

23-5218 ORIGINAL
No. _____

FILED
FEB 10 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

In Re Jerome Curry — PETITIONER
(Your Name)

ON PETITION FOR A WRIT OF MANDAMUS

CASE NO# 2022-CR-10-2017 IN The Court of Can Pass, Honorable Judge Roger M. Young, Judge
Curtis Knight, Judge A Kirk Griffin, Attorney General, PCR Canceled all conspired
to deprive petitioner civil & constitutional rights

PETITION FOR WRIT OF MANDAMUS

Jerome Curry #253067 / F-7 #79
(Your Name)

Lee Correctional inst, 990 Wiscaky Highway
(Address)

Dishopt, SC 29016
(City, State, Zip Code)

N/A N/A
(Phone Number)

QUESTION(S) PRESENTED

- (1) a Was not the Chief Admin. Judge in error for failing to vacate known void judgment, due Process violation, as well as PCR Judge R. Kirk Griffin, & Kristi F. Curtis?
- (1) b Does not the law require that due to the Respondent's non-response to summary judgment and failure to present before the court a genuine issue of material fact petitioner is therefore entitled to summary judgment?
- (2) Does not the law require that due to the Respondent's non-response to motion to vacate sentence due to sentence being void & unconstitutional the petitioner sentence by law must be vacated where there is evidence to support that sentence is void and imposed without Due Process of Law?
- (3) Does not the law require due to the Respondent's non-response to Motion For Relief From void judgment and PCR Application Petitioner is therefore entitled by law to have sentence vacated and released from unlawful confinement where sentence imposed was imposed without indictment, signed waiver of indictment & Lack of Due Process?

LIST OF PARTIES

- [] All parties appear in the caption of the case on the cover page.
- [] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Attorney General of South Carolina
Danielle Dixon / PCR Division
Honorable Kristi F. Curtis

Honorable R. Kirk Griffin,
Honorable Roger M. Young SR.
Honorable Julia J. Armstrong

RELATED CASES

2022-CR-10-2017, 2022-CR-10-5515 Post-Conviction Relief Cases Based upon void judgment

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APPENDIX C	<u>No Appeals</u>
APPENDIX D	<u>No Appeals</u>
APPENDIX E	<u>No Appeals</u>
APPENDIX F	<u>No Appeals</u>

TABLE OF AUTHORITIES CITED

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State V. Jimmy Lee Ellison 586 SE2d 596 / State V. Smalls 613 SE2d 754 (2005), Plante V. State 446 SE2d 437 /
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S.C. Code Ann § 14-7-1750, S.C. Code Ann § 14-7-1640. American Jurisprudence, Second
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S.C. Code Ann § 17-19-10 Presentment OF Indictment

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S.C. Code Ann § 17-23-130 Signed Waiver of Indictment

S.C. Code Ann § 17-23-140 Signed Waiver of Indictment

South Carolina Rules of Criminal Procedure Rule 3(c) Grand Jury Indictment.

South Carolina Rules of Professional Conduct Rule 407 Professional Conduct Rule

1.1, 1.2, 1.3, 1.4, American Jurisprudence, Second Edition Feb 2023 § 198 Conspiracy against plaintiff civil right

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Judgment Motion Procedure in absence of response. / Default Judgment Cases = American Jurisprudence

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14th Amendment To The United States Constitution, § 25 Void Judgments, In re Grossmayer 20 S.Ct 535 (1900)

American Jurisprudence Second Edition May 2022 (C) waiver of Indictment, Indictment § Information §

16 Effectuation Waiver, American Jurisprudence Second Edition May 2022 Indictment § Information

§ 7 Effect OF Lack Indictment, SCRPC Rule 15 Amended Complaints, In re Pollitz 27 S.Ct 729 (1907)

SCRPC Rule 12(a) Time To File answer to PCR / SCRPC Rule 55(a) / SCRPC Rule 60(b)(4) / S.C.R.C.P

Rule 56, S.C.R.C.P. Rule 8 (b)(d), S.C.R.C.P. Rule 7(a), Edith V. State 632 SE2d 844 (2006) Default.

Roche V. Young Bros, 504 SE2d 311 (1998) Default

§ 65 Mandamus to Compel Performance of duty 11. American Jurisprudence, Second Edition
by clerk of Court.

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully prays that a writ of mandamus issue.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

- ☐ reported at _____ N/A _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

- ☐ reported at _____ N/A _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix N/A to the petition and is

- ☐ reported at _____ N/A _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ N/A _____ court appears at Appendix _____ to the petition and is

- ☐ reported at _____ N/A _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was N/A.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: N/A, and a copy of the order denying rehearing appears at Appendix A.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on A (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was N/A.
A copy of that decision appears at Appendix .

☐ A timely petition for rehearing was thereafter denied on the following date: N/A, and a copy of the order denying rehearing appears at Appendix .

☐ An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- (1) Fifth Amendment TO The United States Constitution
- (2) 14th Amendment TO The United States Constitution
- (3) S.C. Const. Art. I §11 Presentment OR Indictment
- (4) S.C. Code Ann §§ 17-19-10 Presentment OF Indictment
- (5) S.C. Code Ann §§ 17-23-130 Waiver OF Indictment
- (6) S.C. Code Ann §§ 17-23-140 Waiver OF Indictment
- (7) 6th Amendment TO The United States Constitution Effective Assistance of Counsel
- (8) Equal Protection OF The Laws
- (9) American Jurisprudence, Second Edition November 2022 Update; Clerks OF Court § 65 Mandamus TO Compel Performance OF Duty By Clerk OF COURT.
- (10) American Jurisprudence Second, Edition November 2022 Update § 238 United States AS TO Default Judgment.
- (11) South Carolina Jurisprudence November 2022 Update § 55.0 Rule 55 default
- (12) American Jurisprudence Second Edition November 2022 Update § 370 Time TO Answer IN Action FOR Mandamus.
- (13) American Jurisprudence Second Edition November 2022 Mandamus § 256 Mandamus Compelling assumption And Exercise OF Court OR Judicial officer.
- (14) South Carolina Rules OF Professional Conduct Rule 3.8 Special Responsibilities OF a Prosecutor
- (15) Malicious Prosecution: TO Sustain an action for malicious prosecution it must be shown that probable cause was lacking for the institution OF the proceedings complained OF
- (16) American Jurisprudence Second Edition May 2022 (C) Waiver OF Indictment; Indictment § Information § 16 Effectuation Waiver
- (17) American Jurisprudence Second Edition May 2022 Indictment § Information, § 7 Effect OF Lack Indictment.
- (18) S.C.R.C.P R 12(a) Time TO file Answer TO PCR, S.C.R.C.P R 55(a), S.C.R.C.P R 60 (b)(1)
- (19) S.C.R.C.P R 8 (b)(d), S.C.R.C.P R 7(a).

