03/12	CANTEEN PURC	0.00	93.90	31.70

42.

Appellant's
Exhibit #9

ACT-68-19

Case No: 19CD240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 05/01/12 TO 05/31/12

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No

CURR BAL AS OF 06/05/12: 562.42

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
05/31/12	CANTEEN PURC	0.00	5.57	672.22
05/29/12	CANTEEN PURC	0.00	71.63	677.79
05/23/12	CANTEEN PURC	0.00	5.64	749.42
05/21/12	CANTEEN PURC	0.00	68.11	755.06
05/18/12	RX COPAY	0.00	5.00	823.17
05/18/12	RX COPAY	0.00	5.00	828.17
05/17/12	INTEREST	0.48	0.00	833.17
05/14/12	CANTEEN PURC	0.00	124.89	832.69
05/09/12	CANTEEN PURC	0.00	6.18	957.58
05/09/12	COPIES	0.00	3.75	963.76
05/08/12	PERSONAL EQU	0.00	188.46	967.51
05/08/12	POSTAGE REST	0.00	2.20	1155.97
05/07/12	OPERATING FE	0.00	0.50	1158.17
05/07/12	SINGLE CHECK	0.00	76.50	1158.67
05/07/12	OPERATING FE	0.00	0.50	1235.17
05/07/12	SINGLE CHECK	0.00	55.20	1235.67
05/07/12	CANTEEN PURC	0.00	108.78	1290.87
05/07/12	POSTAGE REST	0.00	0.45	1399.65
05/04/12	RX COPAY	0.00	5.00	1400.10
05/03/12	CANTEEN PURC	0.00	108.51	1405.10
05/03/12	RX COPAY	0.00	1.76	1513.61
05/03/12	POSTAGE REST	0.00	0.02	1515.37

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

CURR BAL AS OF 08/01/12: 667.91

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
07/31/12	CANTEEN PURC	0.00	118.93	667.91
07/31/12	INTEREST	0.42	0.00	786.84
07/30/12	MONEY ORDER	100.00	0.00	786.42
07/26/12	CANTEEN PURC	0.00	116.73	686.42
07/25/12	CANTEEN PURC	0.00	7.95	803.15
07/20/12	SPECIAL FUND	0.00	4.37	811.10
07/20/12	SPECIAL FUND	0.00	83.13	815.47
07/19/12	MONEY ORDER	50.00	0.00	898.60
07/17/12	CANTEEN PURC	0.00	36.54	848.60
07/09/12	MONEY ORDER	40.00	0.00	885.14
07/07/12	DEPOSIT	500.00	0.00	845.14
07/06/12	RX COPAY	0.00	5.00	345.14
07/06/12	RX COPAY	0.00	5.00	350.14
07/06/12	RX COPAY	0.00	5.00	355.14
07/03/12	CANTEEN PURC	0.00	50.19	360.14
07/03/12	SPECIAL FUND	0.00	0.62	410.33
07/03/12	SPECIAL FUND	0.00	11.88	410.95
07/02/12	POSTAGE	0.00	3.10	422.83

43.

Appellant's
Exhibit #10

ACT-68-19

Case No: 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

DATE: 08/01/12 TO 08/31/12

CURR BAL AS OF 09/10/12: 718.48

Appellant's Case No.

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
08/30/12	OPERATING FE	0.00	0.50	784.73
08/30/12	SINGLE CHECK	0.00	156.54	785.23
08/30/12	CANTEEN PURC	0.00	124.64	941.77
08/23/12	COPIES	0.00	2.50	1066.41
08/22/12	INTEREST	0.61	0.00	1068.91
08/17/12	DEPOSIT	500.00	0.00	1068.30
08/13/12	OPERATING FE	0.00	0.50	568.30
08/13/12	SINGLE CHECK	0.00	29.25	568.80
08/13/12	POSTAGE	0.00	0.20	598.05
08/06/12	CANTEEN PURC	0.00	124.90	598.25
08/02/12	DEPOSIT	59.39	0.00	723.15
08/01/12	CANTEEN PURC	0.00	4.15	663.76

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
09/27/12	CANTEEN PURC	0.00	74.76	319.22
09/27/12	SPECIAL FUND	0.00	50.00	393.98
09/22/12	INTEREST	0.69	0.00	443.98
09/21/12	RX COPAY	0.00	5.00	443.29
09/21/12	RX COPAY	0.00	5.00	448.29
09/21/12	RX COPAY	0.00	5.00	453.29
09/18/12	CANTEEN PURC	0.00	124.70	458.29
09/14/12	POSTAGE REST	0.00	0.91	582.99
09/13/12	CANTEEN PURC	0.00	124.88	583.90
09/13/12	OPERATING FE	0.00	0.50	708.78
09/13/12	SINGLE CHECK	0.00	165.49	709.28
09/11/12	OPERATING CR	0.00	0.50	874.77
09/10/12	COPIES	0.00	0.75	874.27
09/07/12	CANTEEN PURC	0.00	125.00	875.02
09/07/12	COPIES	0.00	1.25	1000.02
09/06/12	MONEY ORDER	60.00	0.00	1001.27

ACCOUNT STATEMENT DATE: 11/01/12 TO 11/06/12

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

CURR BAL AS OF 11/06/12: 675.01

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
11/06/12	CANTEEN PURC	0.00	134.35	675.01
11/06/12	MEDICAL CO-P	0.00	5.00	809.36
11/06/12	POSTAGE REST	0.00	0.90	814.36
11/06/12	POSTAGE REST	0.00	0.45	815.26

44.

Appellant's
Exhibit #11

ACE-68-19

Case No: 19C6240

Appellant's Case No:
2019-001628

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JB-5L

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 12/01/12 TO 12/31/12 45,

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

CURR BAL AS OF 01/03/13: 578.51

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
12/20/12	POSTAGE	0.00	10.19	578.51
12/18/12	CANTEEN PURC	0.00	97.88	588.70
12/18/12	INTEREST	0.52	0.00	686.58
12/13/12	CANTEEN PURC	0.00	153.61	686.06
12/12/12	SPECIAL FUND	0.00	1.05	839.67
12/12/12	SPECIAL FUND	0.00	19.95	840.72
12/04/12	CANTEEN PURC	0.00	65.33	860.67
12/03/12	MEDICAL CO-P	0.00	5.00	926.00

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 02/01/13 TO 02/28/13

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

CURR BAL AS OF 03/05/13: 541.09

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
02/19/13	CANTEEN PURC	0.00	81.65	551.09
02/15/13	COPIES	0.00	0.75	632.74
02/13/13	CANTEEN PURC	0.00	124.69	633.49
02/12/13	INTEREST	0.25	0.00	758.18
02/05/13	CANTEEN PURC	0.00	98.10	757.93

E.H. COOPER

ACCOUNT STATEMENT

DATE: 03/01/13 TO 03/31/13

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

CURR BAL AS OF 04/03/13: 17.83

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
03/25/13	CANTEEN PURC	0.00	124.99	120.63
03/22/13	CANTEEN PURC	0.00	13.32	245.62
03/20/13	CANTEEN PURC	0.00	6.93	258.94
03/15/13	RX COPAY	0.00	5.00	265.87
03/13/13	OPERATING FE	0.00	0.51	270.87
03/13/13	SINGLE CHECK	0.00	153.20	271.38
03/12/13	CANTEEN PURC	0.00	117.07	424.58
03/09/13	INTEREST	0.56	0.00	541.65
03/01/13	RX COPAY	0.00	5.00	541.09
03/01/13	RX COPAY	0.00	5.00	546.09

45.

Appellant's
Exhibit #12

ACI-68-19

Case No: 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

DATE: 04, 1/13 TO 04/30/13

SB-50

Appellant's Case No.

2019-001628

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CURR BAL AS OF 05/14/13: 1131.93

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
04/18/13	DEPOSIT	700.00	0.00	1415.20
04/18/13	DEPOSIT	700.00	0.00	715.20
04/11/13	CANTEEN PURC	0.00	2.63	15.20
04/02/13	CANTEEN PURC	0.00	102.80	17.83

CURR BAL AS OF 06/06/1 580.68

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
05/28/13	COPIES	0.00	1.75	755.82
05/28/13	POSTAGE REST	0.00	0.46	757.57
05/28/13	CANTEEN PURC	0.00	124.65	758.03
05/21/13	CANTEEN PURC	0.00	124.83	882.68
05/14/13	CANTEEN PURC	0.00	124.42	1007.51
05/13/13	POSTAGE REST	0.00	0.46	1131.93
05/11/13	INTEREST	0.52	0.00	1132.39
05/11/13	INTEREST	0.28	0.00	1131.87
05/09/13	CANTEEN PURC	0.00	85.19	1131.59
05/08/13	OPERATING FE	0.00	0.51	1216.78
05/08/13	SINGLE CHECK	0.00	13.45	1217.29
~~05/08/13~~	~~OPERATING FE~~	~~0.00~~	~~0.51~~	~~1230.74~~
05/08/13	SINGLE CHECK	0.00	23.99	1231.25
05/07/13	CANTEEN PURC	0.00	13.10	1255.24
05/06/13	CANTEEN PURC	0.00	5.97	1268.34
05/03/13	RX COPAY	0.00	5.00	1274.31
05/03/13	RX COPAY	0.00	5.00	1279.31
05/03/13	RX COPAY	0.00	5.00	1284.31
05/03/13	POSTAGE REST	0.00	0.46	1289.31
05/02/13	CANTEEN PURC	0.00	124.97	1289.77
05/02/13	POSTAGE REST	0.00	0.46	1414.74

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
06/21/13	POSTAGE	0.00	1.26	315.94
06/21/13	CANTEEN PURC	0.00	8.54	317.20
06/18/13	CANTEEN PURC	0.00	116.36	325.74
06/14/13	RX COPAY	0.00	5.00	442.10
06/14/13	RX COPAY	0.00	5.00	447.10
06/14/13	RX COPAY	0.00	5.00	452.10
06/11/13	CANTEEN PURC	0.00	124.45	457.10
06/08/13	INTEREST	0.87	0.00	581.55
06/05/13	OPERATING FE	0.00	0.51	580.68
06/05/13	SINGLE CHECK	0.00	38.20	581.19
06/05/13	OPERATING FE	0.00	0.51	619.39
06/05/13	SINGLE CHECK	0.00	10.00	619.90
06/04/13	POSTAGE REST	0.00	0.92	629.90
06/04/13	CANTEEN PURC	0.00	125.00	630.82

46.

Appellant's
Exhibit #13

ACI: 68-19

Case No. 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 07/01/13 TO 07/31/13

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

CURR BAL AS OF 08/06/13: 790.42

Appellant's Case No.

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
07/31/13	OPERATING FE	0.00	0.51	650.19
07/31/13	SINGLE CHECK	0.00	29.25	650.70
07/31/13	OPERATING FE	0.00	0.51	679.95
07/31/13	SINGLE CHECK	0.00	50.00	680.46
07/31/13	POSTAGE REST	0.00	1.12	730.46
07/29/13	POSTAGE REST	0.00	0.46	731.58
07/29/13	POSTAGE REST	0.00	0.66	732.04
07/29/13	CANTEEN PURC	0.00	124.81	732.70
07/27/13	INTEREST	0.38	0.00	857.51
07/25/13	OPERATING CR	0.00	0.51	857.13
07/25/13	CANTEEN PURC	0.00	124.61	856.62
07/25/13	OPERATING FE	0.00	0.51	981.23
07/25/13	SINGLE CHECK	0.00	300.00	981.74
07/25/13	OPERATING FE	0.00	0.51	1281.74
07/19/13	CANTEEN PURC	0.00	29.25	1282.25
07/15/13	POSTAGE REST	0.00	0.92	1311.50
07/15/13	CANTEEN PURC	0.00	94.04	1312.42
07/12/13	RX COPAY	0.00	5.00	1406.46
07/12/13	RX COPAY	0.00	5.00	1411.46
07/12/13	VOID PERSONA	49.81	0.00	1416.46
07/11/13	CANTEEN PURC	0.00	119.53	1366.65
07/10/13	CANTEEN PURC	0.00	4.97	1486.18
07/10/13	OPERATING FE	0.00	0.51	1491.15
07/10/13	SINGLE CHECK	0.00	21.35	1491.66
07/08/13	PERSONAL EQU	0.00	49.81	1513.01
07/08/13	PERSONAL EQU	0.00	14.59	1562.82
07/05/13	COPIES	0.00	13.00	1577.41
07/05/13	CANTEEN PURC	0.00	14.08	1590.41
07/03/13	POSTAGE	0.00	8.37	1604.49
07/03/13	DEPOSIT	2.95	0.00	1612.86
07/03/13	DEPOSIT	700.00	0.00	1609.91
07/03/13	DEPOSIT	700.00	0.00	909.91
07/02/13	CANTEEN PURC	0.00	105.57	209.91
07/01/13	POSTAGE REST	0.00	0.46	315.48

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 08/01/13 TO 08/30/13

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No. ~~47~~ 48

CURR BAL AS OF 09/11/13:

72.22

2019-001628

~~47~~ 48Appellant's
Exhibit #14

ACI-68-19

Case No: 19C0240

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
08/29/13	CANTEEN PURC	0.00	121.00	435.86
08/28/13	POSTAGE REST	0.00	0.46	556.86
08/28/13	OPERATING FE	0.00	0.51	557.32
08/28/13	SINGLE CHECK	0.00	43.35	557.83
08/22/13	POSTAGE REST	0.00	0.86	601.18
08/22/13	COPIES	0.00	3.00	602.04
08/21/13	POSTAGE REST	0.00	0.46	605.04
08/20/13	CANTEEN PURC	0.00	113.16	605.50
08/19/13	CANTEEN PURC	0.00	7.25	718.66
08/16/13	RX COPAY	0.00	5.00	725.91
08/16/13	RX COPAY	0.00	5.00	730.91
08/15/13	CANTEEN PURC	0.00	76.88	735.91
08/14/13	OPERATING FE	0.00	0.51	812.79
08/14/13	SINGLE CHECK	0.00	5.00	813.30
08/13/13	CANTEEN PURC	0.00	10.88	818.30
08/13/13	VOID CHECK	50.00	0.00	829.18
08/09/13	RX COPAY	0.00	5.00	779.18
08/09/13	CANTEEN PURC	0.00	1.24	784.18
08/07/13	MEDICAL CO-P	0.00	5.00	785.42
08/06/13	CANTEEN PURC	0.00	123.32	790.42
08/06/13	VOID CHECK	300.00	0.00	913.74
08/01/13	PERSONAL EQU	0.00	36.45	613.74

