

William Leon Burnett, SCDC# 352645
 Abbeville Correctional Institution
 Cobbleton A13
 1057 Revolutionary Trail
 Post Office Box 1151
 Fairfax, South Carolina 29827

November 10, 2015

Mrs. Nikki R. Haley
 Governor of the State of South Carolina
 1100 Gervais Street
 Columbia, South Carolina 29201

Re: Abusive treatment and medical negligence
 to seek medical attention for the inmates
 who severely get injured during an assault
 and battery affliction:

Mrs. Nikki Haley,
 Please take "Judicial Notice"
 that the Department of Corrections in the
 State of South Carolina does NOT do its
 mandatory obligation to protect vulnerable
 inmates; in particular Tiger River Correctional
 Institution's administration that is under

the Dictatorship of Warden Timothy Ribey. Mr. William Leon Burnett is one in which on September 9, 2015, that was brutally beaten by inmate Brandon James Bartlette, SCDC # 364261, who happens to be his roommate at the said time of incident. When Sergeant Jermain Burrisson escorted inmate Mr. Burnett to operations, inmate Burnett specifically stated in an expressively and implied manner to be taken to the hospital due to the seriousness of his injuries from his attacker. However, night shift Captain Joseph Canning made the following declarative statement that is as quoted, "Burnett, I called Kirkland Correctional Infirmary and asked them what would be appropriate remedy to seek medical attention, and they said because you were coherent and recalling the events taken place retentively in an intelligent conversational and power mental way, that it didn't warrant an assistance." Joseph Canning went as far as to admit that Warden Timothy Ribey has given them discretion on treating inmates with cruel and unusual punishment by all officers no matter their rank. This is proven by both circumstantial and substantial bruises, head concussions,

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fractured cheekbone, swollen eyes, and blood coming ^{from} inner ear).

The following are witnesses who'll attest to the claims that is set forth in this epistle: Charles Jackson, SCD# 164377, William Walker, SCD# 121492, Travis Dale Smith, SCD# 309498, Michael Stephens, SCD# 352415, Bennu Lee Wyatt, Officer M. Bender, Lieutenant M. Nations, Captain Janet Glenn, Officer Wyatt, Sergeant Adam Fisher, former Major J. Parrish (Major at Broad River Correctional Institution) (who also happened to reveal to Mr. Burnett on Wednesday, November 5, 2014 the following statement: "We instruct our officers and administrators in our morning briefings to treat you and all other inmates with cruel and unusual punishment.")

Several complaints have been alleged against Timothy Riberu to the inmate hotline *22. Brian P. Stirling, Prison Director, Michael McCall, Deputy Prison Director, have a thorough knowledge of how inmates are being treated at Tyger River. It is never followed up, and the Warden isn't being held responsible for the misconduct exhibited by his officers.

which is a direct violation of ADM 11.34 Sec. 1 - Staff misconduct towards inmates. These two (2) directors have refused to honor and recognize these issues through their own volition of acknowledgement.

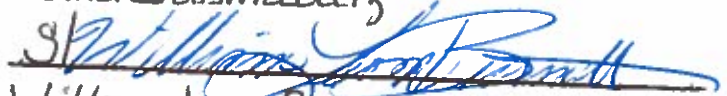
Finally, please find enclosed the affidavit in which the affiant has put together to support his claim.

Also there are pictures that were taken the night of the assault. Michael L. Fair - chairman of corrections and penology had been contacted by Mr. Burnett's biological sister Marianna Teresa Hodge by (e-mail). He has failed to respond to her September 11, 2015 e-mail sent to him in a timely manner. Mr. Burnett's mother, Ophelia J. Bunch made every attempt to have street charges filed against inmate Bartlette at Spartanburg County Sheriff's Office on her son's behalf. However, in SCDP Policy DP-22.14 - Inmate Disciplinary System specifically states street charges may be filed under DP-22.14.810 - Title 22 Chapter 14 sec. 810 - Striking an inmate with or without a weapon. Mr. Burnett inquired about having criminal charges filed and was informed in unison by Captain Joseph Canning, Sergeant Jermain Burrison, and Sergeant Adam Fisher that he had that RIGHT to close. However, Mr. Burnett's rights were denied by SCDP

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Headquarter's Division of Police Investigation.
Be mindful to take everything written in this epistle
under serious consideration and of itself that
the ultimate result at day's end is to eliminate
inmate brutality by both officer and other inmates alike.
Would you be so kind as to respond to every point(s)
in contention. Thank you!