Statement of The Case

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Petitioner states under penalty of perjury that all statements stated herein are true and correct, the Petitioner states that he went before the Honorable Judge Kristi F. Curtis at PCR hearing Attorney General along with former PCR Counsel Christopher L. Murphy without giving any notice to Petitioner at all further presented sham motion allegations of day of hearing further procedural due process violation, proper notice is one of the key essential elements of due process of Law. Thus also in violation of the Supreme Court of South Carolina 413 SC 370 Re Pilot Model Post-Conviction Relief Docket Management Aug 19, 2015 states in part that once the cases are assigned a hearing date at the status / roster conference, the court will not entertain any further requests for continuances absent some emergency, unforeseen, or exigent circumstances knowing these stated facts as well as knowing that the Attorney General has been in default for the 4th time still being allowed to produce sham motion based upon perjury and fraud violation of due process to fair and equal treatment under the laws State/Federal. Further stating that the petitioner is incompetent based upon a mental health report dating back to (2020) and should therefore be granted a guardian ad litem to protect the petitioner's rights and that they care about the petitioner well being and mental health knowing that the petitioner has been denied mental since 10/30/21 by mental health staff of the Dept. of Corr. as in the case of TRV, South Carolina Dept. of Corr C/A 2005-CP-40-2925. Something done to those inmates in that case was done to the petitioner.

Petitioner states thus a total denial of mental health care, treatment, medication, and counseling. The Attorney General and former PCR Counsel knew these things were being done to the petitioner since Sept 22, 2022 former PCR Counsel Christopher L. Murphy knew these things was being taken place. On Nov 4, 2022 former PCR Counsel Christopher L. Murphy was sent a letter from petitioner in that letter the petitioner stated to PCR Counsel that he was receiving inhumane treatment denied mental health treatment, lock down in cell 6 to 7 days a week without showers, no fresh air, no educational programs, no church services, no medication for mental illnesses, no counseling for mental illnesses, no program for mental illnesses, and stated for PCR Counsel to have his PCR case placed on the PCR docket so that he can get out and receive the treatment that he needs. PCR Counsel refused, on Sept 22, 2022 Applicant received a letter from PCR Counsel Christopher L. Murphy stating I see you want to raise the issue and allegations of being mentally ill at the time of arrest to guilty plea but from the letters that I have received from you clearly shows you are not incompetent being found incompetent is the worst thing that could happen to you as a result of that you will then be considered as dangerous further you would receive worst treatment than you are receiving right now. Thus also false statement made by PCR Counsel in respects to being mentally ill at time of offense and arrest further

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PCR Counsel Christopher L. Murphy refused to file any motions or get the petitioner on the PCR Docket. After petitioner filed writ of mandamus with the South Carolina Supreme Court in which was denied due to petitioner having PCR counsel on case at time the South Carolina Supreme Court Clerk stated since at time Petitioner had counsel of record no ruling shall be made on writ of mandamus. Petitioner also filed a Complaint with the Office of Disciplinary Counsel raising Professional Conduct Rule 407, Rule 1.2-1.4 violations in which were denied. Therefore after requesting of PCR Counsel Christopher L. Murphy to get PCR case on PCR Docket and PCR Counsel failure to do so under inhumane treatment by (SCIX) staff petitioner filed a motion to have PCR Counsel Christopher L. Murphy removed from off case due to Fraud, misrepresentation, Conspiracy to deprive petitioner of his civil and constitutional rights.

Petitioner had a PCR Hearing on April 14, 2023 before the Honorable R. Kirk Griffin. Petitioner presented pro se proposed order vacating known void judgment grounds to support thereof. PCR Judge R. Kirk stated file proposed order to Chief Admin Judge Roger M. Young Ninth Judicial ~~████~~ Judge and he shall rule on proposed order. Therefore petitioner filed two pro se proposed order dated: April ²⁴ ~~████~~, 2023, April 14, 2023.

The Attorney General did not file any response within (30) days as in accordance with SCRPC Rule 12(a) (30) day time limit therefore petitioner put in notice/Entry of Default Judgment with Damages in the total Amount of \$100 million dollars. no judgment made thus 4th default against the Attorney General in this civil action before this Court. Petitioner further would like to advise the Court of the fact that Counsel PCR Counsel and I also had a conflict of interest this same Counsel was employed at Stuckey Law Office LLC representing the petitioner in civil wrongful conviction in PCR this same lawyer

Was working at Stuckey Law Office at time on meeting and Queen St. he conspired then to deny me of my civil and constitutional rights casting the petitioner to lose civil suit, later filing lawsuit against this same Counsel conflict of interest.

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As a result of void Judgment petitioners serving time in the South Carolina Dept. of Corr. under inhumane prison conditions further cruel punishment. Petitioner Jerome Cury #253067 states under penalty of perjury that statements given herein to day are true and correct so help me God. That on May 23, 2023 while at Lee Correctional Institution sent here from Ridgeland Correctional Institution which is a level 2 prison to a level 3 prison the worst level 3 prison in (SCDC) South Carolina Dept. of Corrections and I was a level 2 prisoner never was suppose to be sent here further without any due process hearing or anything fibus violation to the United States Constitution Due process and equal protection of the Laws State/Federal.

On May 19, 2023 petitioner came to Lee Correctional Institution was placed on 12hr unit lock-up unit based upon fraud, and sham disciplinary charges brought against petitioner falsely petitioner was found guilty based upon sham charges governed by perjury statements alone from charging officer was found to be enough and only evidence in support of finding the petitioner guilty of 809 Threatening to Inflict Harm on/ Assaulting an Employee and/or Members of the Public etc, petitioner presented evidence and witnesses to prove that Charges were sham and should have never been brought against the petitioner. In this hearing on these charges the petitioner was found guilty in violation of (SCDC) policy OP.22.14 concerning due process and evidence allowed at inmates disciplinary proceedings as well as the United States Supreme Court case and guidelines all state prisons must follow when conducting Major Disciplinary hearings of prisoners in which all prisoners must be provided with Due Process of Law.