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
09/26/13	DEPOSIT	700.00	0.00	716.43
09/14/13	INTEREST	1.00	0.00	16.43
09/12/13	CANTEEN PURC	0.00	36.54	15.43
09/11/13	COPIES	0.00	20.25	51.97
09/11/13	POSTAGE	0.00	25.11	72.22
09/09/13	CANTEEN PURC	0.00	29.91	97.33
09/09/13	COPIES	0.00	17.25	127.24
09/05/13	INTEREST	1.00	0.00	144.49
09/04/13	CANTEEN PURC	0.00	124.70	143.49
09/04/13	PERSONAL EQU	0.00	167.67	268.19

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
10/31/13	CANTEEN PURC	0.00	11.81	295.01
10/29/13	CANTEEN PURC	0.00	112.34	306.82
10/23/13	CANTEEN PURC	0.00	24.63	419.16
10/22/13	CANTEEN PURC	0.00	100.14	443.79
10/17/13	PERSONAL EQU	0.00	8.31	543.93
10/14/13	CANTEEN PURC	0.00	124.85	552.24
10/14/13	POSTAGE REST	0.00	0.46	677.09
10/12/13	INTEREST	0.17	0.00	677.55
10/12/13	RX COPAY	0.00	5.00	677.38
10/12/13	RX COPAY	0.00	5.00	682.38
10/12/13	RX COPAY	0.00	5.00	687.38
10/12/13	POSTAGE REST	0.00	0.92	692.38
10/12/13	MEDICAL CO-P	0.00	5.00	693.30
10/12/13	POSTAGE REST	0.00	0.46	698.30
10/12/13	POSTAGE REST	0.00	1.58	698.76
10/11/13	RX COPAY	0.00	5.00	700.34

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Appellant's
Exhibit #15

ACT-68-19

Case No: 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 12/01/13 TO 12/31/13

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No 49

CURR BAL AS OF 01/06/14: 700.27

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
12/31/13	CANTEEN PURC	0.00	26.36	715.27
12/30/13	MEDICAL CO-P	0.00	5.00	741.63
12/30/13	POSTAGE	0.00	3.04	746.63
12/24/13	INTEREST	0.47	0.00	749.67
12/21/13	INTEREST	0.47	0.00	749.20
12/20/13	CANTEEN PURC	0.00	106.00	748.73
12/13/13	RX COPAY	0.00	5.00	854.73
12/13/13	RX COPAY	0.00	5.00	859.73
12/13/13	RX COPAY	0.00	5.00	864.73
12/11/13	POSTAGE REST	0.00	1.38	869.73
12/11/13	CANTEEN PURC	0.00	151.99	871.11
12/10/13	POSTAGE REST	0.00	2.96	1023.10
12/09/13	POSTAGE REST	0.00	1.32	1026.06
12/05/13	SPECIAL FUND	0.00	0.07	1027.38
12/05/13	SPECIAL FUND	0.00	0.68	1027.45
12/05/13	SPECIAL FUND	0.00	14.25	1028.13
12/03/13	CANTEEN PURC	0.00	118.68	1042.38

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
01/31/14	SPECIAL FUND	0.00	0.30	881.13
01/31/14	SPECIAL FUND	0.00	2.70	881.43
01/31/14	SPECIAL FUND	0.00	57.00	884.13
01/28/14	POSTAGE REST	0.00	0.96	941.13
01/28/14	CANTEEN PURC	0.00	61.99	942.09
01/24/14	CANTEEN PURC	0.00	32.23	1004.08
01/24/14	DEPOSIT	700.00	0.00	1036.31
01/23/14	CANTEEN PURC	0.00	84.50	336.31
01/22/14	POSTAGE REST	0.00	0.92	420.81
01/22/14	OPERATING FE	0.00	0.51	421.73
01/22/14	SINGLE CHECK	0.00	30.30	422.24
01/14/14	CANTEEN PURC	0.00	124.36	452.54
01/10/14	CANTEEN PURC	0.00	123.37	576.90
01/03/14	RX COPAY	0.00	5.00	700.27
01/03/14	RX COPAY	0.00	5.00	705.27
01/03/14	RX COPAY	0.00	5.00	710.27

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
02/28/14	CANTEEN PURC	0.00	68.09	1087.59
02/26/14	CANTEEN PURC	0.00	42.28	1155.68
02/25/14	POSTAGE REST	0.00	0.92	1197.96
02/25/14	INTEREST	0.73	0.00	1198.88
02/21/14	CANTEEN PURC	0.00	5.97	1198.15
02/18/14	PERSONAL EQU	0.00	8.31	1204.12
02/18/14	CANTEEN PURC	0.00	108.73	1212.43
02/11/14	CANTEEN PURC	0.00	123.41	1321.16
02/08/14	DEPOSIT	700.00	0.00	1444.57
02/07/14	RX COPAY	0.00	5.00	744.57
02/07/14	RX COPAY	0.00	5.00	749.57
02/07/14	RX COPAY	0.00	5.00	754.57

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Appellant's
Exhibit #16

ACE 68-19

Case No. 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No

2019-001628

DATE: 03/01/14 TO 03/31/14

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CURR BAL AS OF 04/08/14: 728.94

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
03/28/14	OPERATING FE	0.00	0.54	970.40
03/28/14	SINGLE CHECK	0.00	151.48	970.94
03/27/14	DEPOSIT	417.50	0.00	1122.42
03/24/14	CANTEEN PURC	0.00	124.96	704.92
03/19/14	MEDICAL CO-P	0.00	5.00	829.88
03/18/14	CANTEEN PURC	0.00	10.73	834.88
03/14/14	RX COPAY	0.00	5.00	845.61
03/14/14	RX COPAY	0.00	5.00	850.61
03/13/14	CANTEEN PURC	0.00	10.99	855.61
03/11/14	CANTEEN PURC	0.00	104.63	866.60
03/07/14	RX COPAY	0.00	5.00	971.23
03/06/14	CANTEEN PURC	0.00	124.88	976.23
03/05/14	INTEREST	0.56	0.00	1101.11
03/03/14	POSTAGE REST	0.00	1.44	1100.55
03/01/14	DEPOSIT	14.40	0.00	1101.99

CURR BAL AS OF 05/06/14: 159.13

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
04/21/14	CANTEEN PURC	0.00	124.91	454.73
04/17/14	POSTAGE REST	0.00	0.96	579.64
04/17/14	CANTEEN PURC	0.00	76.30	580.60
04/11/14	RX COPAY	0.00	5.00	656.90
04/11/14	RX COPAY	0.00	5.00	661.90
04/11/14	RX COPAY	0.00	5.00	666.90
04/09/14	OPERATING FE	0.00	0.54	671.90
04/09/14	SINGLE CHECK	0.00	56.50	672.44
04/07/14	CANTEEN PURC	0.00	122.69	728.94
04/03/14	CANTEEN PURC	0.00	118.77	851.63

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
05/30/14	POSTAGE REST	0.00	0.96	507.75
05/29/14	CANTEEN PURC	0.00	68.01	508.71
05/27/14	PERSONAL EQU	0.00	35.68	576.72
05/20/14	CANTEEN PURC	0.00	105.48	612.40
05/19/14	POSTAGE REST	0.00	0.96	717.88
05/15/14	POSTAGE REST	0.00	0.48	718.84
05/15/14	CANTEEN PURC	0.00	10.54	719.32
05/12/14	CANTEEN PURC	0.00	114.27	729.86
05/09/14	RX COPAY	0.00	5.00	844.13
05/09/14	RX COPAY	0.00	5.00	849.13
05/09/14	RX COPAY	0.00	5.00	854.13
05/08/14	DEPOSIT	700.00	0.00	859.13
05/06/14	CANTEEN PURC	0.00	78.14	159.13
05/06/14	INTEREST	0.77	0.00	237.27
05/02/14	OPERATING FE	0.00	0.54	236.50
05/02/14	SINGLE CHECK	0.00	67.00	237.04
05/02/14	POSTAGE	0.00	3.43	304.04
05/02/14	INTEREST	0.96	0.00	307.47

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SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 06/01/14 TO 06/30/14

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No

2019-001628 51

Case No. 19C0240 CURR BAL AS OF 07/25/14: 2048.65

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
06/18/14	PERSONAL EQU	0.00	8.31	541.89
06/17/14	CANTEEN PURC	0.00	124.68	550.20
06/13/14	RX COPAY	0.00	5.00	674.88
06/13/14	RX COPAY	0.00	5.00	679.88
06/13/14	CANTEEN PURC	0.00	107.64	684.88
06/06/14	RX COPAY	0.00	5.00	792.52
06/06/14	CANTEEN PURC	0.00	29.33	797.52
06/05/14	OPERATING FE	0.00	0.54	826.85
06/05/14	SINGLE CHECK	0.00	5.00	827.39
06/05/14	DEPOSIT	400.00	0.00	832.39
06/05/14	DEPOSIT	5.51	0.00	432.39
06/05/14	DEPOSIT	3.06	0.00	426.88
06/03/14	CANTEEN PURC	0.00	79.95	423.82
06/02/14	CANTEEN PURC	0.00	3.98	503.77

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
07/29/14	CANTEEN PURC	0.00	56.43	1992.22
07/22/14	MEDICAL CO-P	0.00	5.00	2048.65
07/21/14	CANTEEN PURC	0.00	111.36	2053.65
07/15/14	CANTEEN PURC	0.00	119.55	2165.01
07/14/14	POSTAGE REST	0.00	0.48	2284.56
07/12/14	DEPOSIT	2000.00	0.00	2285.04
~~07/11/14~~	~~CANTEEN PURC~~	~~0.00~~	~~5.52~~	~~285.04~~
07/11/14	OPERATING FE	0.00	0.54	290.56
07/11/14	SINGLE CHECK	0.00	10.20	291.10
07/07/14	CANTEEN PURC	0.00	118.88	301.30
07/04/14	RX COPAY	0.00	5.00	420.18
07/04/14	RX COPAY	0.00	5.00	425.18
07/04/14	RX COPAY	0.00	5.00	430.18
07/02/14	POSTAGE REST	0.00	0.96	435.18
07/02/14	CANTEEN PURC	0.00	32.31	436.14
07/01/14	CANTEEN PURC	0.00	73.44	468.45

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
08/28/14	CANTEEN PURC	0.00	112.54	1345.90
08/20/14	OPERATING FE	0.00	0.54	1458.44
08/20/14	SINGLE CHECK	0.00	77.00	1458.98
08/20/14	POSTAGE	0.00	0.48	1535.98
08/19/14	CANTEEN PURC	0.00	124.38	1536.46
08/12/14	CANTEEN PURC	0.00	124.95	1660.84
08/08/14	RX COPAY	0.00	5.00	1785.79
08/08/14	CANTEEN PURC	0.00	124.00	1790.79
08/06/14	POSTAGE	0.00	7.87	1914.79
08/05/14	POSTAGE REST	0.00	0.96	1922.66
08/01/14	RX COPAY	0.00	5.00	1923.62
08/01/14	RX COPAY	0.00	5.00	1928.62
08/01/14	SPECIAL FUND	0.00	0.29	1933.62
08/01/14	SPECIAL FUND	0.00	2.64	1933.91
08/01/14	SPECIAL FUND	0.00	55.67	1936.55

51.

CURR BAL AS OF 10/07/14:

418.99

Appellant's Case No.

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
09/30/14	CANTEEN PURC	0.00	116.55	549.15
09/29/14	POSTAGE REST	0.00	0.48	665.70
09/25/14	CANTEEN PURC	0.00	26.01	666.18
09/25/14	OPERATING FE	0.00	0.54	692.19
09/25/14	SINGLE CHECK	0.00	3.50	692.73
09/24/14	CANTEEN PURC	0.00	88.93	696.23
09/23/14	CANTEEN PURC	0.00	9.68	785.16
09/20/14	INTEREST	1.37	0.00	794.84
09/19/14	RX COPAY	0.00	5.00	793.47
09/19/14	INTEREST	1.25	0.00	798.47
09/18/14	INTEREST	0.52	0.00	797.22
09/17/14	INTEREST	0.48	0.00	796.70
09/16/14	CANTEEN PURC	0.00	101.44	796.22
09/16/14	PERSONAL EQU	0.00	8.31	897.66
09/16/14	INTEREST	0.53	0.00	905.97
09/12/14	RX COPAY	0.00	5.00	905.44
09/11/14	CANTEEN PURC	0.00	10.06	910.44
09/10/14	OPERATING FE	0.00	0.54	920.50
09/10/14	SINGLE CHECK	0.00	204.63	921.04
09/09/14	POSTAGE REST	0.00	0.69	1125.67
09/08/14	CANTEEN PURC	0.00	95.01	1126.36
09/05/14	RX COPAY	0.00	5.00	1221.37
09/05/14	CANTEEN PURC	0.00	3.83	1226.37
09/04/14	POSTAGE REST	0.00	0.96	1230.20
09/03/14	CANTEEN PURC	0.00	114.74	1231.16

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CURR BAL AS OF 11/07/14: 2039.04

Appellant's
Exhibit #18
ACI-68-19

Case No: 19C0240

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
10/31/14	POSTAGE REST	0.00	0.96	2037.87
10/28/14	CANTEEN PURC	0.00	122.69	2038.83
10/21/14	CANTEEN PURC	0.00	109.20	2161.52
10/15/14	CANTEEN PURC	0.00	103.56	2270.72
10/15/14	DEPOSIT	2000.00	0.00	2374.28
10/14/14	PERSONAL EQU	0.00	8.31	374.28
10/14/14	SPECIAL FUND	0.00	0.11	382.59
10/14/14	SPECIAL FUND	0.00	0.96	382.70
10/14/14	SPECIAL FUND	0.00	20.33	383.66
10/13/14	MEDICAL CO-P	0.00	5.00	403.99
10/10/14	RX COPAY	0.00	5.00	408.99
10/10/14	RX COPAY	0.00	5.00	413.99
10/07/14	CANTEEN PURC	0.00	124.96	418.99
10/07/14	POSTAGE REST	0.00	0.96	543.95
10/07/14	INTEREST	0.76	0.00	544.91
10/03/14	RX COPAY	0.00	5.00	544.15