Respectfully Requested
and Submitted,



William Leon Burnett, SCDC # 352675
Allendale Correctional Institution
Colleton A13
1057 Revolutionary Trail
Post Office Box 2154
Fairfax, South Carolina 29827

Argument

In respect and compliance with state and federal constitutional guidelines of cruel and unusual punishment, a prisoner's rights are violated when an official, such as an officer refuse to administer and/or seek immediate medical attention at the request of the prisoner. Furthermore, the establishment of such procedures and proper protocols requires that such be formally carried out by prison officials in state prison when a prisoner sustains multiple injuries to the head resulting in a mild head concussion, constant blood flow from internal bleeding from the inside of eardrum out, etc. Is the full well being and welfare of a prisoner affected at the hands of the officer's misconduct at the conclusion of being in a brutal fight, as well as, the failure to conform to the higher expectations to have medical attention sought immediately???

Standard of Review

In regards to the United States Constitutional Amendment VIII (8) - Cruel and Unusual Punishment, a prisoner has successfully

established his claim when two (2) things are proven: 1: That the harm to the prisoner was objectively, sufficiently serious and a substantial risk to his health or safety, and 2: that the individual defendants were deliberately indifferent to the prisoner's health and safety. Matos ex rel. Matos v. O'Sullivan, C.A. III 2003 335 F.3d 553. In essence, inmates are not required to show physical injury to state a claim for cruel and unusual punishment in violation of Eighth Amendment. Williams v. Dzmint, D.S.C. 2010 726 F.Supp.2d. 589. Under the Fourteenth Amendment to the United States Constitution, "the deliberate and indifference" test, prisoner's states proper cause of action when he alleges that prison authorities denied reasonable request for medical treatment in face of obvious need for such medical attention where inmate is thereby, exposed to undue suffering or tangible residual injury. Kaufman v. Carter, W.D. Mich. 1996, 952 F. Supp. 502. A serious "MEDICAL NEED," for purposes of deliberate indifference claims brought by prisoner or pretrial detainee under Eighth Amendment or Fourteenth Amendment, is one that has been diagnosed by a physician as requiring

treatment or one that is so obvious that even a lay person would easily recognize the necessity for a doctor's attention. Patrick V. Lewis,
D. Minn. 2005, 397 F. Supp 2d 1134

Statement of Case

On Wednesday, September 9, 2015, William Burnett, an inmate at Tyger River Correctional Institution was physically beaten by Brandon James Bartlette, his roommate at the time of attack over a bottom bunk issue in which William specifically asked Officer Wyatt to explain to William's current roommate. From there it escalated into physical confrontation. Inmate Burnett tried to wash off the blood from face and clear to avoid threat of receiving another beating by reporting it. Sergeant Jermain Burrison immediately escorted inmate Burnett to administration building where he was further questioned and pictures taken at all angles of assault. He did not initially give a written statement and asked repetitiously for medical attention because there was a steady flow of blood coming from the left

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innereardrum, and expressively implied to shift Captain Joseph Canning of a mild head concussion which was witnessed by Lieutenant Gilbreath. Captain Canning stated he had contacted Kirkland Correctional Institution's infirmary and made the conclusion that since inmate was well responsive, there was not a need to go to the hospital. He also propelled inmate Burnett to give a written statement in that it was in his best interest to do so. Inmate Burnett was seen by medical that next morning and denied his request to have head concussion examined. Dr. Thomas E. Brynes at A.C.I. would not comply with inmate's request and stated "There's no need;" over a three(3) day period was inmate persistent in receiving an MRI, and each additional time he was denied. There is extensive circumstantial and substantial evidence to support a claim of cruel and unusual punishment.

Conclusion

Inmate respectfully request court to compensate him for psychological, physical, and emotional sufferings.