The United States Constitution is mandatory which must be obeyed and honor by all the constitution states that no person shall be deprive of their life, liberty, or property without due process of law. Nor shall anyone use any state laws policy, rules, codes, or statutes to abridge any citizen of their rights under the US constitution as well as state constitution and all citizens must be afforded with due process of law in which (SCDC) South Carolina Dept. of Corrections refuses to provide the petitioner with in total disregard to the petitioner's rights or the constitution which they feel that they and General Counsel of (SCDC) South Carolina Dept. of Corrections are above the constitution and does not have to respect and honor the constitution.

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Petitioner further would like to advise this Honorable and Respected court of the fact that the PCJ Judge Kristi F. Curtis abuse discretion by not vacating known void judgment of the petitioner's void judgment based upon (1) allegation and statement made in the petitioner's pro se proposed order as well as stated within the petitioner's motions: Motion for Summary Judgment, motion & notice of motion for Summary Judgment, motion to vacate void sentence/judgment based upon SCRPC Rule 60(b)(4) and case of Sanders v. Smith along with all cases, and Jurisprudence Second Edition For 2022 or 2023 on void judgments, and motion For Relief From void Judgment as in accordance with SCRPC Rule 60(b)(4) all these motions stated herein were based upon conviction without grand jury indictment as per S.C. Code statute 17-19-10, S.C. Const. Art I Section 11, or signed waiver of indictment as per S.C. Code statutes 17-23-130, 17-23-140 and South Carolina Supreme Court ruling and judgment of State v. Smalls (2005) case, and as in accordance with the case of State v. Clarkson in which the South Carolina Supreme Court stated that it is strictly required that in order for a waiver of indictment to be valid it is mandatory that such waiver of indictment can only be done in writing further stating a waiver of indictment orally is insufficient waiver must be done in writing only and not orally.

Petitioner states that he has been denied calling family since 5/8/23 denied legal phone calls since 5/8/23 still being denied now. (SCDC) Staff further stated to the petitioner's Brother Bobby Curry III that petitioner is not taking his meds and that he is mentally ill false statement perjury (SCDC) knows what they have been doing to me even after filing grievances filing, civil lawsuits in District Court, Court of Common Pleas & writ of Mandamus instead of these officers along with General Counsel, Director of SCDC, Governor, Lawyers, Judges, Attorney General, Sheriff's Department of Charleston County South Carolina, Public Defenders, Solicitor's Office, (SCDC staff) the whole Department of Correction as a whole unit and individually have all conspired to deprive petitioner of his civil, constitutional, and Human Rights [REDACTED] along with the willful deliberate inhumane treatment done to the petitioner by all governmental officials, judicials officers employed within the branches of government have abuse their power, abuse process, committed malicious prosecution, abuse of use of government's use of office, perjury, sham indictments never presented before any grand jury at all whatsoever further fraud and perjury for the Attorney General Danielle Dixon to commit perjury and fraud upon court with sham return and sham indictment not presented to the petitioner until (15) months or more after invalid waiver of this same sham indictment in which plea counsel and solicitor had prior to the guilty plea of petitioner further with Photo Line-up form dated: 5/13/20 stating by same victim that is stated to have been rob by petitioner in which Counsel Plea Counsel Ben Lewis of Charleston County Public Defenders office had in his possession before and during guilty plea and refused to allow the petitioner a right to view or see before pleading guilty & invalid waiver in this sham indictment it states that petitioner rob victim same victim that stated on photo-line up form 5/13/20 was not able to identify

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The petitioner states that on May 23, 2023 that on the west yard at Lee Correctional Institution all while on video cam recorded. The petitioner was assaulted by (6) or more (SCDC) employees because of Cpt Hunter stating to these officers inmate has a weapon knowing that inmate petitioner never had any weapon nor [REDACTED] was there any weapon presented or ever found on petitioner. These officers assaulted petitioner serious mentally ill prisoner in which suffers from Paranoid Schizophrenia, Bipolar Disorder & PTSD have been treated for these illnesses in the past since on or about 2004. When petitioner did see mental health so-called Counselor after 14 days of being housed at Lee Correctional Institution in which is in violation of (SCDC) policy all serious mental health inmates/prisoner or prisoners on mental health case loads are required as per (SCDC) policy and mental health providers to see such prisoners with 48 hours of being placed at the institution in which they refused to do. See also the Court case of TR V. South Carolina Dept. of Corrections Case Number C/A:2005-CP-40-2925 everything done to mentally ill prisoners/inmates in this case has been done to the petitioner in same like manner with cover-up and all of unlawful and wrongful actions done deliberately by (SCDC) staff in violation of cruel punishment I petitioner hereby states under penalty of perjury that I filed 7 or more grievances raising all issues stated herein and all grievances were returned back to petitioner unprocessed.

Petitioner further was sprayed with pepper spray while in handcuffs inside of holding cell dated: May 23, 2023 around or about uncertain 12:00pm-1:40pm all on video cam Court should have (SCDC) provide Court with video cam of this sprayed into holding cell twice for petitioner requesting breathing treatment sprayed until blacked-out drag out of holding cell by the (6) or more officers while Classification Staff, mental health staff video this even being assaulted again during this all on video cam by Classification workers and staff I request that Court obtain copies of video cam of 5/23/23 until today's date of cell in Rho unit Lock-up cell #79 along with video cam of incident unlawful use of force on serious mentally ill prisoner/inmate on west yard on 5/23/23 on or about 11:50am to 12:00pm or no later than 12:50pm time period when incident took place.

Petitioner stated after being assaulted and sprayed with pepper spray by (SCDC) staff he was denied all medical treat medical for back injury right hand injury still being denied as of today placed three inmate request forms requesting medical assistance for back injury & pain also denied advised nurses still denied further denied mental health treatment since 10/30/21 still being denied even after request.

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When mental health staff comes to Rhu unit lock-up petitioner states that he request to been seen by these mental health providers and staff and they run pass petitioner's cell door to see all other inmates/prisoners yet refuses to see petitioner as of till this day other than that one day after 14 days was petitioner ever seen by any mental health staff period and when petitioner did speak to this so-called mental health counselor this same mental health counselor stated to the petitioner that according to their records and what's stated in their computer it shows that I do not suffer from PTSD, Bipolar disorder or Paranoid Schizophrenia but has petitioner listed as suffering from a mental illnesses that the petitioner never was seen or treated for nor is what the petitioner is suffering from now.

Due to this the petitioner requested of mental health counselor to provide name of Doctor that stated this and placed this into their system or computer. Mental health counselor got upset and told officer to have petitioner taken back to Rhu unit and Cell #79 she do not wish to speak to petitioner any longer and even though petitioner provided mental health staff here at Lee Correctional Institution with court order and documents from the Honorable Judge Jefferson of the Ninth Judicial Circuit Charleston County, South Carolina court order and plea transcript of Oct 21, 2021 which Judge order treatment for PTSD, Bipolar Disorder & Paranoid Schizophrenia the mental health counselor stated that they will not be treating the petitioner for those illnesses because that's not entered into their system.