CURR BAL AS OF 12/03/14: 1802.23

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
11/26/14	POSTAGE REST	0.00	1.44	1720.72
11/21/14	RX COPAY	0.00	5.00	1722.16
11/21/14	CANTEEN PURC	0.00	113.86	1727.16
11/17/14	CANTEEN PURC	0.00	33.70	1841.02
11/17/14	INMATE PAY-S	0.00	1.92	1874.72
11/14/14	RX COPAY	0.00	5.00	1876.64
11/10/14	CANTEEN PURC	0.00	152.40	1881.64

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Appellant's
Exhibit #19
ACI-68-19
Case No: 19C0246

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 12/01/14 TO 12/31/14

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No

CURR BAL AS OF 01/06/15: 1165.34

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
12/30/14	CANTEEN PURC	0.00	124.69	1180.34
12/30/14	OPERATING FE	0.00	0.54	1305.03
12/30/14	SINGLE CHECK	0.00	3.50	1305.57
12/29/14	POSTAGE REST	0.00	0.96	1309.07
12/19/14	RX COPAY	0.00	5.00	1310.03
12/16/14	CANTEEN PURC	0.00	85.26	1315.03
12/12/14	RX COPAY	0.00	5.00	1400.29
12/12/14	CANTEEN PURC	0.00	174.71	1405.29
12/11/14	POSTAGE REST	0.00	1.38	1580.00
12/11/14	PERSONAL EQU	0.00	14.59	1581.38
12/10/14	POSTAGE REST	0.00	2.88	1595.97
12/06/14	INTEREST	1.56	0.00	1598.85
12/05/14	RX COPAY	0.00	5.00	1597.29
12/02/14	CANTEEN PURC	0.00	118.43	1602.29

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
01/29/15	POSTAGE REST	0.00	0.48	656.34
01/28/15	CANTEEN PURC	0.00	109.80	656.82
01/23/15	CANTEEN PURC	0.00	24.40	766.62
01/21/15	VOID CANTEEN	10.70	0.00	791.02
01/21/15	CANTEEN PURC	0.00	110.17	780.32
01/21/15	OPERATING FE	0.00	0.54	890.49
01/21/15	SINGLE CHECK	0.00	20.00	891.03
01/20/15	POSTAGE REST	0.00	0.48	911.03
01/13/15	CANTEEN PURC	0.00	122.10	911.51
01/12/15	COPIES	0.00	16.50	1033.61
01/12/15	POSTAGE	0.00	2.87	1050.11
01/08/15	CANTEEN PURC	0.00	113.54	1052.98
01/08/15	INTEREST	1.18	0.00	1166.52
01/02/15	RX COPAY	0.00	5.00	1165.34
01/02/15	RX COPAY	0.00	5.00	1170.34
01/02/15	RX COPAY	0.00	5.00	1175.34

CURR BAL AS OF 03/06/15: 1585.41

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
02/25/15	CANTEEN PURC	0.00	79.91	1684.33
02/24/15	POSTAGE REST	0.00	0.48	1764.24
02/20/15	CANTEEN PURC	0.00	124.74	1764.72
02/19/15	DEPOSIT	1500.00	0.00	1889.46
02/10/15	CANTEEN PURC	0.00	118.96	389.46
02/06/15	RX COPAY	0.00	5.00	508.42
02/06/15	RX COPAY	0.00	5.00	513.42
02/06/15	RX COPAY	0.00	5.00	518.42
02/06/15	CANTEEN PURC	0.00	20.75	523.42
02/05/15	CANTEEN PURC	0.00	103.86	544.17
02/04/15	PERSONAL EQU	0.00	8.31	648.03

53.

Appellant's
Exhibit #20

ACI-68-19

Case No. 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 03/01/15 TO 03/31/15

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No

CURR BAL AS OF 04/08/15:

668.10

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
03/31/15	POSTAGE REST	0.00	0.48	807.02
03/31/15	CANTEEN PURC	0.00	124.83	807.50
03/27/15	SPECIAL FUND	0.00	0.04	932.33
03/27/15	SPECIAL FUND	0.00	0.36	932.37
03/27/15	SPECIAL FUND	0.00	7.60	932.73
03/27/15	SPECIAL FUND	0.00	0.12	940.33
03/27/15	SPECIAL FUND	0.00	1.08	940.45
03/27/15	SPECIAL FUND	0.00	22.80	941.53
03/26/15	CANTEEN PURC	0.00	89.39	964.33
03/25/15	OPERATING FE	0.00	0.54	1053.72
03/25/15	SINGLE CHECK	0.00	204.92	1054.26
03/25/15	OPERATING FE	0.00	0.54	1259.18
03/25/15	SINGLE CHECK	0.00	58.50	1259.72
03/25/15	OPERATING FE	0.00	0.54	1318.22
03/25/15	SINGLE CHECK	0.00	36.00	1318.76
03/24/15	POSTAGE	0.00	0.20	1354.76
03/24/15	COPIES	0.00	2.50	1354.96
03/20/15	POSTAGE REST	0.00	0.48	1357.46
03/20/15	RX COPAY	0.00	5.00	1357.94
03/20/15	RX COPAY	0.00	5.00	1362.94
03/18/15	INTEREST	0.78	0.00	1367.94
03/17/15	CANTEEN PURC	0.00	118.60	1367.16
03/13/15	~~RX COPAY~~	~~0.00~~	~~5.00~~	~~1485.76~~
03/12/15	CANTEEN PURC	0.00	78.23	1490.76
03/10/15	POSTAGE REST	0.00	0.42	1568.99
03/10/15	COPIES	0.00	14.00	1569.41
03/06/15	INTEREST	0.77	0.00	1583.41
03/04/15	OPERATING FE	0.00	0.54	1582.64
03/04/15	SINGLE CHECK	0.00	5.99	1583.18
03/03/15	CANTEEN PURC	0.00	95.16	1589.17

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Appellant's
Exhibit #21
ACI-68-19
Case No: 19CD240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No
2019-001628

DATE: 04/01/15 TO 04/30/15

CURR BAL AS OF 05/12/15: 291.09

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
04/30/15	CANTEEN PURC	0.00	124.82	400.29
04/24/15	MEDICAL CO-P	0.00	5.00	525.11
04/24/15	PERSONAL EQU	0.00	8.75	530.11
04/23/15	CANTEEN PURC	0.00	121.20	538.86
04/22/15	OPERATING FE	0.00	0.54	660.06
04/22/15	SINGLE CHECK	0.00	7.50	660.60
04/08/15	INTEREST	1.14	0.00	668.10
04/07/15	CANTEEN PURC	0.00	124.86	666.96
04/06/15	POSTAGE REST	0.00	0.20	791.82
04/03/15	RX COPAY	0.00	5.00	792.02
04/03/15	RX COPAY	0.00	5.00	797.02
04/03/15	RX COPAY	0.00	5.00	802.02

CURR BAL AS OF 06/09/15: 25.24

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
05/29/15	CANTEEN PURC	0.00	38.76	48.61
05/22/15	RX COPAY	0.00	5.00	87.37
05/19/15	CANTEEN PURC	0.00	113.03	92.37
05/15/15	RX COPAY	0.00	5.00	205.40
05/15/15	CANTEEN PURC	0.00	71.94	210.40
05/14/15	PERSONAL EQU	0.00	8.75	282.34
05/07/15	INTEREST	0.54	0.00	291.09
05/06/15	POSTAGE REST	0.00	0.96	290.55
05/05/15	CANTEEN PURC	0.00	103.78	291.51
05/01/15	RX COPAY	0.00	5.00	395.29

CURR BAL AS OF 07/01/15: 30.24

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
06/26/15	POSTAGE REST	0.00	0.60	1091.18
06/24/15	MONEY ORDER	100.00	0.00	1091.78
06/23/15	CANTEEN PURC	0.00	101.87	991.78
06/22/15	MONEY ORDER	300.00	0.00	1093.65
06/22/15	RX COPAY	0.00	5.00	793.65
06/17/15	MONEY ORDER	300.00	0.00	798.65
06/16/15	CANTEEN PURC	0.00	19.84	498.65
06/15/15	CANTEEN PURC	0.00	86.74	518.49
06/12/15	RX COPAY	0.00	5.00	605.23
06/12/15	CANTEEN PURC	0.00	114.50	610.23
06/11/15	POSTAGE REST	0.00	0.68	724.73
06/10/15	INTEREST	0.17	0.00	725.41
06/10/15	DEPOSIT	700.00	0.00	725.24
06/05/15	RX COPAY	0.00	5.00	25.24
06/02/15	CANTEEN PURC	0.00	18.37	30.24

Appellant's
Exhibit #2a
ACI-68-19
Case No: 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 07/01/15 TO 07/31/15

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant Case No

CURR BAL AS OF 08/05/15: 206.27

2019-001628

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
07/30/15	COPIES	0.00	1.00	123.77
07/30/15	POSTAGE REST	0.00	0.48	124.77
07/29/15	POSTAGE REST	0.00	0.48	125.25
07/29/15	OPERATING FE	0.00	0.54	125.73
07/29/15	SINGLE CHECK	0.00	3.80	126.27
07/27/15	CANTEEN PURC	0.00	124.97	130.07
07/24/15	CANTEEN PURC	0.00	8.70	255.04
07/23/15	CANTEEN PURC	0.00	80.78	263.74
07/21/15	OPERATING FE	0.00	0.54	344.52
07/21/15	SINGLE CHECK	0.00	39.44	345.06
07/21/15	POSTAGE	0.00	9.00	384.50
07/20/15	SPECIAL FUND	0.00	0.17	393.50
07/20/15	SPECIAL FUND	0.00	1.60	393.67
07/20/15	SPECIAL FUND	0.00	33.73	395.27
07/14/15	OPERATING FE	0.00	0.54	429.00
07/14/15	SINGLE CHECK	0.00	100.00	429.54
07/14/15	POSTAGE	0.00	15.41	529.54
07/13/15	OPERATING FE	0.00	0.54	544.95
07/13/15	SINGLE CHECK	0.00	400.00	545.49
07/13/15	POSTAGE	0.00	7.86	945.49
07/08/15	POSTAGE REST	0.00	0.96	953.35
07/07/15	CANTEEN PURC	0.00	121.87	954.31
07/03/15	RX COPAY	0.00	5.00	1076.18
07/03/15	RX COPAY	0.00	5.00	1081.18
07/03/15	RX COPAY	0.00	5.00	1086.18

JOHNSON, NATHANIEL -

CURR BAL AS OF 09/02/15: 516.48

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
08/31/15	POSTAGE	0.00	7.05	784.17
08/28/15	COPIES	0.00	2.75	791.22
08/27/15	MEDICAL CO-P	0.00	5.00	793.97
08/27/15	RX COPAY	0.00	5.00	798.97
08/27/15	POSTAGE REST	0.00	0.98	803.97
08/27/15	RX COPAY	0.00	5.00	804.95
08/27/15	RX COPAY	0.00	5.00	809.95
08/27/15	POSTAGE REST	0.00	0.48	814.95
08/27/15	DEPOSIT	800.00	0.00	815.43
08/25/15	CANTEEN PURC	0.00	0.55	15.43
08/21/15	CANTEEN PURC	0.00	3.57	15.98
08/21/15	POSTAGE	0.00	1.64	19.55
08/11/15	CANTEEN PURC	0.00	70.46	21.19
08/07/15	CANTEEN PURC	0.00	114.62	91.65
08/03/15	VOID CHECK	100.00	0.00	206.27
08/03/15	PERSONAL EQU	0.00	8.75	106.27
08/03/15	PERSONAL EQU	0.00	8.75	115.02

Appellant's
Exhibit #23

ACI-68-19

Case No: 19C0240

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 09/01/15 TO 09/30/15

ACCOUNT NO. 00211574

JOHNSON, NATHANIEL -

Appellant's Case No

2019-001628

CURR BAL AS OF 10/06/15: 699.76

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
09/30/15	CANTEEN PURC	0.00	7.69	849.08
09/29/15	POSTAGE REST	0.00	0.96	856.77
09/24/15	CANTEEN PURC	0.00	10.41	857.73
09/22/15	CANTEEN PURC	0.00	26.94	868.14
09/22/15	OPERATING FE	0.00	0.54	895.08
09/22/15	SINGLE CHECK	0.00	5.00	895.62
09/18/15	RX COPAY	0.00	5.00	900.62
09/18/15	RX COPAY	0.00	5.00	905.62
09/18/15	CANTEEN PURC	0.00	149.68	910.62
09/14/15	MEDICAL CO-P	0.00	5.00	1060.30
09/11/15	RX COPAY	0.00	5.00	1065.30
09/11/15	POSTAGE REST	0.00	0.48	1070.30
09/10/15	DEPOSIT	3.23	0.00	1070.78
09/10/15	DEPOSIT	700.00	0.00	1067.55
09/08/15	CANTEEN PURC	0.00	149.57	367.55
09/04/15	INTEREST	0.15	0.00	517.12
09/03/15	INTEREST	0.49	0.00	516.97
09/02/15	OPERATING FE	0.00	0.54	516.48
09/02/15	SINGLE CHECK	0.00	119.85	517.02
09/02/15	CANTEEN PURC	0.00	3.90	636.87
09/01/15	CANTEEN PURC	0.00	143.91	640.77
09/01/15	INTEREST	0.51	0.00	784.68

ACCOUNT STATEMENT

DATE: 10/01/15 TO 10/30/15

ACCOUNT NO. 00

JOHNSON, NATHANIEL -

CURR BAL AS OF 10/30/15: 258.62

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
10/26/15	CANTEEN PURC	0.00	149.87	258.62
10/23/15	COPIES	0.00	94.50	408.49
10/20/15	VOID CANTEEN	11.96	0.00	502.99
10/20/15	CANTEEN PURC	0.00	58.03	491.03
10/16/15	RX COPAY	0.00	5.00	549.06
10/16/15	RX COPAY	0.00	5.00	554.06
10/15/15	CANTEEN PURC	0.00	88.88	559.06
10/13/15	CANTEEN PURC	0.00	37.43	647.94
10/12/15	CANTEEN PURC	0.00	14.39	685.37
10/05/15	POSTAGE REST	0.00	1.20	699.76
10/02/15	RX COPAY	0.00	5.00	700.96
10/02/15	CANTEEN PURC	0.00	86.26	705.96
10/02/15	PERSONAL EQU	0.00	56.86	792.22

Appellant's
Exhibit #24

ACI-68-19

Case No: 19C0246

ACCOUNT STATEMENT
ACCOUNT NO. 00211574
JOHNSON, NATHANIEL -

DATE: 11/01/15 TO 11/30/15

Appellant's Case No
2019-001628 58

CURR BAL AS OF 12/07/15: 711.04

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
11/28/15	DEPOSIT	700.00	0.00	715.18
11/24/15	CANTEEN PURC	0.00	27.13	15.18
11/17/15	POSTAGE REST	0.00	2.40	42.31
11/09/15	CANTEEN PURC	0.00	79.59	44.71
11/06/15	RX COPAY	0.00	5.00	124.30
11/06/15	RX COPAY	0.00	5.00	129.30
11/06/15	RX COPAY	0.00	5.00	134.30
11/05/15	COPIES	0.00	9.00	139.30
11/04/15	PERSONAL EQU	0.00	49.81	148.30
11/03/15	CANTEEN PURC	0.00	60.51	198.11

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
12/30/15	COPIES	0.00	9.00	242.17
12/30/15	POSTAGE REST	0.00	1.42	251.17
12/21/15	CANTEEN PURC	0.00	99.22	252.59
12/18/15	RX COPAY	0.00	5.00	351.81
12/17/15	CANTEEN PURC	0.00	174.76	356.81
12/16/15	INTEREST	0.45	0.00	531.57
12/15/15	INTEREST	0.45	0.00	531.12
12/12/15	INTEREST	0.68	0.00	530.67
12/11/15	RX COPAY	0.00	5.00	529.99
12/11/15	CANTEEN PURC	0.00	174.61	534.99
12/08/15	POSTAGE REST	0.00	1.44	709.60
12/04/15	RX COPAY	0.00	5.00	711.04
12/04/15	STALE DATE	7.50	0.00	716.04
12/03/15	POSTAGE REST	0.00	1.64	708.54
12/02/15	MEDICAL CO-P	0.00	5.00	710.18

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
02/29/16	CANTEEN PURC	0.00	149.20	585.90
02/29/16	POSTAGE REST	0.00	0.44	735.10
02/25/16	CANTEEN PURC	0.00	91.02	735.54
02/24/16	POSTAGE	0.00	2.40	826.56
02/19/16	RX COPAY	0.00	5.00	828.96
02/19/16	RX COPAY	0.00	5.00	833.96
02/11/16	CANTEEN PURC	0.00	136.08	838.96
02/11/16	DEPOSIT	600.00	0.00	975.04
02/10/16	INTEREST	0.06	0.00	375.04
02/09/16	VOID INTERES	0.00	0.39	374.98
02/09/16	INTEREST	0.39	0.00	375.37
02/04/16	CANTEEN PURC	0.00	144.36	374.98
02/04/16	INTEREST	0.39	0.00	519.34
02/03/16	COPIES	0.00	1.50	518.95
02/03/16	POSTAGE REST	0.00	0.98	520.45
02/03/16	DEPOSIT	500.00	0.00	521.43
02/02/16	COPIES	0.00	8.00	21.43
02/02/16	POSTAGE REST	0.00	0.96	29.43
02/02/16	RX COPAY	0.00	5.00	30.39
2/02/16	MEDICAL CO-P	0.00	5.00	35.39
1/01/16	MONEY ORDER	25.00	0.00	40.39

Appellant's
Exhibit #25

ACI-68-19

Case No: 19C0240

SOUTH CAROLINA DEPARTMENT
E.H. COOPER
ACCOUNT STATEMENT
ACCOUNT NO. 00211
JOHNSON, NATHANIEL -

CORRECTIONS

DATE: 03/01/16 TO 03/31/16

Appellant's Case No
2019-001628

59.

CURR BAL AS OF 04/05/16: 203.77

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
03/31/16	CANTEEN PURC	0.00	93.68	189.27
03/31/16	INTEREST	0.53	0.00	282.95
03/22/16	OPERATING FE	0.00	0.54	282.42
03/22/16	SINGLE CHECK	0.00	5.00	282.96
03/21/16	CANTEEN PURC	0.00	149.76	287.96
03/18/16	RX COPAY	0.00	5.00	437.72
03/17/16	CANTEEN PURC	0.00	113.56	442.72
03/14/16	VOID STATE R	0.48	0.00	556.28
03/11/16	POSTAGE REST	0.00	1.64	555.80
03/09/16	POSTAGE REST	0.00	0.48	557.44
03/09/16	POSTAGE REST	0.00	0.48	557.92
03/04/16	RX COPAY	0.00	5.00	558.40
03/04/16	RX COPAY	0.00	5.00	563.40
03/01/16	PERSONAL EQU	0.00	8.75	568.40
03/01/16	PERSONAL EQU	0.00	8.75	577.15

JOHNSON, NATHANIEL -

CURR BAL AS OF 08/02/16: 33.27

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
07/29/16	RX COPAY	0.00	5.00	33.27
07/29/16	RX COPAY	0.00	5.00	38.27
07/29/16	RX COPAY	0.00	5.00	43.27
07/28/16	CANTEEN PURC	0.00	3.52	48.27
07/27/16	MEDICAL CO-P	0.00	5.00	51.79
07/26/16	SPECIAL FUND	0.00	0.11	56.79
07/26/16	SPECIAL FUND	0.00	1.04	56.90
07/26/16	SPECIAL FUND	0.00	21.85	57.94
07/21/16	CANTEEN PURC	0.00	71.99	79.79
07/19/16	SPECIAL FUND	0.00	0.11	151.78
07/19/16	SPECIAL FUND	0.00	1.04	151.89
07/19/16	SPECIAL FUND	0.00	21.85	152.93
07/14/16	CANTEEN PURC	0.00	149.75	174.78
07/14/16	INTEREST	0.27	0.00	324.53
07/07/16	CANTEEN PURC	0.00	70.10	324.26
07/07/16	OPERATING FE	0.00	0.52	394.36
07/07/16	SINGLE CHECK	0.00	25.00	394.88

59.

#211574
 Appellant Nathaniel Johnson Jr.
 Exhibit #26 Case No #1900240
 Grievance # ACT 68-19

Free South Carolina

continued from page 15

prisoners' rehabilitation and successful reintegration into society. The elimination of these grants has further reductions in education for prisoners and rehabilitation particular. WE DEMAND that all grants be reinstated to all those who desire to seek a higher education!

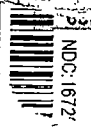
(10) The immediate forgiving of all medical debts incurred and free health care for the men and women in the S.C. Department of Corrections. WE KNOW that the state and legislature provide the means to allow prisoners to receive free medical care regardless as to whether we could afford it or not. The SCDC has been charging the men and women held captive exorbitant fees for what the state and legislature has deemed free. South Carolina Provision 37.16 authorized under Part 1(b) of the 2005



Department of Appropriations Act. WE DEMAND this practice be corrected immediately, as well as a thorough investigation into all the medical malpractice, even that leading to deaths that have been covered up by the South Carolina

Department of Corrections. Also, an immediate end to AIDS, hepatitis, tuberculosis, scabies and other infected patients being warehoused to contaminate healthier prisoners. Free the land! By any means necessary! Educate to liberate!

Kirkland Corrector
 4542 Broad River Rd Col
 2428599 BYRN



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 ALJ - Robinson
 Filed May 9th 2019

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Appellant's Case No 2019-001628

The Free South Carolina Movement strongly supports the Second Chance Initiative

On Jan 8, 2019, the South Carolina legislature will have an opportunity to enact a set of laws which will positively affect the mass-incarceration problem. Bills H 3322 and S 155 are designed to accomplish very similar goals in South Carolina to those envisioned by the U.S. Congress for federal prisoners in the recently enacted "First Step Act" (HR 5882).

Briefly, South Carolina's H 3322 provides a mechanism to determine the likelihood of a prisoner re-offending if the prisoner were released from the South Carolina Department of Corrections, providing an opportunity for prisoners to advance in custody upon completing a number of rehabilitative programs while disciplinary free for a time and clearly provides an opportunity for a prisoner under

a sentence of Life Without Parole (LWOP) to petition the circuit court of conviction and the county solicitor for a sentence modification after a service of 15 years and after the prisoner has completed a rehabilitation program, education program or has shown exemplary conduct consistently during that 15-year period.

S 155 provides a host of benefits to South Carolina prisoners currently serving "no parole offense" sentences at a rate of 85 percent, who are working hard to change themselves - by completing offered programs and maintaining a clean disciplinary record - to complete their incarceration time under community supervision under a reduced rate of 65 percent.

H 3322 and S 155 both will be a much needed change to help well-meaning and productive prisoners in South Carolina who suffer behind the actions of other prisoners who are not seeking to better

themselves - authorities in South Carolina have approved "blanket punishments" of the prisoners as a whole out of exaggerated fears grounded in clear incompetence of how to evaluate the prisoners individually in compliance with established policies and procedures and enactment of H 3322 and S 155 during the upcoming 2019-2020 legislative session will more than likely provide an incentive and basis for improvement in prisoner behavior as a whole.

Thus, in solidarity, we ask for all available support in convincing the South Carolina Legislature to enact H 3322 and S 155 into law.

Any questions or concerns may be conveniently addressed through the following means: Free South Carolina on Facebook @FreeSC Movement on Twitter and freesc-movement@gmail.com

Advertise in the BayView
 (415) 671-0789
 www.sfbayview.com

Freedom now! It is our primary objective!

The provisions of the South Carolina Constitution "shall be taken, deemed, and construed to be mandatory and prohibitory" [Article I, Sec. 23] and the South Carolina Constitution thus "mandates" that the South Carolina General Assembly "establish institutions for the confinement of all persons convicted of such crimes as may be designated by law, and shall provide for the custody, maintenance, health, welfare, education, and rehabilitation of the inmates [Article XII,

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IRC WEEKLY MINUTES

Exhibit #27

December 9, 2019

IRC Members Present: Paul Coleman Derrick Parrish Cornelius Davis Terrence Cannon
 Kamathene Cooper Samuel Wafford David Richards David Scott
 Willie Carter Marvin Duggins Steve Yawn Christopher Gregory
 John Moore

IRC Members Absent: Robert Harbuck Arthur Singleton

IRC Chairman called the meeting to order @ 10:15am

F1A- Nothing

F1B-1 How are we supposed to get our G.E.D. if there is no principal or anyone qualify to administer the test?

IRC Chairman: Mrs. Hutchinson is qualified to administer tests. New Regional Principle Dr. Alston will visit Allendale on 12/10/10

2 Why is it we hardly have any IRC food sales anymore?

IRC Chairman: Complaints from population.

3 Can the canteen sell ear-plugs and mouth-guards to help with roommates snoring?

IRC Chairman: Earplugs on canteen, she just hasn't received any yet.

4 Why does the dentist we have only do extractions?

IRC Chairman: Ms. Wilkins-Smith will speak with Dr. Ackerman on tomorrow and advise.

F2A-1 Can they get a new monopoly game and a scrabble dictionary?

IRC Chairman: Games will be distributed in January 2020.

2 Can they sell more fruit from the SCCA other than apples?

IRC Chairman: Ms. Weatherby will address this issue.

F2B- Nothing

F3A-1 Ear-plugs and mouth guards on the canteen?

IRC Chairman: I will ask Ms. Hauptmann, Canteen Manager to see if this can be done.

2 Officer's radios at night is too loud?

IRC Chairman: I will get with Major Washington on this issue.

* F3B-1 If you don't have to pay for prescriptions do you still have to pay for the past debts?

IRC Chairman: NO.

2 Why does the IRC Chairman always answer the questions?

IRC Chairman: It is my job to answer the questions.

3 Why can't there be different poses for taking pictures?

IRC Chairman: Will ask Warden Newton to see if this can be done.

F4A- Nothing

F4B-1 What is going on with the tablets? When will they be coming to Allendale C.I.?

IRC Chairman: Still piloting..

2 Since the IRC spend all our money so we can watch movies on the weekend. Can we take a vote to remove all classes on the weekend so indigent inmates can watch movies like people who have TVs?

IRC Chairman: NO.

3 On several occasion cockroaches comes out of and from underneath the food trays. This is unsanitary and can cause the spread of diseases.

IRC Chairman: Mr. Dukes says he is working on this.

Willie Carter, IRC Chairman: being no other business scheduled, move to adjourn.

Seconded and adjourned @ 10:40am

Willie Carter Date 12-9-2019
Willie Carter, IRC Chairman

Off. Richardson Date 12/10/19
Officer Richardson, IRC Coordinator

Cc: McKendley Newton, Warden
Arthur Frederick, Associate Warden for Operation
Yvonne Wilkins-Smith, Associate Warden for Programs
S. Washington, Major's
Captain Charlton, RHU
Mr. Dukes, Food Service Director
Ms. Derrick, Head Nurse
Ms. Hauptmann, Canteen Manager
Shift Office
IRC Files



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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February 24, 2020

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627; 2019-001628

Dear Mr. Johnson:

The Court is in receipt of your itemized statement of costs. This material is being returned to you pursuant to Rule 222, SCACR. The motion for costs and itemized statement of costs shall only be served and filed within fifteen days of the issuance of the remittitur. A remittitur in this case has not been issued.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Imani Diane Byas, Esquire

filings for redaction or to determine if materials should be sealed.

--- This is to advise that the title in the above matter has been changed to read as follows:

Nathaniel Johnson, Jr., #211574, Appellant,

v.

South Carolina Department of Corrections, Respondent.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Christina Catoe Bigelow, Esquire

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

Administrative Law Judge Shirley C. Robinson

ALC Case No. 19-ALJ-04-0240-AP
Appellate Case No. 2019-001627

Nathaniel Johnson, #211574.....Appellant,

v.

South Carolina Department of Corrections.....Respondent.