Petitioner is still being denied mental health treatment just as in the case of TR. V. South Carolina Dept. of Corrections case number: C/A: 2005-CP-40-2925 this case and all that was done to these mentally ill prisoners/inmates have been done to the petitioner in same like manner ways and treatment this case is a twin case of whats being done by (SCDC) staff & employees to petitioner. The petitioner further states under penalty of perjury that this statement is true and correct so help me God. Petitioner was never given a shower after being unlawfully sprayed with pepper spray while in handcuffs while behind locked cell door unjustifiable, unreasonable, and deliberate to cause injury or harm to petitioner knowing the results of such actions to still do this then conspire with these same (6) or more officers, nurses, mental staff, and medical staff to have sham charges placed on the petitioner based upon perjury & conspiracy to deprive the petitioner of his civil and constitutional rights charged petitioner falsely and found petitioner guilty without petitioner being allowed to go to (DHO) disciplinary hearing give 210 days Rhu lock-up time 7 months time to serve without attending hearing making false statement stating I refused to attend hearing which was false never advised me of such hearing see video cam of Cell #79 showing no one advised me further not giving Petitioner his food medicine, passing, eating.

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on petitioner flap where flap had pad lock placed on their where the petitioner could not have received anything no, food, papers, legal documents or mental health meds please see Rhu unit video Cam of cell #79 from 5/23/23 until now. Knowing these stated facts and all issues raised herein petitioner advise warden over Rhu unit, wrote inmate request forms, filed 7 or more grievances about these issues talked with grievance staff still denied all grievances returned to petitioner unprocessed see Exhibits in which petitioner already sent to this court as proof of what's been being done to the petitioner.

Petitioner further states that (SCDC) officers refused to feed petitioner for 11 days in a row the petitioner came to Lee Correctional Institution weighing about 185 lbs as of right now the petitioner has lost a lot of weight due to not being feed by (SCDC)-employers and staff petitioner cell sink water and toilet was turned off for over 110 days in a row, denied shower for (35) days in a row including no shower after being pepper sprayed in violation of (SCDC) policy on the use of pepper spraying inmates petitioner was locked behind cell doors with handcuffs on hand cuffed and placed behind back sitting down in holding cell requesting breathing treatment & inhaler and was sprayed twice just for that all while on video cam on 5/23/23 about 12:00pm - 12:50pm in Rhu unit holding cell at Lee Correctional Inst. assaulted and drag to medical while in handcuffs and leg irons by SCDC staff; Lt. Moore, Cpt Hunter, Cpt Colanda Robinson, Lt. Robinson, Cpt McFadden, officer Williams, Ms. Rember, Renee Thompson RN medical staff conspired also to have false charges placed on petitioner to justify assault while in handcuffs and leg irons and unlawful use of pepper spray on serious mentally ill prisoner/inmate just as in the case of T.R.V. South Carolina Dept. of Corrections case number C/A: 2005-CP-40-2925

Petitioner spoke to all staff further placing more false charges sham charges based upon perjury and conspiracy to deprive petitioner of civil and constitutional rights petitioner states that Cpt Hunter along with (SCDC) staff and officers stole all property legal documents cases, case laws, law Book petitioner was writing the Art of Law, Poems, letters, soap etc in which petitioner hand packed himself and gave to Cpt. Hunter who in return stated all petitioner has in his property is inmates state boots is all. This false statement Ridgeland Correctional Inst property sheet will show petitioner had a lot of legal documents and property in which was willingly destroyed by (SCDC) staff and Cpt. Hunter wrote grievances denied also, officer Fillingim, Legrant, Lt Baker, Marjor Smith, Lt. [REDACTED] D. Weston, Cpt Green, Lt Pressley, Sgt Sweeting, officer will, Mailroom staff, Grievance IGC P.B Prince, counsel substitute Ms. Hickson, DHO Hearing officer at Lee Correctional Institution all violated petitioner due process rights, civil rights, Human Rights inhumane treatment, petitioner was further denied sheets, boxes state uniforms T-shirts, socks, blanket, mat to sleep on soap, toothpaste, toothbrush envelopes to write family and court denied grievance forms staff request denied access to court Blaw library denied Bible Cpt Hunter & staff stole Bible also. [REDACTED] still have not given back property grievance denied

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Petitioner states under penalty of perjury that all statements stated herein today are true and correct so help me God. Petitioner on June 27, 2023 went before PCR hearing Judge for the Charleston County Ninth Judicial Circuit at this PCR hearing knowing before hearing two months before hearing that Attorney General Danielle Dixon was in default as per South Carolina Supreme Court case of Edith v. State 632 SE.2d 844 (2006) PCR default as in accordance with due process of law to fair, equal and just treatment in all actions pending before any judicial officer of the courts all officers under the bar have sworn an oath to defend, stand, and uphold as well as respect & honor the constitution along with respecting the rights of citizens without prejudice or bias treatment towards any citizens of the United States. The Attorney General has been in default since July 28, 2022 4 different times in petitioner's PCR civil action have the Attorney General been in default petitioner has been incarcerated under known void judgment since May 13, 2020 still serving void judgment even after presenting evidence sham indictment never presented to grand jury or petitioner until states sham and late return filed (6) months or more past due date to file response answer towards petitioner's PCR Application with all motions filed in support thereof.

Petitioner states had he done these things against the Attorney General once or been in default once under any circumstances all judges in the State of South Carolina would have signed off order dismissing petitioner PCR case & Application without a hearing all these motions filed pro, se stated herein along with sham indictment based upon perjury in sham Return filed by state on page 1 of the State's Return the Attorney General stated that the petitioner was indicted by grand jury for the offense of Attempted armed Robbery but plead guilty as indicted (thus perjury and fraud upon court knowing that the petitioner was never indicted nor plead guilty as indicted petitioner advised PCR Judge on June 27, 2023 of this fact along with providing this Judge Curtis, Judge R. Kirk Griffin as well as Chief Administrative Judge for Ninth Circuit Judge Roger M. Young SR with pro, se proposed orders sent and dated: April 10, 2023, and April 24, 2023 both concerning void judgment violation of Due Process, ineffective assistance of plea counsel as a result of this in which judgment must be vacated as a matter of law and as required by due process to fair, just, and equal treatment in PCR hearings and actions as per equal protection of the laws State/Federal abuse of discretion and order of June 27, 2023 void unconstitutional, as well as judgment in PCR civil action hearing order from PCR Judge R. Kirk Griffin, and Chief Administrative Judge Roger M. Young all refusing to enter judgment petitioner states that no judge in the State of South Carolina will enter judgment they keep passing it on other judges and when that judge gets it they pass it to another judge all while violating petitioner's rights the petitioner states that as long as the courts and state of South Carolina is overseeing his PCR case they will hold out and never vacate known void judgment. US Supreme Court must issue order ordering Chief Judge to vacate judgment

REASONS FOR GRANTING THE PETITION

Petitioner states for the record that this writ will be in aid of PCR Cases # 2022-CP-10-2017, and 2022-CP-10-05515, 2020-CP-10-05357 and void Judgments by PCR hearing Judge Honorable R. Krick Griffin dated April 19, 2023 refusal to vacate known void judgment with evidence documentation of Sham, fake grand jury indictment never presented to grand jury or petitioner before entering guilty plea of guilty on Oct 21, 2021 before the Honorable Judge Jefferson for attempted armed robbery 6 years 85% violent most serious offense rendering this judgment void as of Oct 21, 2021 judgment is in fact void, due process, and ineffective assistance of plea counsel requiring the judgment to be vacated without any delay thus judgment and conviction unconstitutional in which would be a total denial of justice to still under those circumstances to over look and still enforce judgment such judgment is an abuse of discretion, error of law, based upon bias treatment, denial of equal protection of the laws statute/state and Federal in which not one Judge did all three Judges in South Carolina knowing these stated facts still refused to vacate void judgment, but instead enforce a well known void judgment, plea, sentence and conviction on petitioner as a result of this known void judgment for these judges to still rather than vacate and release petitioner they rather have petitioner known mental health prisoner that suffers from three serious mental illnesses PTSD, Bipolar Disorder & Paranoid Schizophrenia still serve such void judgment subject to inhumane prison conditions with no respect, regards, to petitioner mental health being denied mental health treatment and treated as same as mentally ill prisoners were treated in the case of T.R.V. South Carolina Department of Corrections case number C/A 2005-CP-40-2925 and for Attorney General Danielle Dixon, Christopher L. Murphy along with two PCR Judges refusing to enter judgment and vacate known void judgment in case where the Attorney General Danielle Dixon have been proven to be in default on 4 pro se filed motions as well as final proposed orders to still rule in favor of Attorney General Danielle Dixon's favor is more than a total denial of justice, due process, fairness and equal protection of the laws state/federal abuse of discretion, abuse of power, and an error of Law not supported by findings of fact and conclusion of Law. This is an abuse of discretion even by Chief Administrative Judge Roger M. Yang Sr. off the Ninth Judicial circuit to allow this rule in favor of Attorney General knowing these stated facts and refuse to vacate petitioner known void judgment turning a blind eye to justice to its fullest degree of the law.

Petitioner states that this court has jurisdiction to hear these allegations per constitution USCA Section 111 Section 2 of 2 to issue this writ and as per 20 USCA Section 1651, Petitioner states that there is no other remedy with any courts within the state of South Carolina Petitioner presented all allegations and issues raised herein this writ with 2 PCR Judges and 1 Chief Administrative Judge all within the state of South Carolina. All judicial officers under the bar has sworn an oath to uphold, defend, and support the constitution instead these respondents in this action before this well respected court of jurisdiction stand behind and defend the confederacy within their hearts, minds, and spirits and refuse to let it go at all costs using their judicial and governmental power to conspire with lawyers, solicitors, mayors, governors, prison officials, wardens, sheriff Depts., County Jails, prisons, courts, judges criminal, civil, and administrative Director of Department of Corrections, power, money and connections to conspire to deprive wrongfully convicted citizens black or white people that are mentally ill, disable mentally, can't read or write and have no one to stand up for them considered defenseless people are falsely arrested and convicted legal slavery using the judicial system, connections with the judicial and panel system to have citizens falsely arrested & convicted making Billions of dollars by doing this unconstitutional

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T.R. V. South Carolina Dept. OF Corr.

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In the case of T.R. V. South Carolina Dept. OF Corr. Serious mental illnesses are paranoid Schizophrenia, PTSD and Bipolar Disorder all of what I suffer from. In the case of T.R. V. South Carolina Dept. OF Corr. Stated: The subjective component is met by proof that a defendant knows that inmates face a substantial risk of serious harm and disregards that risk by failing to take reasonable measures to abate it. Farmer, 511 U.S. at 834-837 - SCDC has known for years that its policies expose serious mentally ill inmates to a substantial risk of serious harm but has failed to take reasonable measures to abate that risk.

In the case of T.R. V. South Carolina Dept OF Corr. Stated: SCDC's expert, Dr. Scott Haas, testified that seriously mentally ill inmates ordinary comprise 18 percent of a prison population. Plaintiff's expert, Dr. Raymond F. Patterson, testified that after detailed analysis, 17 percent was a conservative estimate of SCDC's seriously mentally ill population, and the Court finds the basis of his analysis to be credible. There was evidence presented to the Court of regular violations of the SCDC mental health policy, two of which are particularly relevant to the Court as they relate to the screening and evaluation process at R&E. First SCDC policy requires that a mental health counselor must meet with an inmate within 48 hours of the inmate being assigned to that counselor's caseload. At trial there was evidence submitted to the Court of regular and persistent violations of this policy. Second, inmates are not being seen by a psychiatrist within thirty days of the counselor's initial assessment when a need for psychiatric treatment is indicated, also a violation of SCDC policy.

The treatment program at SCDC places heavy reliance on segregation and use of physical force against seriously ill inmates, as opposed to treatment. Inmates whose movements are restricted in segregation units may develop symptoms of acute anxiety or other mental health problems; regular psychological assessment is necessary to ensure the mental health of any inmate confined in such a unit beyond 30 days. The evidence presented by plaintiff's demonstrates that SCDC consistently showed little to no regard for the mental health of inmates. SCDC's treatment program fails to provide mentally ill inmates with sufficient access to higher levels of care. The Case of T.R. V. South Carolina Dept OF Corr. States: That the Court finds SCDC's use of force and segregation, as opposed to treatment, in a mental health system where psychiatrists have limited roles and where inmates face systemic obstacles in accessing higher levels of care, creates a substantial risk of serious harm for inmates with serious mental illness

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SCDC is substantially understaffed this has a causal effect for many insufficient aspects of the mental health program and greatly inhibits SCDC's ability to provide effective services to its mentally ill inmates. SCDC is still understaffed in clinical psychologists while it is clear that SCDC does not have enough counselors, it is equally clear that many of the counselors they do employ are unqualified. The failure to appropriately supervise, evaluate, and dispense psychotropic medications creates a substantial risk of serious harm to inmates with serious mental illnesses.