INITIAL BRIEF OF RESPONDENT

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**

Imani Diane Byas
Staff Attorney
Office of General Counsel
South Carolina Dept. of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-8508

ATTORNEY FOR RESPONDENT

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<u>Henning v. Kaye</u> , 307 S.C. 436, 437, 415 S.E.2d 794, 794 (1992).....	4, 5
<u>Skipper v. S.C. Dep't of Corr.</u> , 370 S.C. 267, 633 S.E.2d 910 (Ct. App. 2006).....	4
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<u>Video Gaming Consultants, Inc. v. SC Dept. of Revenue</u> , 342 S.C. 34, 535 S.E.2d 642 (2000).....	8

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STATEMENT OF ISSUE ON APPEAL

**DID THE ADMINISTRATIVE LAW COURT PROPERLY DISMISS APPELLANT'S
APPEAL WHERE APPELLANT'S CLAIMS DID NOT IMPLICATE A STATE
CREATED LIBERTY OR PROPERTY INTEREST?**

STATEMENT OF THE CASE

This matter is before the Administrative Law Court (“ALC” or “Court”) pursuant to the appeal of Nathaniel Johnson (“Appellant”), an inmate incarcerated with the South Carolina Department of Corrections (“SCDC” or “Department”). On February 28, 2019, Appellant filed a Step 1 grievance regarding medical co-payment fees. On March 13, 2019, SCDC denied the Step 1 grievance. Thereafter, on March 14, 2019, Appellant filed a Step 2 grievance appealing the disposition of his Step 1 grievance. On April 15, 2019, SCDC denied the Step 2 grievance, and Appellant appealed to the Administrative Law Court. On September 16, 2019, Administrative Law Judge Shirley C. Robinson dismissed Appellant’s appeal. This appeal follows.

STANDARD OF REVIEW

S.C. Code Ann. § 1-23-610(B) provides the applicable standard of review :

The review of the administrative law judge's order must be confined to the record. The reviewing tribunal may affirm the decision or remand the case for further proceedings; or it may reverse or modify the decision if the substantive rights of the petitioner have been prejudiced because the finding, conclusion, or decision is:

- (a) in violation of constitutional or statutory provisions;
- (b) in excess of the statutory authority of the agency;
- (c) made upon unlawful procedure;
- (d) affected by other error of law;
- (e) clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or
- (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

S.C. Code Ann. § 1-23-380(5).

In an appeal of a final decision of an administrative agency, the standard of appellate review is whether the ALC's findings are supported by substantial evidence. S.C. Code Ann. § 1-23-610(B). "Substantial evidence" is evidence which, considering the record as a whole, would allow a reasonable mind to reach the same conclusion that the administrative agency reached. Hendley v. S.C. State Budget & Control Bd., 325 S.C. 413, 481 S.E.2d 159 (Ct. App. 1996). A reviewing court shall not substitute its own judgment for that of the ALC as to findings of fact, but it may reverse or modify decisions that are controlled by errors of law or that are clearly erroneous in view of the substantial evidence on the record as a whole. *Id.*

ARGUMENT

THE ADMINISTRATIVE LAW COURT PROPERLY DISMISSED APPELLANT'S APPEAL WHERE APPELLANT'S CLAIMS DID NOT IMPLICATE A STATE CREATED LIBERTY OR PROPERTY INTEREST.

The ALC's jurisdiction to hear inmate appeals of final decisions by the South Carolina Department of Corrections is derived entirely from the decision of the South Carolina Supreme Court in Al-Shabazz v. State, 338 S.C. 354, 527 S.E.2d 742 (2000). When reviewing SCDC's decisions in inmate grievance matters, the ALC sits in an appellate capacity. *Id.* at 377, 527 S.E.2d at 754. Subsequently, the supreme court clarified the ALC's appellate jurisdiction over inmate appeals in Sullivan v. S.C. Dep't of Corr., 355 S.C. 437, 586 S.E.2d 124 (2003). In affirming, as modified, the ALC's *en banc* decision of McNeil v. S.C. Dep't of Corr., 02-ALJ-04-00336-AP (September 5, 2001), the supreme court held the ALC's jurisdiction was limited to (1) cases in which an inmate contends prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; (2) cases in which SCDC has taken an inmate's *state-created* liberty interest in major disciplinary hearings; and (3) cases in which an inmate's confinement implicates a *state-created* liberty interest. *See Sullivan*, 355 S.C. at 443, 586 S.E.2d at 127 (emphasis added).

Moreover, regarding categories (2) and (3), *supra*, the South Carolina Supreme Court has consistently emphasized that the liberty or property interest implicated must be one that is *state created*. *See Wicker v. S.C. Dep't of Corr.*, 360 S.C. 421, 602 S.E.2d 56 (2004) (emphasizing that the ALC's jurisdiction extends only to those cases involving the denial of "state created liberty interests" and that the Court's holding [*i.e.*, in *Wicker*] "is not to be viewed as expanding the jurisdiction of the [ALC] in any other circumstance."); Slezak v.

S.C. Dep't of Corr., 361 S.C. 327, 605 S.E.2d 506 (2004) (holding that the ALC "may summarily dismiss those appeals that do not implicate an inmate's *state created* liberty or property interest") (emphasis added).

SCDC interprets *Slezak* as encouraging, for the sake of judicial economy, the ALC to summarily dismiss inmate cases that do not involve a state-created liberty or property interest. Additionally, the South Carolina Court of Appeals has interpreted *Slezak* to mean that where a state-created liberty interest is not implicated in a prisoner appeal, a judge of the ALC "should" dismiss the appeal. Skipper v. S.C. Dep't of Corr., 370 S.C. 267, 633 S.E.2d 910 (Ct. App. 2006).

Here, Appellant challenges the constitutionality of SCDC's policy which authorizes SCDC to charge inmates a co-payment fee for any routine or emergency medical care and consultation services initiated by the inmate. *See* Step 2 Grievance. The ALC does not have the authority to rule on the constitutionality of agency policy. *See Video Gaming Consultants, Inc. v. S.C. Dept. of Revenue*, 342 S.C. at 39, 535 S.E.2d at 645 (2000) (explaining a party should seek a declaratory judgment in circuit court rather than going before an ALJ if the issue is the constitutionality of a statute.) *See also Hendricks v. S.C. Dep't of Corr.*, 385 S.C. 625, 628, 686 S.E.2d 191, 193 n. 3(2009) (The ALC was correct to abstain from determining the constitutionality of SCDC Policy GA-01.03.).

Appellant also requests reimbursement of medical co-payment fees because he is entitled to free healthcare under S.C. Provision 37.16 authorized under Part 1(b) of the 2005-06 Appropriation Act. However, the act states, in pertinent part, "[t]he Department of

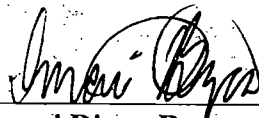
Corrections shall be authorized to charge inmates a nominal fee for any medical treatment or consultation provided at the request of or initiated by the inmate." As the above cases show, this appeal does not implicate a state created liberty or property interest. Appellant's issues are not related to his sentence, sentence related credits, nor are they related to a punishment from a disciplinary hearing. Moreover, Appellant's appeal does not demonstrate treatment that is atypical from normal prison life. See Sandin v. Conner, 515 U.S. 472, 515 S.Ct. 2293 (1995). Therefore, because no state-created liberty or property interest is implicated in this case, Judge Robinson's September 16, 2019 dismissal of this appeal was proper.

CONCLUSION

The Administrative Law Court's decision below is supported by substantial evidence and is neither effected by legal error nor clearly erroneous in view of the whole record. Thus it should be upheld.

Respectfully submitted,

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS



Imani Diane Byas
South Carolina Bar # 103715
Staff Attorney
Office of General Counsel
S. C. Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-8508

January 6, 2019²⁰

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

Administrative Law Judge Shirley C. Robinson

ALC Case No. 19-ALJ-04-0240-AP
Appellate Case No. 2019-001627

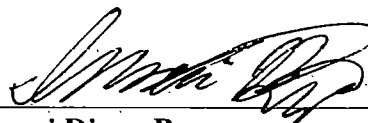
Nathaniel Johnson, #211574.....Appellant,

v.

South Carolina Department of Corrections.....Respondent.

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on today's date, I mailed a copy of the **Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal** to Appellant, addressed as follows: Nathaniel Johnson, #211574, Allendale Correctional Institution, P.O. Box 1151, Fairfax, South Carolina, 29827.



Imani Diane Byas
Staff Attorney
Office of General Counsel
S. C. Department of Corrections
Post Office Box 21787
Columbia, S. C. 29221
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January 6, 2020



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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January 17, 2020

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627, 2019-001628

Dear Mr. Johnson:

Upon reviewing your records on appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- The document is improperly paginated. Specifically, each page shall be numbered consecutively, beginning with the index, pursuant to Rule 210(c), SCACR. One corrected copy of each record on appeal will suffice for correction.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Imani Diane Byas, Esquire

The South Carolina Court of Appeals

Nathaniel Johnson, Jr., #211574, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2019-001627

The Honorable Shirley C. Robinson
Trial Court Case No. 2019ALJ040240AP

ORDER

The time for serving and filing the respondent's final brief is hereby extended until March 25, 2020.

FOR THE COURT

BY *V. Claire Allen, Deputy*
CLERK

Columbia, South Carolina

cc:

Nathaniel Johnson, Jr., #211574
Imani Diane Byas, Esquire

FILED

February 26, 2020



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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March 16, 2021

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627, 2019-001628

Dear Mr. Johnson:

As of the date of this letter the Court has not received your appellant's final reply brief in both of the above cases. If you would like the Court to consider your reply briefs, you must serve and file it in final form, along with a motion asking the Court to allow you to file it late. The final reply briefs and motion must be served and filed within 10 days or the appellant's final reply brief will not be considered.

Very truly yours,

V. Claire Allen

CLERK

cc: Imani Diane Byas, Esquire

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM THE ADMINISTRATIVE LAW COURT
Shirley C. Robinson, Administrative Law Judge

Appellate Case No:2019-001627
Docket No:19-SCR-04-0240-AP-
Grievance No:ACI. 68-19

RECEIVED
FEB 21 2020
SC Court of Appeals

Nathaniel Johnson, Jr. #211574,

Appellant,

v.

South Carolina Department of Corrections,

Respondent,

FINAL BRIEF OF THE APPELLANT

Nathaniel Johnson Jr. #211574
1s *Nathaniel Johnson Jr. #211574*
Mr. Nathaniel Johnson, Jr. #211574
ACI. Colleton Unit F-1 A#05
1057 Revolutionary Trail Hwy47
P.O. Box 1151
Fairfax, S.C. 29827
Pro-Se Appellant

Ms. Imani Byas
Staff Attorney
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CASES

- * Al-Shabazz v. State, 338 S.C. 354, 369, 527 S.E.2d. 742, 750 (1999).
- * Brown v. Plata, 131 S.Ct. 1910, 1928 (2011).
- * Hawkins v. City of Greenville, 358 S.C. 280, 594 S.E.2d. 557, 566 (Ct. App. 2004).

STATUTES

S.C. Appropriation Act. Proviso 37.16 Part#1(b) 2005-06
S.C. Appropriation Act. Proviso 65.8 2018-19.
S.C. Code Ann§24-13-80(B)(2).
SCDC Policy HS-18.17

S.C. Const. & United States Constitution

S.C. Const. art#1 Sec.§13
S.C. Const. art#1 Sec§23
S.C. Const. art#12 Sec§2
U.S.C.A. V.
U.S.C.A. XIV. Sec§1.

STATEMENT OF ISSUES ON APPEAL

1). Whether (SCDC) South Carolina Department of Corrections policy HS-18.17 authorizing charges to the Appellant's E.H. Cooper Trust fund account for co-payment of Meds, Medical Health Care, violated State Law?

2). Whether the Appellant is entitled to receive free medical health care under the S.C. Appropriation Act. Provision 37.16 authorized under Part#1(b) of 2005-06?

STATEMENT OF THE CASE

On Tuesday February 26th, 2019, the Appellant, wrote an request to staff member, form 19-11, for a response from medical. On Thursday Feb. 28th, 2019, the Appellant, received an response from nurse Ms.P. Derrick. Appellant, was unhappy with the response and proceeded with Step#1 grievance procedure on the same date.

On March 14th, 2019, the Appellant, received the Warden's decision to deny. Appellant, disagreed with the Warden's response, and then proceeded with his Step#2 grievance on the same date. On April 15th, 2019, the Appellant, received an response back on his Step#2 grievance from the responsible official Mr. Wayne C. McCabe.

On May 6th, 2019, the Appellant, filed his Notice of Appeal with the Administrative Law Court. On May 9th, 2019, the case was assigned to the Honorable Shirley C. Robinson, the Administrative Law Judge. On September 16th, 2019, the Administrative Law Judge rendered her decision to Affirm, Appellant, filed his Notice of Appeal with the S.C. Court of Appeals dated September 27th, 2019. Appeals as follow:

FACTS

DISCUSSION

1). Prisoners are dependent on the State for food, clothing, medical needs, health care, prescription drugs, especially necessary medical care. When the Agency fails to provide sustenance for inmates, it may actually produce physical torture or a lingering death. SCDC was negligent in failing to supply inmates with the basic needs or ordinary medical and health care.

See * Brown v. Plata, 131 S.Ct. 1910, 1928 (2011).

2). Procedural Due Process is supposed to be guaranteed, and when an inmate is deprived of an interest state-created or protected property interest in which the State or its Agencies shall not infringe upon encompassed by the Fifth and Fourteenth Amendment. See * Al-Shabazz v. State, 338 S.C. 354, 369, 527 S.E.2d. 742, 750 (1999).

3). When deductions ~~are made~~ on an inmates E.H. Cooper Trust fund account for expenses that the State's legislature has deemed free health, and medical care, the policies or procedures which authorizes the deductions from the Appellant's account were made upon an unlawful procedure, violating State law and Federal Law.

ARGUMENTS

1). Appellant, argues that SDOC's policy HS-13.17, which authorizes charges to the Appellant's E.H. Cooper Trust fund account does violate State Law, and was conducted upon an unlawful procedure. He further argues that his procedural and substantial rights were violated and prejudiced. Therefore, depriving the Appellant, of his protected state interest and property interest in violation of the Fifth and Fourteenth Amendment Sec§1.

2). The Appellant's E.H. Cooper Trust fund account has been debited for the amount of \$200.00 per year since 2007, for medical co-pay and prescription meds. The State's Constitution Art.#1 Chapter#13 Section§24-13-80(8)(2), which states, that all defray of costs paid by a municipality or county for medical services for an inmate which have been requested by the inmate. This item does not apply to medical cost incurred if the inmate's medical need are determined not to be responsible.

3). Appellant, argues that he is entitled to an full reimbursement of all monies paid to medical for prescription meds, or medical health care since 2007. Because inmate was in an institution and not in a municipality or a county facility. Appellant has been made aware that all medical care or health care debts incurred are the responsibility of the jurisdictional agency. The costs are deemed by legislature to be free medical, and free health care under the S.C. Provision 37.16 authorized under Part#1(b) of the 2005-06 Appropriation Act.

ARGUMENTS CONT.