The courts may not allow constitutional violations to continue simply because a remedy could involve intrusion into the realm of prison administration *Brown v. Plata* 131 S.Ct 1910, 1928-29 (2011). Additionally, the economic cost of protecting a constitutional right cannot justify its total denial. *Bounds v. Smith*, 430 U.S. 817, 825 (1977). A plea of lack of funds is an insufficient justification for the failure of the executive department to provide constitutionally mandated treatment programs. *Crain v. Bordenkircher*, 176 W.Va 338, 364, 342 SE2d 422, 449 (1986), quoting *Moore v. Starcher*, 167 W.Va 848-853, 286 SE2d 693, 696 (1981). In the case of *T.R. V. South Carolina Dept. OF Corr.* states: That this court is bound to uphold the South Carolina Constitution and protect the rights of the mentally ill inmates of SCDC. Moreover, it is the action of a circuit court that triggers the placement of an inmate into the custody of SCDC, under court authority, and thus this court has the inherent power- and responsibility to see that the imprisonment of that inmate complies with constitutional mandates. The Court is convinced that to view the evidence put forth in this case and then do nothing could be a great miscarriage of justice."

Plaintiff states that based upon issues raised within complaint and cases in support of claim he feels that he is entitled to the relief in which he request to punitive damages due to all Defendants within this civil action knowingly, and willingly denial of Plaintiff's Constitutional Rights, Civil Rights, & Human Rights as well as inhumane treatment towards Plaintiff in this action even after the case of *T.R. V. South Carolina Dept. OF Corr* case the Department of Corr still violates inmates rights as they did in the case of *T.R. V. South Carolina Dept of Corr.* thus showing total disregard of the laws, statutes, constitution, policies and rights as a human being and citizen of the United States.

CASES IN Support OF Claim

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- (1) Government has obligation to provide medical care for those whom it is punishing by incarceration. U.S.C.A. Const. Amend. 8 as well as S.C. Constitution
- (2) Infliction of unnecessary suffering on prisoner by failure to treat his medical needs is inconsistent with contemporary standards of decency and violates the Eighth Amendment. *Estelle v. Gamble* 97 S.Ct 285 (1976) as well as S.C. Constitution
- (3) *T.R. v. South Carolina Department of Corrections Denial of Mental Health Treatment*, C/A 2005 C/A 2005 - CP-40-2925
- (4) The eighth amendment's prohibition against cruel & unusual punishment extends to the treatment of prisoners by prison officials and forbids the unnecessary and wanton infliction of pain. As well as S.C. Constitution
- (5) The eighth amendment imposes a duty on prison officials to provide humane conditions of confinement and ensure that inmate receive adequate food, clothing, shelter, and medical care, As well as S.C. Constitution
- (6) Eighth Amendment's prohibition on cruel and unusual punishment not only outlaws excessive sentences but also protects inmates from inhumane treatment and conditions while imprisoned. As well as S.C. Constitution
- (7) An inmate can show deliberate indifference to an excessive risk to inmate health or safety as required for subjective prong for Eighth Amendment conditions of Confinement Claim, by offering circumstantial evidence that a risk was so obvious that it had to have been known. Thus violation of S.C. Constitution to cruel & unusual punishment as well.
- (8) Violation of The United States Supreme Court Case of *Wolff v. McDonnell*, Due Process in Prisons Disciplinary hearings, Violation of SCDC policy OP-22-14 concerning DHO hearings, evidence of DHO hearing, judgments & findings in DHO hearings, Due Process in DHO hearings, Procedure in mental health serious mental inmates, Procedure in finding serious mental health inmates guilty, evidence in support of DHO hearing, equal protection, due process of laws Human Rights violations inhumane treatment
- (9) *Iko v. Shreve* 535 F.3d 225 (2008), *Stevens v. Holler* (2023), *Langford v. Joyner* 624th 122 (2005), *Tarashuk v. Givens* 53F.4th 154 (2021), *Heyer v. United States Bureau of Prisons* 849 F.3d (2017), And *Scinto v. Stasberry* 841 F.3d 219

(8) Lyles v. Stirling 844 Fed. Appx 651 (2021) Fourth Circuit

Prison officials were aware of risk to prisoner denying him out of cell exercise for over 10 months, as required for cruel and unusual punishment since some form of regular outdoor exercise was extremely important to psychological and physical well being.

(9) Sweet v. South Carolina Dept. of Corrections 529 F.2d 854 (1975) Fourth Circuit

If indefinite limitation on prison inmates exercise periods and showers adversely affect the health of inmate prisoners constitutional rights are implicated.

(10) Porter v. Clarke 923 F.3d 348 (2019) Fourth Circuit

Solitary Confinement poses an objective risk of serious psychological and emotional harm to inmates, and therefore can violate cruel and unusual punishment.

(11) Hutto v. Finney 437 US 678

Confinement in a prison or in an isolation cell is a form of punishment subject to scrutiny under cruel and unusual punishment.

All Defendants in this pending civil lawsuit have violated all laws, statutes, policies, constitutions, as well as human rights by their willful disregard of my rights and further inhumane treatment in which I have received by these Defendants in this action even after giving Defendant's notice of all actions done against me unlawfully yet Defendants refuse to ensure me that my rights would not be violated instead Defendant's kept on violating my rights after notice thus malice intent in total disregard to my health and mind set. Therefore as a result of their conduct punitive damages should be awarded in full amount of \$ [REDACTED] in my favor to do otherwise would be a denial of justice. This Court has jurisdiction to hear this case as in accordance with S.C. Code Ann §§ 15-72-10 Jurisdiction of Circuit Court (1)(2) to accept this civil lawsuit pro se on my behalf. Plaintiff request hearing by jury in this civil action before this Honorable Court as in accordance with SCRPC Rule 38 Jury Trial of Right. [REDACTED]

Rights Violated

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- (1) All Defendants in this civil action have willingly and knowingly violated my Human Rights, Inhumane Treatment, Abuse of Process, Perjury, Forgery, Sham Disciplinary Charges Connected of Disciplinary without going to hearing, Due Process violating, Fraud, False imprisonment.
- (2) All Defendants in this civil action have willingly and knowingly violated S.C. Const. Art. 1 § 3 Equal Protection of the laws, Perjury stating I did not want to go to DHO Disciplinary Hearing by same officers that charged me falsely, conspiracy to deprive civil, Human, & Constitutional Rights
- (3) All Defendants in this civil action have willingly and knowingly violated S.C. Const. Art. 1 § 15 Cruel or unusual punishment
- (4) All Defendants in this civil action have willingly and knowingly violated S.C. Const. Art. 1 § 2 to Religious Freedom, ■ Denied Church Services
Damages