4). Article#1 Sec.§23, of the South Carolina Constitution thus "mandates", that the S.C. General Assembly established institutions for the confinement of all persons convicted of such crimes shall provide for the custody, maintenance, health, welfare, education, and rehabilitation of all inmates.

Therefore, the Appellant based his arguments on the S.C. Constitution Art.#12 Sec.§2 clauses and demand to be reimbursed all monies debited from his account since 2007, to pay for what the jurisdictional agency is deemed to be responsible for.

5). SCDC was negligent in failing to provide or supply inmates the basic needs in reference to their welfare, education, rehabilitation, custody, maintenance, ordinary medical and health care.

CONCLUSION

WHEREFORE, this Honorable Court, should find that (SCDC) South Carolina Department of Corrections and the taking of the Appellant's liberty or protected property is hereby done upon an unlawful procedure and the Appellant should be reimbursed as a matter of law.

Dated: 02/20/20

Respectfully submitted,

1/s/ Nathaniel Johnson Jr. #211574

Mr. Nathaniel Johnson, Jr., #211574
ACI. Colleton Unit F-1 A#05
1057 Revolutionary Trail Hwy47
P.O. Box 1151
Fairfax, S.C. 29827
Pro-Se Appellant

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM THE ADMINISTRATIVE LAW COURT
Shirley C. Robinson, Administrative Law Judge

Appellate Case No:2019-001627
Docket No:19-SCR-04-0240-AP
Grievance No:ACI. 68-19

RECEIVED
FEB 21 2020
SC Court of Appeals

Nathaniel Johnson, Jr., #211574,

Appellant,

v.

South Carolina Department of Corrections,

Respondent,

CERTIFICATE OF APPELLANT

The undersigned certified that this Final Brief complies with
Rule#211(b), SCACR.

Dated: 02/20/20

Nathaniel Johnson Jr. #211574
Mr. Nathaniel Johnson, Jr., #211574
ACI. Colleton Unit F-1 A#05
1057 Revolutionary Trail Hwy47
P.O. Box 1151
Fairfax, S.C. 29827
Pro-Se Appellant

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM THE ADMINISTRATIVE LAW COURT
SHIRLEY C. ROBINSON, ADMINISTRATIVE LAW JUDGE
CASE NO:19-ALJ-04-0240-AP

RECEIVED

MAR 25 2021

SC Court of Appeals

APPELLATE CASE NO:2019-001627

NATHANIEL JOHNSON, JR. #211574,

APPELLANT,

V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT,

APPELLANT'S FINAL REPLY BRIEF

/s/ *Mr. Nathaniel Johnson Jr. #211574*
MR. NATHANIEL JOHNSON, JR. #211574
ACI. BAMBERG UNIT F-4 B#26
1057 REVOLUTIONARY TRAIL HWY 47
P.O. BOX 1151
FAIRFAX, S.C. 29827
PRO-SE APPELLANT

IMANI BYAS, STAFF ATTORNEY
OFFICE OF GENERAL COUNSEL
S.C. DEPARTMENT OF CORRECTIONS
P.O. BOX 21787
COLUMBIA, S.C. 29221
(803)896-8508
ATTORNEY FOR RESPONDENT

TABLE OF AUTHORITIES

CASES

- * Brown v. Plata, 131 S.Ct. 1910, 1928 (2011)
- * State v. Huiett, 302 S.C. 169, 394 S.Ed.2d. 486 (S.C. 1990).
- * Weaver v. Graham, 450 U.S. 24, 101 S.Ct. 960, 67 L.Ed.2d. 17 (1981).

STATUTES

S.C. Appropriation Act. Proviso 37.16 Part 1(b) 2005-06
S.C. Appropriation Act. Proviso 65.8 2018-19
S.C. Code Ann §24-13-80(B)(2).
SCDC Policy HS-18.17

S.C. Const. & United States Constitution

S.C. Const. art#1 Sec.§13
S.C. Const. art#1 Sec§23
S.C. Const. art#1 Sec§2
U.S.C.A. V.
U.S.C.A. XIV. Sec§1

STATEMENT OF ISSUES ON APPEAL

1). Whether (SCDC) South Carolina Department of Corrections created a policy HS-18.17 that authorized charges to the Appellant's E.H. Cooper Trust Fund Account for the co-payment of Meds, Medical visits, or Health care violates State or Federal Law?

2). Whether the Appellant is entitled to receive free medical care, free health care, under the S.C. Appropriation Act Provision 37.16 authorized under Part1(b) of 2005-06?

STATEMENT OF THE CASE

Same as Initial Brief of the Appellant.

STANDARD OF REVIEW

S.C. Code Ann. § 1-23-600(5) Supp 2016, Section § 1-23-380(5) provides the applicable standard of review:

The (ALC) Administrative Law Court sits in an appellate capacity under the (APA) S.C. Administrative Procedure Act, rather than as an independent finder of fact. The standard used by appellate bodies to review agency decisions is provided by the S.C. Code of laws mentioned above. The court may not substitute its judgment for the judgment of the agency as to the weight of the evidence on question of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if the substantial rights of the Appellant have been prejudiced because of the Administrative findings, interference, conclusions, or decisions are:

- (a). in violation of constitutional or statutory provisions;
- (b). in excess of the statutory authority of the agency;
- (c). made upon an unlawful procedure;
- (d). affected by other errors of law;
- (e). clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; and
- (f). arbitrary or capricious or characterized by abuse of discretion.

ARGUMENT

The Appellant argues the issue of whether SCDC's policy HS-18.17 authorizing the charges to the Appellant's E.H. Cooper Trust Fund Account for co-payments, meds or health care violates State or Federal Law?

In the Respondent's Initial Brief, it evaded the issues being raised by the Appellant, in its response.

However, the question raised is a constitutionality issue for the Court, to determine. The ALC Court, did not have the authority to rule as to whether or not the department's policy HS-18.17, is unconstitutional.

The Appellant, argues that he should be reimbursed based upon the S.C. Appropriation Act, Provision 37.16 authorized under Part#1(b) of the 2005-06.

The Appellant contends that this Court, has full jurisdiction over this issue. Secondly, the Respondent's argument is totally irrelevant to the issues being raised on Appeal. The Appellant, argues that the issues raised stems from a state-created liberty or property interest against the Appellant. This matter constitutes punishment twice for the same offense and amounts to Double Jeopardy. Once through incarceration, and again by the Appellant, being forced to protect his freedom from restraint against his liberty, or property interest for their gain or interest. The Appellate believes that he should be protected by the Due Process Clause, when his liberty or property interest are being infringed upon or imposes a significant hardship in relations to the deprivation of a state-created liberty or property interest.

The Respondent argued that the Appellant should have sought going into a circuit court, rather than going before the (ALJ) Administrative Law Judge, and that the Appellant should seek a declaratory judgment from that court. The Appellant, would submit to this Court, that by going before the ALC, it was a procedural step in exhausting his Appeal or grievance process.

ARGUMENT CONTINUED

* Brown v. Plata, 131 S.Ct. 1910, 1928 (2011), Prisoners are dependent on the State for food, clothing, medical care, health care, and prescription meds. When the Agency fails to provide sustenance for inmates, it may actually produce physical torture or a lingering death. SCDC was negligent in failing to supply the Appellant with basic needs or ordinary medical and health care.

Agencies shall not infringe upon or deprive any person of an state-created or protected property interest encompassed by the Fifth and Fourteenth Amendment.

* State v. Huiett, 302 S.C. 169, 394 S.Ed.2d. 486 (S.C. 1990), in order for the Ex Post Facto Clause to be applicable the statute or provision in question must be criminal or penal in purpose and nature.

* Weaver v. Graham, 450 U.S. 24, 101 S.Ct. 960, 67 L.Ed.2d. 17 (1981), a law which imposes additional punishment to that prescribed at the time the offense was committed is prohibited under the Ex Post Facto Clauses of the S.C. Constitution art#1 §4, and the United States Constitution art#1 Sec § 9 & 10 cl#3.

Therefore, the new Proviso 65.8 of the General Appropriation Act. 2018-19, was not in effect at the time of the Appellant's previous offense, and does not apply.

The Appellant, would like to state, for the record, that he was under the (ADA Act) Americans with Disabilities Act, before being incarcerated for crimes that the Appellant, did not commit. Appellant, was a recipient receiving SSI on the 1st of the month, and receiving SSA Social Security every 3rd of the month. The State deprived the Appellant, of Life, Liberty, and Property without proper due process. Since incarceration the Appellant, has paid \$200.00 per year for medical expenses for 13 years. Still maintaining his innocence while being delayed justice. Appellant, is currently litigating for his freedom, liberty, and justice.

CONCLUSION

WHEREFORE, THE APPELLANT, PRAYS THAT THIS HONORABLE COURT, FINDS IN FAVOR OF THE APPELLANT, AND GRANT RELIEF OF AN REVERSAL WITH INSTRUCTIONS AND A PERMANENT INJUNCTION. IF, THE COURT FINDS THAT THIS PRACTICE BY SCDC IS UNCONSTITUTIONAL, PLEASE ORDER REIMBURSEMENT TO THE APPELLANT, AS JUSTICE IS SO REQUIRED, AS A MATTER OF LAW.

DATED: _____

3/23/21

RESPECTFULLY SUBMITTED,

/s/ Mr. Nathaniel Johnson Jr. #211574
MR. NATHANIEL JOHNSON, JR. #211574

ACI. BAMBERG UNIT F-4 B#26

1057 REVOLUTIONARY TRAIL HWY 47

P.O. BOX 1151

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PRO-SE APPELLANT

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v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT,

PROOF OF SERVICE

THE UNDERSIGNED COUNSEL, HEREBY CERTIFIES THAT ON THIS 23rd DAY OF

March

, 2021, A TRUE COPY OF THE SAME WAS SERVED

ON THE RESPONDENT, IMANI BYAS, OFFICE OF GENERAL COUNSEL, P.O. BOX 21787,
COLUMBIA, S.C. 29221.

RESPECTFULLY SUBMITTED,

DATED: 3/23/, 2021.

/s/ Mr. Nathaniel Johnson, Jr. #211574
MR. NATHANIEL JOHNSON, JR. #211574

ACI. BAMBERG UNIT F-4 B#26

1057 REVOLUTIONARY TRAIL HWY 47

P.O. BOX 1151

FAIRFAX, S.C. 29827

PRO-SE APPELLANT

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

Administrative Law Judge Shirley C. Robinson

ALC Case No. 19-ALJ-04-0240-AP
Appellate Case No. 2019-001627

Nathaniel Johnson, #211574.....Appellant,

v.

South Carolina Department of Corrections.....Respondent.

FINAL BRIEF OF RESPONDENT

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**

Imani Diane Byas
Staff Attorney
Office of General Counsel
South Carolina Dept. of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-8508

ATTORNEY FOR RESPONDENT

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TABLE OF AUTHORITIES

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STATEMENT OF ISSUE ON APPEAL

**DID THE ADMINISTRATIVE LAW COURT PROPERLY DISMISS APPELLANT'S
APPEAL WHERE APPELLANT'S CLAIMS DID NOT IMPLICATE A STATE
CREATED LIBERTY OR PROPERTY INTEREST?**

STATEMENT OF THE CASE

This matter is before the Administrative Law Court (“ALC” or “Court”) pursuant to the appeal of Nathaniel Johnson (“Appellant”), an inmate incarcerated with the South Carolina Department of Corrections (“SCDC” or “Department”). On February 28, 2019, Appellant filed a Step 1 grievance regarding medical co-payment fees. On March 13, 2019, SCDC denied the Step 1 grievance. Thereafter, on March 14, 2019, Appellant filed a Step 2 grievance appealing the disposition of his Step 1 grievance. On April 15, 2019, SCDC denied the Step 2 grievance, and Appellant appealed to the Administrative Law Court. On September 16, 2019, Administrative Law Judge Shirley C. Robinson dismissed Appellant’s appeal. This appeal follows.

STANDARD OF REVIEW

S.C. Code Ann. § 1-23-610(B) provides the applicable standard of review:

The review of the administrative law judge's order must be confined to the record. The reviewing tribunal may affirm the decision or remand the case for further proceedings; or it may reverse or modify the decision if the substantive rights of the petitioner have been prejudiced because the finding, conclusion, or decision is:

- (a) in violation of constitutional or statutory provisions;
- (b) in excess of the statutory authority of the agency;
- (c) made upon unlawful procedure;
- (d) affected by other error of law;
- (e) clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or
- (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

S.C. Code Ann. § 1-23-380(5).

In an appeal of a final decision of an administrative agency, the standard of appellate review is whether the ALC's findings are supported by substantial evidence. S.C. Code Ann. § 1-23-610(B). "Substantial evidence" is evidence which, considering the record as a whole, would allow a reasonable mind to reach the same conclusion that the administrative agency reached. Hendley v. S.C. State Budget & Control Bd., 325 S.C. 413, 481 S.E.2d 159 (Ct. App. 1996). A reviewing court shall not substitute its own judgment for that of the ALC as to findings of fact, but it may reverse or modify decisions that are controlled by errors of law or that are clearly erroneous in view of the substantial evidence on the record as a whole. *Id.*

ARGUMENT

THE ADMINISTRATIVE LAW COURT PROPERLY DISMISSED APPELLANT'S APPEAL WHERE APPELLANT'S CLAIMS DID NOT IMPLICATE A STATE CREATED LIBERTY OR PROPERTY INTEREST.

The ALC's jurisdiction to hear inmate appeals of final decisions by the South Carolina Department of Corrections is derived entirely from the decision of the South Carolina Supreme Court in Al-Shabazz v. State, 338 S.C. 354, 527 S.E.2d 742 (2000). When reviewing SCDC's decisions in inmate grievance matters, the ALC sits in an appellate capacity. *Id.* at 377, 527 S.E.2d at 754. Subsequently, the supreme court clarified the ALC's appellate jurisdiction over inmate appeals in Sullivan v. S.C. Dep't of Corr., 355 S.C. 437, 586 S.E.2d 124 (2003). In affirming, as modified, the ALC's *en banc* decision of McNeil v. S.C. Dep't of Corr., 02-ALJ-04-00336-AP (September 5, 2001), the supreme court held the ALC's jurisdiction was limited to (1) cases in which an inmate contends prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; (2) cases in which SCDC has taken an inmate's *state-created* liberty interest in major disciplinary hearings; and (3) cases in which an inmate's confinement implicates a *state-created* liberty interest. *See Sullivan*, 355 S.C. at 443, 586 S.E.2d at 127 (emphasis added).

Moreover, regarding categories (2) and (3), *supra*, the South Carolina Supreme Court has consistently emphasized that the liberty or property interest implicated must be one that is *state created*. *See Wicker v. S.C. Dep't of Corr.*, 360 S.C. 421, 602 S.E.2d 56 (2004) (emphasizing that the ALC's jurisdiction extends only to those cases involving the denial of "state created liberty interests" and that the Court's holding [*i.e.*, in *Wicker*] "is not to be viewed as expanding the jurisdiction of the [ALC] in any other circumstance."); Slezak v.

S.C. Dep't of Corr., 361 S.C. 327, 605 S.E.2d 506 (2004) (holding that the ALC “may summarily dismiss those appeals that do not implicate an inmate’s *state created* liberty or property interest”) (emphasis added).

SCDC interprets Slezak as encouraging, for the sake of judicial economy, the ALC to summarily dismiss inmate cases that do not involve a state-created liberty or property interest. Additionally, the South Carolina Court of Appeals has interpreted *Slezak* to mean that where a state-created liberty interest is not implicated in a prisoner appeal, a judge of the ALC “should” dismiss the appeal. Skipper v. S.C. Dep't of Corr., 370 S.C. 267, 633 S.E.2d 910 (Ct. App. 2006).

Here, Appellant challenges the constitutionality of SCDC’s policy which authorizes SCDC to charge inmates a co-payment fee for any routine or emergency medical care and consultation services initiated by the inmate. See Appellant Brief. The ALC does not have the authority to rule on the constitutionality of agency policy. See Video Gaming Consultants, Inc. v. S.C. Dept. of Revenue, 342 S.C. at 39, 535 S.E.2d at 645 (2000) (explaining a party should seek a declaratory judgement in circuit court rather than going before an ALJ if the issue is the constitutionality of a statute.) See also Hendricks v. S.C. Dep't of Corr., 385 S.C. 625, 628, 686 S.E.2d 191, 193 n. 3(2009) (The ALC was correct to abstain from determining the constitutionality of SCDC Policy GA-01.03.).

Appellant also requests reimbursement of medical co-payment fees because he is entitled to free healthcare under S.C. Provision 37.16 authorized under Part 1(b) of the 2005-06 Appropriation Act. However, the act states, in pertinent part, “[t]he Department of

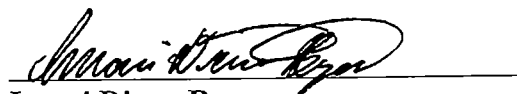
Corrections shall be authorized to charge inmates a nominal fee for any medical treatment or consultation provided at the request of or initiated by the inmate.” As the above cases show, this appeal does not implicate a state created liberty or property interest. Appellant’s issues are not related to his sentence, sentence related credits, nor are they related to a punishment from a disciplinary hearing. Moreover, Appellant’s appeal does not demonstrate treatment that is atypical from normal prison life. See Sandin v. Conner, 515 U.S. 472, 515 S.Ct. 2293 (1995). Therefore, because no state-created liberty or property interest is implicated in this case, Judge Robinson’s September 16, 2019 dismissal of this appeal was proper. R. pp. 1-3.

CONCLUSION

The Administrative Law Court’s decision below is supported by substantial evidence and is neither effected by legal error nor clearly erroneous in view of the whole record. Thus it should be upheld.

Respectfully submitted,

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS



Imani Diane Byas

South Carolina Bar # 103715

Staff Attorney

Office of General Counsel

S. C. Department of Corrections

Post Office Box 21787

Columbia, South Carolina 29221

(803) 896-8508

March 24, 2020

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Shirley C. Robinson

ALC Case No. 19-ALJ-04-0240-AP
Appellate Case No. 2019-001627

Nathaniel Johnson, Jr. #211574

APPELLANT,

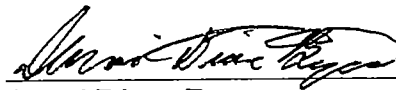
v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the **Final Brief of Respondent** complies with Rule 211(b), SCACR, and also complies with the South Carolina Supreme Court's April 15, 2014, order entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."



Imani Diane Byas
Staff Attorney
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Post Office Box 21787
Columbia, S. C. 29221
(803) 896-8508

March 24, 2020

THE STATE OF SOUTH CAROLINA
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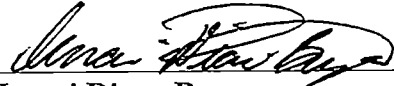
Nathaniel Johnson, #211574.....Appellant,

v.

South Carolina Department of Corrections.....Respondent.

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on today's date, I mailed a copy of the **FINAL BRIEF OF RESPONDENT** to Appellant, addressed as follows: Nathaniel Johnson, #211574, Allendale Correctional Institution, P.O. Box 1151, Fairfax, South Carolina, 29827.


Imani Diane Byas
Staff Attorney
Office of General Counsel
S. C. Department of Corrections
Post Office Box 21787
Columbia, S. C. 29221
(803) 896-8508

March 24, 2020



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

February 23, 2021

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627; 2019-001628

2020-00000

Dear Mr. Johnson:

The Court is in receipt of your letter dated February 16, 2021, regarding the status of the above case on appeal. Your case is still pending in this Court and is being processed in the normal fashion. It is difficult to predict when a case will be decided by the Court because of the many variables that affect the briefing, docketing, and decision making process of any given case. When a final decision has been made on your case, you will be immediately notified.

Very truly yours,

V. Claire Allen

CLERK

cc: Imani Diane Byas, Esquire

STATE OF SOUTH CAROLINA
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APPEAL FROM THE ADMINISTRATIVE LAW COURT
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NATHANIEL JOHNSON, JR. #211574,

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SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT,

APPELLANT'S MOTION FOR EQUITABLE ADOPTION OF TIME

PLEASE TAKE JUDICIAL NOTICE, NATHANIEL JOHNSON, JR. #211574, AN PRO-SE APPELLANT, WHO HEREBY MOVE WITH AN MOTION FOR EQUITABLE ADOPTION OF TIME TO FILE HIS FINAL REPLY BRIEF. APPELLANT RESPECTFULLY ASKS THIS HONORABLE COURT, TO CONSIDER HIS FILING OF AN LATE FINAL REPLY BRIEF, DUE TO THE PANDEMIC AND HIS HEAVY WORKLOAD OF LITIGATING HIS CONVICTION AND SENTENCE.

BASED UPON THE DUE DILIGENCE OF THE APPELLANT'S PERFORMANCE OF A PROFESSIONAL OR FIDUCIARY DUTY WITH REGARDS TO THE RULES AND PROCEDURES. APPELLANT WAS GIVEN NOTICE FROM THE COURT, DATED MARCH 16TH, 2021, AND IT STATED THAT THE APPELLANT HAS (10) TEN DAYS FROM THE DATE OF NOTICE, TO FILE AND SERVE HIS FINAL REPLY BRIEF OR THAT IT WILL NOT BE CONSIDERED.

ON MARCH 22ND, 2021, APPELLANT RECEIVED THIS NOTICE, AND DUE TO LATE NOTICE BEING RECEIVED, THE APPELLANT RESPECTFULLY ASKS FOR CONSIDERATION OF HIS FINAL REPLY BRIEF. APPELLANT ASSERTS THAT FOR GOOD CAUSE SHOWN, HIS MOTION TO PROCEED IN THIS MATTER SHOULD BE GRANTED, AS JUSTICE IS SO REQUIRED, AS A MATTER OF LAW.

DATED: 3/23/, 2021.

RESPECTFULLY SUBMITTED
/s/ Mr. Nathaniel Johnson Jr. #211574

RECEIVED

MAR 25 2021

SC Court of Appeals

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V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT,

PROOF OF SERVICE

THE UNDERSIGNED COUNSEL, HEREBY CERTIFY THAT ON THIS 23rd DAY OF March, 2021, A TRUE COPY OF THE APPELLANT'S MOTION FOR EQUITABLE ADOPTION OF TIME TO FILE AND SERVE HIS FINAL REPLY BRIEF, HAVE BEEN SERVED UPON THE RESPONDENT, IMANI BYAS, STAFF ATTORNEY, OFFICE OF GENERAL COUNSEL, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, P.O. BOX 21787, COLUMBIA, S.C. 29221.

RESPECTFULLY SUBMITTED,

DATED: 3/23/, 2021. /s/ Mr. Nathaniel Johnson #211574
MR. NATHANIEL JOHNSON, JR. #211574
ACI. BAMBERG UNIT F-4 B#26
1057 REVOLUTIONARY TRAIL HWY 47
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The South Carolina Court of Appeals

Nathaniel Johnson, Jr., #211574, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2019-001627

The Honorable Shirley C. Robinson
Trial Court Case No. 2019ALJ040240AP

ORDER

Appellant has filed a motion for equitable adoption of time which the Court construes as a motion to allow late filing of the appellant's final reply brief. The appellant's final reply brief has been served and filed. This motion is Granted.

FOR THE COURT

BY

V. Claire Allen

CLERK

Columbia, South Carolina

FILED
Mar 30 2021

cc:

Nathaniel Johnson, Jr., #211574

Imani Diane Byas, Esquire

THE STATE OF SOUTH CAROLINA
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- (a). in violation of constitutional or statutory provisions;
- (b). in excess of the statutory authority of the agency;
- (c). made upon an unlawful procedure;
- (d). affected by other errors of law;
- (e). clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; and
- (f). arbitrary or capricious or characterized by abuse of discretion.

ARGUMENT

The Appellant argues the issue of whether SCDC's policy HS-18.17 authorizing the charges to the Appellant's E.H. Cooper Trust Fund Account for co-payments, meds or health care violates State or Federal Law?

In the Respondent's Initial Brief, it evaded the issues being raised by the Appellant, in its response.

However, the question raised is a constitutionality issue for the Court, to determine. The ALC Court, did not have the authority to rule as to whether or not the department's policy HS-18.17, is unconstitutional.

The Appellant, argues that he should be reimbursed based upon the S.C. Appropriation Act, Provision 37.16 authorized under Part#1(b) of the 2005-06.

The Appellant contends that this Court, has full jurisdiction over this issue. Secondly, the Respondent's argument is totally irrelevant to the issues being raised on Appeal. The Appellant, argues that the issues raised stems from a state-created liberty or property interest against the Appellant. This matter constitutes punishment twice for the same offense and amounts to Double Jeopardy. Once through incarceration, and again by the Appellant, being forced to protect his freedom from restraint against his liberty, or property interest for their gain or interest. The Appellate believes that he should be protected by the Due Process Clause, when his liberty or property interest are being infringed upon or imposes a significant hardship in relations to the deprivation of a state-created liberty or property interest.

The Respondent argued that the Appellant should have sought going into a circuit court, rather than going before the (ALJ) Administrative Law Judge, and that the Appellant should seek a declaratory judgment from that court. The Appellant, would submit to this Court, that by going before the ALC, it was a procedural step in exhausting his Appeal or grievance process.

ARGUMENT CONTINUED

* Brown v. Plata, 131 S.Ct. 1910, 1928 (2011), Prisoners are dependent on the State for food, clothing, medical care, health care, and prescription meds. When the Agency fails to provide sustenance for inmates, it may actually produce physical torture or a lingering death. SCDC was negligent in failing to supply the Appellant with basic needs or ordinary medical and health care.

Agencies shall not infringe upon or deprive any person of an state-created or protected property interest encompassed by the Fifth and Fourteenth Amendment.

* State v. Huiett, 302 S.C. 169, 394 S.Ed.2d. 486 (S.C. 1990), in order for the Ex Post Facto Clause to be applicable the statute or provision in question must be criminal or penal in purpose and nature.

* Weaver v. Graham, 450 U.S. 24, 101 S.Ct. 960, 67 L.Ed.2d. 17 (1981), a law which imposes additional punishment to that prescribed at the time the offense was committed is prohibited under the Ex Post Facto Clauses of the S.C. Constitution art#1 §4, and the United States Constitution art#1 Sec § 9 & 10 cl#3.

Therefore, the new Proviso 65.8 of the General Appropriation Act. 2018-19, was not in effect at the time of the Appellant's previous offense, and does not apply.

The Appellant, would like to state, for the record, that he was under the (ADA Act) Americans with Disabilities Act, before being incarcerated for crimes that the Appellant, did not commit. Appellant, was a recipient receiving SSI on the 1st of the month, and receiving SSA Social Security every 3rd of the month. The State deprived the Appellant, of Life, Liberty, and Property without proper due process. Since incarceration the Appellant, has paid \$200.00 per year for medical expenses for 13 years. Still maintaining his innocence while being delayed justice. Appellant, is currently litigating for his freedom, liberty, and justice.

CONCLUSION

WHEREFORE, THE APPELLANT, PRAYS THAT THIS HONORABLE COURT, FINDS IN FAVOR OF THE APPELLANT, AND GRANT RELIEF OF AN REVERSAL WITH INSTRUCTIONS AND A PERMANENT INJUNCTION. IF, THE COURT FINDS THAT THIS PRACTICE BY SCDC IS UNCONSTITUTIONAL, PLEASE ORDER REIMBURSEMENT TO THE APPELLANT, AS JUSTICE IS SO REQUIRED, AS A MATTER OF LAW.

DATED: _____

3/23/21

RESPECTFULLY SUBMITTED,

/s/ Mr. Nathaniel Johnson Jr. #211574
MR. NATHANIEL JOHNSON, JR. #211574

ACI. BAMBERG UNIT F-4 B#26

1057 REVOLUTIONARY TRAIL HWY 47

P.O. BOX 1151

FAIRFAX, S.C. 29827

PRO-SE APPELLANT

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MAR 25 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM THE ADMINISTRATIVE LAW COURT
SHIRLEY C. ROBINSON, ADMINISTRATIVE LAW JUDGE
CASE NO:19-ALJ-04-0240-AP

APPELLANT CASE NO:2019-001627

NATHANIEL JOHNSON, JR. #211574,

APPELLANT,

V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT,

PROOF OF SERVICE

THE UNDERSIGNED COUNSEL, HEREBY CERTIFIES THAT ON THIS 23rd DAY OF
March, 2021, A TRUE COPY OF THE SAME WAS SERVED
ON THE RESPONDENT, IMANI BYAS, OFFICE OF GENERAL COUNSEL, P.O. BOX 21787,
COLUMBIA, S.C. 29221.