- (1) As a result of all the unlawful actions I keep having nightmares
- (2) Have feeling of cell getting smaller and smaller the longer I am inside of cell
- (3) Hearing voices at times when no one is around me or talking to me at times
- (4) Unable to sleep at night due to unlawful actions done to me by all Defendants
- (5) Have racing thoughts within my mind when I am alone or around people
- (6) Feel isolated when I am not isolated, wake up in the middle of the night in cold sweats
- (7) Have feelings of deep depression at times that I am unable to control
- (8) Have feelings of Helplessness due to all the unlawful actions done against me by all Defendants listed within complaint and this civil action
- (9) Have feelings of Hopelessness & feelings of unimportance.
- (10) Denied Legal Phone calls since 5/8/23 still denied, Denied mental Health Treatment still Denied, Denied Church Services Bible, Stolen Bible Legal Documents for Pending PCR Case No# 2022-CP-10-2017, Denied Rights As Hebrew Jew Studies, Denied Rights as Hebrew Jew, Denied drinking water or anything to drink or eat for 11 days in a row, Denied Shower for over (30) days in a row, Denied fresh air never left cell F-7 #79 Lee Corr. Inst ever see video cam as evidence of cell and pad lock placed on cell by Cpt. Green and officer will Denied Soap, toilet paper toilet turned off for 10 days in a row, Denied medical treatment for right hand Denied new brace for right hand, Given inmate tablet that they know does not work. Denied legal call to family for court date PCR Hearing June 27, 2023 deadline to contact witnesses of June 21, 2023 at 12:00pm denied 7 times out going legal mail by mailroom clerk at Lee Corr. Inst.

RELIEF

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I Jerome Curry #253067 seek Damages against all Defendants one By one and as a whole for their willfull, malicious, deliberate actions towards me inmate that suffers from serious mental illnesses and for their unlawf actions and conspiring together to cover-up their malicious, evil intent to inflict harm physcial, and mental damage against me inhumane treatment of me in total disregards to human life, respect, civil Rights, Human Rights granted to me By God himself, and Constitutional Rights drafted by Thomas Jefferson in the 1700's Declaration of Independence (1776) as well as the declaration of Human Rights. All Defendants in this actions done things to me that are not allowed to be done to dogs or cats if done they would have been locked-up for animal cruelty how much more important is my human life worth I am a tax paying citizen with rights and wrongfully convicted and imprisoned under Sham Criminal Charges based upon Sham indictments never presented by any grand jury as well as victim stating was never able to identify me as suspect that committed offense inwhich I am serving time for inwhich all victims picked out Same suspect dated 5/13/20 in Charleston County Police Department photo line-up Form 52-A By Presenting officer W. T. Crockett #2387 inwhich all these victims picked out suspect Same suspect in photo line-up #3 inwhich was not me and plea counsel knowing this along with Solicitor Stephanie B. Linder ASST. Solicitor & Head Solicitor Scarlett A. Wilkon Committed Professional misconduct South Carolin Rules of Professional Conduct Rule 3.8 Prosecutor's misconduct Prosecutor's Responsibilities. As a result of all damages and false imprisonment being placed on lock-up based upon conspiracy, due process violation, violation of The United States Supreme Court Case of Wolff v. McDonnell procedure and due process in State disciplinary proceedings as well as violating SCDC OP-22.14 8.1.2, OP-22.14 14.7, OP-22.14-15.2, OP-22.14 Level 2 offenses no more than 45 days I was sentence to 210 days in Rhu Solietry Confinement by (SCDC) DHO officer at Lee Corr. Inst. South Carolina total time to serve on false charges Sham charges 210 days, OP-22.14 26.4 Loss of Privileges Inmates may not be denied purchase of possession of legal materials, incoming/outgoing mail, legal visits, legal phone calls all of which I have been denied since 5/8/23 still denied even showers, Canteen Purchases OP-22.14 26.4 tooth brushes, footpatse/powder, soap etc All denied since 5/22/23 still denied. Request punitive damages in Full Amount of \$11.5 million dollars for all rights and violations by all staff and defendants request Court put hold on all defendants accounts, business, Homes, Cars, Bank accants, 401k plans pensions, real Estate, lands, boats, gold, etc until full amount of \$11.5 million is paid to Petitioner in full and that I be transferred to Charleston County Jail for PCR hearing set June 27, 2023 and that family be contacted for Hearing Bobby Curry (704) 451-0756, witness Aunt Cherry Frazier (843) 834-0213, or (843) 766-1197, Public Defender Ashley Pennington (843) 478-1230 witness in PCR hearing be notified and subpoena for hearing and I be brought to hearing ASAP I have no other remedy and defendants in case all have contacts in South Carolina that will cover-up lies for them prejudice to me in fear of safety health and life request to be move away from Defendants ASAP.

Conclusion of Laws

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According to SCDC records and the case of TR, V. South Carolina Department of Corrections C/A NO: 2005-CP-40-2925 it states that between January 2008 and September 2011, mentally ill inmates were subjected to use of force at a rate two and half times greater than non-mentally ill inmates. Evidence shows a clear and compelling accounts that (SCDC) resorts to use of force in the agency's attempt to manage the conduct of mentally ill inmates out of thirty inmates most frequently subject to the use of force, twenty-six were on the mental health caseload.

one inmate name James Howard was subjected to 81 separate use-of-force incidents while in cuffs there was no reason or justification for this officer actions, after being sprayed the plaintiff in this case states that he moved to the back of the holding cell in which he was in at time officers sprayed into this cell while plaintiff was in handcuffs further while behind close doors in cell for requesting breathing treatment, in which he was denied by staff that sprayed pepper spray into plaintiff holding cell as well as denied medical treatment by medical staff themselves also on date of incident 5/23/23 as well as mental health treatment for serious mental illnesses, i.e. Bipolar disorder, PTSD, and paranoid illness.

Plaintiff states after being sprayed twice while in lock-up holding cell he could not breathe and thought that he was going to die plaintiff states that he saw his life flash in front of his eyes therefore he started to do the only thing that he felt that he could do at that time and that was pray to Jesus in an unknown tongue as plaintiff started to pray with his back facing the holding cell door and flap were officers pass the food through as plaintiff sit there with his back turn officers sprayed another load of pepper spray into plaintiff's holding cell laughing and mocking plaintiff as he prayed to Jesus also mocking Jesus also as plaintiff states now I know how Jesus must have felt before blacking out. Filed 5 grievances all Denied by Grievance IGC

Plaintiff woke up on floor outside of holding cell with all staff, officers, Classification staff and so-called mental health staff present in which one officer stated oh no we are not going to play that get up off of the floor and walk to medical while still being assaulted by (SCDC) officers even female officers all while this is suppose to be recorded by Classification staff young lady Black female name unknown to me wearing black leggings a little after this the officer that sprayed into my cell holding cell while I was still in handcuffs and assaulted me while in handcuffs and leg irons got Cam video cam from Classification worker young Black female with black leggings on name unknown to me this officer that assaulted me was given the video cam by this Classification worker in which he did something to the video then give video cam back to Classification worker. There was no reason or justification for the actions of these officers and staff plain devilish without just or good cause for punishment and total dislike of inmate not one officer or (SCDC) staff had heart enough to state this is wrong and must be stop instead all officers, staff, Warden, medical staff, and Classification workers conspired to cover this up and further place sham, false charges based upon perjury on me to justify there unlawful actions.

unnecessary and excessive use of force: In the past corrections expert Steve J. Martin stated that while (SCDC's) use-of-force policy was consistent with national corrections standards, its use of force practices were not. Based on his review of over 1,000 incident reports at (SCDC) involving OC Spray (pepper spray), Mr. Martin stated a pattern and practice existed that violated national standards and SCDC's own use-of-force policy. Mr. Martin stated in detail about eighteen cases examples at (SCDC) of the unnecessary use of force where no threat of harm and OC spray was used simply as a form of punishment (abuse of power). Mr. Martin stated it is common for (SCDC) correctional officers to use excessive force.

Mr. Martin stated that nine cases examples, documents in (SCDC) reports, where (SCDC) officers had used MK-9 crowd control fogger devices in large disbursement in individual close cells, again contrary to manufacturer instructions and (SCDC) policy. Mr. Martin further stated that having reviewed thousands of use of OC Spray in prisons and jails throughout the country, he had never seen MK-9 a crowd control contaminant, so frequently used by a correctional officers so inappropriately. The use of such force is without penological justification. (SCDC) unnecessary and excessive use of OC Spray on mentally ill inmates is consistent with its unnecessary and excessive use of physical restraints.

Plaintiff suffers from bronchitis and was requesting from officers prior to being sprayed with pepper spray to have breathing treatment because he was having problems breathing further requested from staff to get his inhaler for his bronchitis in which was issued to plaintiff at Kirkland Corr Inst in 2021, MacDougall Corr Inst in 2023, and Ridgeland Corr Inst in 2023 on April 22, 2023 at medical Ridgeland Corr Inst provided and issued medication pills for bronchitis. On 5/23/23 after being assaulted and pepper sprayed plaintiff states that he told medical staff that he needed breathing treatment because he was having problems breathing and was assaulted and sprayed twice while in handcuffs behind back hands placed behind back while inside holding cell for requesting breathing treatment. The nurse stated to me and officer in which assaulted me and used pepper spray on me that I did not have bronchitis and that she did not know where or how I got that inhaler I was denied medical treatment for that back pain and pain in right hand that was already injured prior to arrest and conviction on the job injury right hand being caught in meat grinder causing nerve damage and carpal tunnel receiving and ordered pain management by Hand Specialist John MacQuarrie of West Ashley Charleston SC still requiring operation to fix hand. My hand was injured even more by officer tight handcuffs so tight plaintiff could not feel hands. plaintiff states he was denied treatment for that lower back pain and denied medication and mental health treatment for serious mental illness paranoid illness, Bipolar Disorder, and PTSD. SCDC staff placed me inside Cell #79 lock-up without shower still to present day no shower, no food 3 days, no soap, no blanket, no Bible, no pen just got pen, refuse to give me grievance, medical sick call, mental health, denied phone calls, even legal phone calls and PCR case is set for June 2023, no law library or law tablet been without tablet since 2/13/23 still

Petitioner Request that due to these willingly, willingly, reckless, malicious, ill will, & deliberate actions done By all the Respondents in this civil action instead of \$100 million in damages the petitioner ask and request of this Honorable Court not to only vacate known void Judgment but also Award Punitive Damages in the amount of \$300 million Dollars half in Gold Bars half in US Paper money this is a total Request for all laws, statutes, rules, Constitutions, inhumane treatment, wrongful conviction, Pain & Suffering, Loss of Enjoyment of Life, Child Support, loss wages for Business Educational law awareness.org founded 2020 By Petitioner, Student loans, Workers comp care \$100,000, medical Bills For on the Job injury \$50,000, Unemployment Benefits during Covid-19 \$20,000, Disability Benefits \$100,000, Mental Health treatment and counseling/medication \$100,000, Health Insurance \$150,000, Life Insurance \$1 million, Attorney Fees \$1 million, False Imprisonment \$7 million, False arrest 7 million, malicious Prosecution 7 million, Conspiracy to deprive petitioner of Civil & Constitutional Rights \$7 million, denial of Constitutional Rights to due process under US Const. \$7 million, State Constitutional violations \$7 million, all State laws, Codes, rules, statutes, policy, Court Rules, Human Rights violation, 13th Amend. Const. violation \$11 million, 5th Amend Const. Violation \$11 million, 6th Amend Const Violation \$11 million, 8th Amend. Const. violation State/Federal \$11.5 million, abuse of use of governmental use of office Violation \$11 million, abuse of power \$11 million, Abuse of Process & unjustful delay \$50 million, death of sister \$20 million, loss of time with son \$20 million, Slander \$7 million, Perjury \$7 million, Sham prosecution \$11 million, loss of future earnings, \$500,000, Emotional Distress \$11 million, Humiliation \$30 million, Broken relationship with girlfriend \$20 million Damages to be adjusted by Chief Justices if feel in need to do so. Petitioner request that Court Put Freeze & Hold on all accounts, property, cars, boats, houses, land, Businesses, Gold Bars, and Bank Accounts all Bank Accounts savings, checking, Business, Accounts, Personal Accounts 401k plans, Pensions until Payment in full has been Paid In Full to the petitioner for Full amount Approved By Court & judgement vacated without delay on this day set forth.

CONCLUSION

The petition for a writ of mandamus should be granted.

Respectfully submitted,

Jenanne Cruz

Date: 7/13/2023