RESPECTFULLY SUBMITTED,

DATED: 3/23/, 2021.

/s/ Mr. Nathaniel Johnson, Jr. #211574
MR. NATHANIEL JOHNSON, JR. #211574

ACI. BAMBERG UNIT F-4 B#26

1057 REVOLUTIONARY TRAIL HWY 47

P.O. BOX 1151

FAIRFAX, S.C. 29827

PRO-SE APPELLANT



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29201
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January 04, 2022

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Ms. Imani Diane Byas, Esquire
5400 Broad River Road
Columbia SC 29212

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627

Dear Counsel and Mr. Johnson:

After careful consideration by the Court, this case will be submitted on the record on appeal and briefs during the January 2022 term without oral argument.

Very truly yours,

V. Claire Allen

CLERK



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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February 16, 2022

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

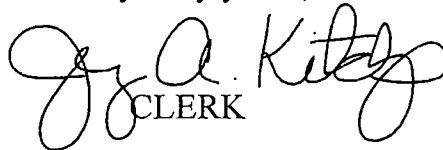
Ms. Imani Diane Byas, Esquire
5400 Broad River Road
Columbia SC 29212

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627

Dear Mr. Johnson and Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,


CLERK

cc: The Honorable Shirley C. Robinson

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Nathaniel Johnson, Jr., Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2019-001627

Appeal From The Administrative Law Court
Shirley C. Robinson, Administrative Law Judge

Unpublished Opinion No. 2022-UP-071
Submitted January 1, 2022 – Filed February 16, 2022

AFFIRMED

Nathaniel Johnson, Jr., pro se.

Imani Diane Byas, of Columbia, for Respondent.

PER CURIAM: Nathaniel Johnson, Jr. appeals an order of the administrative law court (ALC) dismissing his inmate grievance appeal. On appeal, Johnson argues the ALC erred by holding (1) it lacked authority to determine whether South Carolina Department of Corrections (SCDC) Policy HS-18.17 violates the South Carolina Constitution and (2) it lacked jurisdiction to consider his claim for reimbursement of medical co-pays deducted from his inmate account by SCDC

because the claim did not implicate a state-created liberty or property interest. We affirm.

1. The ALC correctly concluded it lacked authority to determine whether SCDC Policy HS-18.17 violates the South Carolina Constitution. *See Video Gaming Consultants, Inc. v. S.C. Dep't of Revenue*, 342 S.C. 34, 38, 535 S.E.2d 642, 644 (2000) ("AL[C]s have no authority to pass upon the constitutionality of a statute or regulation."); *Howard v. S.C. Dep't of Corr.*, 399 S.C. 618, 630, 733 S.E.2d 211, 218 (2012) (stating the ALC lacks authority to consider a facial challenge to the constitutionality of a SCDC policy).

Additionally, SCDC Policy HS-18.17 does not violate article I, section 13 of the South Carolina Constitution because there is no evidence SCDC collected the medical co-pays for private use and SCDC inmates receive "just compensation" in the form of medical services provided by SCDC. *See S.C. Const. art. I, § 13(A)* ("[P]rivate property shall not be taken for private use without the consent of the owner, nor for public use without just compensation being first made for the property.").

SCDC Policy HS 18.17 also does not violate article XII, section 2 of the South Carolina Constitution. *See S.C. Const. art. XII, § 2* ("The General Assembly . . . shall provide for the custody, maintenance, health, welfare, education, and rehabilitation of . . . inmates."); *S.C. Dep't of Corr. v. Cartrette*, 387 S.C. 640, 649, 694 S.E.2d 18, 23 (Ct. App. 2010) (concluding deductions from an inmate's pay for room and board did not violate the state's obligation under article XII, section 2 of the state constitution to "provide for the custody, maintenance, health, welfare, education, and rehabilitation of [its] inmates").

Johnson's remaining claims concerning SCDC Policy HS-18.17 are not preserved for appellate review. *See SCALC Rule 40*, ("Prior to filing a Notice of Appeal from the decision of [the ALC], a party must file a motion for rehearing"); *Al-Shabazz v. State*, 338 S.C. 354, 379, 527 S.E.2d 742, 755 (2000) ("[I]ssues or arguments that were not raised to and ruled on by the [ALC] ordinarily are not preserved for review.").

2. Any error by the ALC in declining to exercise jurisdiction over Johnson's claim for reimbursement under Proviso 37.16 of Part IB of the 2005-2006 South Carolina Appropriations Act of all medical co-pays previously deducted from his inmate account is harmless. *See H. 3716, Appropriation Bill 2005-2006, Part IB § 37.16* (Act No. 115, 2005 S.C. Acts 290) (authorizing the SCDC director "to charge

inmates a nominal fee for any medical treatment or consultation provided at the request of or initiated by the inmate," as well as "[a] nominal co-pay . . . for prescribed medications").

AFFIRMED.¹

KONDUROS, HILL, and HEWITT, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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March 31, 2022

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2019-001627

Dear Mr. Johnson:

Enclosed is a copy of an order of the panel denying your petition for rehearing. Your petition for rehearing en banc was distributed to the judges, but it has been rejected. *See* Rule 219, SCACR.

Very truly yours,


CLERK

cc: Imani Diane Byas, Esquire

The South Carolina Court of Appeals

Nathaniel Johnson, Jr., Appellant,

v.

South Carolina Department of Corrections, Respondent.

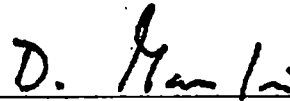
Appellate Case No. 2019-001627

ORDER

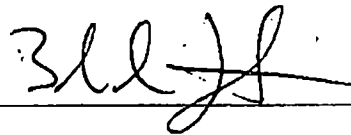
After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.



J.



J.



J.

Columbia, South Carolina

cc:

Nathaniel Johnson, Jr.,

Imani Diane Byas, Esquire

The Honorable Shirley C. Robinson

FILED
Mar 31 2022

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge
Case No:19-ALJ-04-0240-AP
Appellate Case : 2019-001627

South Carolina Department of Corrections,

Respondent,

v.

Mr. Nathaniel Johnson, Jr., 211574,

Appellant,

NOTICE OF APPEAL

___ Mr. Nathaniel Johnson, Jr., 211574, do hereby appeal the decision of the South Carolina Court of Appeals dated March 31st, 2022, Denying the Petition for a Rehearing, EN BANC. Appellant received a copy of the decision on April 4th, 2022. A copy is hereby attached.

1s/ Mr. Nathaniel Johnson, Jr. #211574
Mr. Nathaniel Johnson, Jr., 211574
ACI. Hampton Unit F-3 A-53
P.O. Box 1151
Fairfax, S.C. 29827
Pro-Se Appellant

Other Counsel of Record:
Imani Diane Byas, Staff Attorney
Office of General Counsel
South Carolina Dept. of Corrections
P.O. Box 21787
Columbia, S.C. 29221-1787
(803)896-8508

RECEIVED

APR 12 2022

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

APR 12 2022

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Shirley C. Robinson, Administrative Law Judge

S.C. SUPREME COURT

Case No: 19-ALJ-04-0240-AP
Appellate Case No: 2019-001627

South Carolina Department of Corrections,

Respondent,

v.

Mr. Nathaniel Johnson, Jr., 211574,

Appellant,

APPLICATION TO PROCEED IN FORMA PAUPERIS

I, Mr. Nathaniel Johnson, Jr., 211574, am the Appellant, in this case. In support of my request to proceed without being required to prepay fees or costs, I state that because of my poverty, I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief. The nature of my action and the issues are briefly stated as follows:

(1). Did the Court of Appeals err in holding that the decision of the Administrative Law Court properly dismissed holding that It lacked subject matter jurisdiction?

In further support of this application, I answer the following questions:

1. Have you ever brought an action or appeal in the Supreme Court of South Carolina ? No.

2. Are you presently employed? Yes _____ or No XX.

3. Have you received within the past twelve months any money from any of the following sources?

- a. Business, profession or form of self-employment? Yes _____ or No XX.
- b. Rent payments, interest or dividends ? Yes _____ or No XX.
- c. Pensions, annuities or life insurance payments ? Yes _____ or No XX.
- d. Gifts or inheritances ? Yes _____ or No XX.
- e. Any other sources ? Yes _____ or No XX.

4. Do you own any cash, or do you have money in a checking or savings account ? Yes _____ or No XX.

For prisoner accounts, state the present balance and the amount of all deposits over the past six months ? None.

For accounts at other financial institutions, state the present balance and the amount of all deposits over the past six months ? None.

5. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuables property (excluding ordinary household furnishings and clothing)? Yes _____ or No XX.

6. List the person who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support? None.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4/11/22

1st Mr. Nathaniel Johnson, Jr. #211574
Mr. Nathaniel Johnson, Jr., 211574

CERTIFICATE

I herby certify that on 4/1/22, the Appellant, Mr. Nathaniel Johnson, Jr., 211574, named herein has the sum of \$ 0, on account to his credit at the Allendale Correctional Institution in Fairfax, S.C., where he is confined. I further certify that during the past six months the Appellant's average monthly balance was \$ 0. I further certify that during the past six months the Appellant's account received \$ 0. I attach a true and correct copy of the record of deposits into the inmate trust account for the past six months.

SCDC

Lathamy Rose Allendale
~~Mailroom Clerk of Institution~~

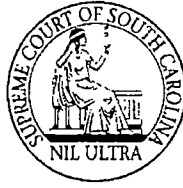
APR 06 2022

April 6, 2022
Date
MAIL ROOM

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APR 12 2022

S.C. SUPREME COURT



The Supreme Court of South Carolina

PATRICIA A. HOWARD
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

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May 02, 2022

Mr. Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2022-000442 *Medical Prescription Meds*

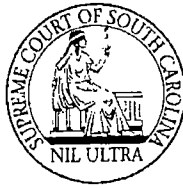
Dear Mr. Johnson:

This responds to your letter dated April 29, 2022. The above matter is pending and you will be advised as soon as action has been taken on this case.

Very truly yours,

CHIEF DEPUTY CLERK

cc: Imani Diane Byas, Esquire



The Supreme Court of South Carolina

PATRICIA A. HOWARD
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

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May 17, 2022

Nathaniel Johnson, Jr., #211574
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Nathaniel Johnson, Jr., #211574 v. SCDC
Appellate Case No. 2022-000442 *Medical*

2019-201627

Dear Mr. Johnson:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR) and must be corrected within ten (10) days of the date of this letter:

A petition for writ of certiorari pursuant to Rule 242 is required in this matter, along with a proof of service upon all other parties. The petition for writ of certiorari and the proof of service must reference the specific Court of Appeals case number from which this matter originates.

Further, all parties to this matter are advised that all filings must comply with the requirements of Rule 242 of the South Carolina Appellate Court Rules (SCACR).

The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=932.

Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Finally, any request for any extension in this case must comply with this Court's Order dated July 16, 2014. This order is available at <https://www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-07-16-01>.

Very truly yours,

Patricia A. Howard

CLERK

cc:

Imani Diane Byas, Esquire

The Honorable Jenny A. Kitchings

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
APPEAL TO THE COURT OF APPEALS
The Honorable Shirley C. Robinson, Administrative Law Judge

Opinion No: 2022-UP-071

Submitted January 1st, 2022-Filed February 16th, 2022

APPELLATE CASE NO: 2022-000442

Mr. Nathaniel Johnson, Jr., 211574,

Petitioner,

V.

South Carolina Department of Corrections,

Respondent,

MOTION FOR EXTENSION OF TIME

Comes now, the Petitioner, Mr. Nathaniel Johnson, Jr. 211574, an pro-se litigant who hereby move with an Notice of Motion for Extension of Time, due to extraordinary circumstances of working two cases in the S.C. Supreme Court, the extensive delays in getting the necessary copies made in compliance with procedural deadline of 10 days. For good cause shown, Petitioner respectfully, asksthis Honorable Court, to extend his time for filing his Petition and Appendix, until June 17th, 2022. Petitioner moves in good faith and prays for the court's consideration in this matter, as justice is so required as a matter of law.

Dated: 5/23/22

Respectfully submitted,

/s/ Mr. Nathaniel Johnson, Jr. 211574 #
Mr. Nathaniel Johnson, Jr., 211574
ACI. Bamberg Unit F-4 B-35
P.O. Box 1151
Fairfax, S.C. 29827
Pro-Se Petitioner

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
APPEAL TO THE COURT OF APPEALS
The Honorable Shirley C. Robinson, Administrative Law Judge

Opinion No: 2022-UP-071
Submitted January 1st, 2022-Filed February 16th, 2022

APPELLATE CASE NO: 2022-000442

Mr. Nathaniel Johnson, Jr. 211574,

Petitioner,

V.

South Carolina Department of Corrections,

Respondent,

PROOF OF SERVICE

The undersigned hereby certify that a true copy of the Petitioner's Motion for Extension of Time, was served on the Respondent, Imani Diane Byas, Esquire, by depositing into the U.S. Mail addressed to: Office of General Counsel, South Carolina Department of Corrections, P.O. Box 21787, Columbia, S.C. 29221-1787.

Dated: 5/23/22

Respectfully submitted,

/s/ Mr. Nathaniel Johnson, Jr.
Mr. Nathaniel Johnson, Jr. 211574
ACI. Bamberg Unit F-4 B-35
P.O. Box 1151
Fairfax, S.C. 29827
Pro-Se Petitioner

RECEIVED

JUN 10 2022

S.C. SUPREME COURT

The Supreme Court of South Carolina

Nathaniel Johnson, Jr., #211574, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2022-000442

ORDER

Petitioner has filed a motion to proceed in forma pauperis in this matter. The motion is granted. *Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995).


C.J.
FOR THE COURT

Columbia, South Carolina
May 17, 2022

cc:
Imani Diane Byas, Esquire
Nathaniel Johnson, Jr., #211574

Medical

The Supreme Court of South Carolina

Nathaniel Johnson, Jr., #211574, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2022-000442

ORDER

The request for an extension to serve and file the petition for writ of certiorari and appendix is granted and extended until June 16, 2022. Please refer to the order of the Supreme Court of South Carolina dated July 16, 2014 (<http://www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=963>), regarding any further extension requests in this matter.

FOR THE COURT

Aronda I. Sharkey

BY

CHIEF DEPUTY CLERK

Columbia, South Carolina
May 25, 2022

cc: Imani Diane Byas, Esquire
Mr. Nathaniel Johnson, Jr., #211574
The Honorable Jenny A. Kitchings