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JUL 13 2023

SC Court of Appeals

**STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

**Appeal from the Administrative Law Court  
The Honorable Robert L. Reibold, ALJ  
Docket No. 23-ALJ-15-0001-AP**

**APPELLATE CASE NO. 2023-000847**

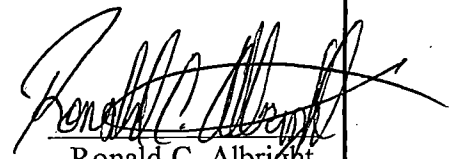
**RONALD C. ALBRIGHT #211533.....APPELLANT,**

**v.**

**S.C. DEPARTMENT OF P.P.P.S.....RESPONDENT.**

**PETITION FOR RECONSIDERATION OF ORDER**

**7-11-23**  
Dated

  
Ronald C. Albright

Appellant moves this Court to reconsider it's recent Order denying Appellant's Motions to: "Proceed Without Costs or Fees/In Forma Pauperis", "Production of Transcripts and Documents", and "Motion to Compel Issuance of Written Final Order from the Agency".

This Order was Dated Filed: 7/3/23 and received by Appellant on 7/10/23 and this Petition for Rehearing is being filed within 5 days of receipt of the Order. This Court ruled on these Motions only 5 days after Appellant received the Respondent's "Motion to Strike", Well before the 10 days allowed by SCACR had elapsed to submit an Opposition to Respondent's Motion. Appellant timely filed a Response to Respondent's Motion, that due to the 4<sup>th</sup> of July Holiday, couldn't have been received by this Court until the 5<sup>th</sup> of July, but still well within the 10 day period from receipt to respond. This can only mean that the Court could not have factored Appellant's Opposition to the Motion into it's decision as it's Order was signed 7/3/23 by a "Stephanie P. McDonald – For the Court" no Title or Identifier listed.

In support of this Petition, Appellant submits to this Court that both it and the Administrative Law Court have been purposefully misdirected by the Respondent and if the Court fully understood the scope of Appellant's challenge, then it may come to a different conclusion on it's determination of these Motions. The Respondent, SCDPPPPS knows full well that Appellant is and always has been challenging the procedures employed by the Agency and the evidence relied upon to reach their decision, which by law IS reviewable.

The Respondent continually chooses to misdirect the Court to a completely irrelevant unchallenged point, claiming that the Appellant is challenging the routine denials of parole which ARE non reviewable and do not create a Liberty Interest. They do this because a Statute supports this point, But Appellant is not nor has ever been challenging the denials of Parole and has repeatedly stated this fact. This diverting attention away from the actual challenge and directing

the Court's attention to an irrelevant matter that's not being challenged, is deliberate misrepresentation of the facts of this case to the Court and Appellant feels this negatively influenced the court's decision on these motions.

If the Court followed the misdirection of the Respondent, then the Designation of Matter would seem irrelevant but when applied to the actual challenge of the Procedure employed by the Agency and the evidence relied upon to reach that decision, Then this matter is Most relevant. For it gave the ALC and this Court jurisdiction to not only hear this case, but to rectify the challenged issues.

As one can infer, To determine if the proper procedure was followed or if the evidence relied upon to make the decision was based on facts, One must first review these proceedings and evidence and to review the proceedings and evidence relied upon, it must be allowed into the record.

As to the denial of Appellant's "Motion to Proceed In Forma Pauperis", The Appellant has never abused this indigent status and has zero strikes against him for frivolous litigations and is indigent and there's no valid reason to deny this Motion.

As to the denial of Appellant's "Motion to Compel the Issuance of the Written Final Order of Revocation from the Agency", This Order has been denied or unreasonably delayed for 5 years and the withholding of this Order is denying the Appellant proper redress of his grievances. There's no valid reason to deny this motion for a final Order that should have been issued by SCDPPPS long ago.

As to the denial of Appellant's "Motion to Appoint Counsel", Appellant appreciates this Court's consideration and accepts it's denial, as it is not mandated by law for the Court to appoint counsel in these matters, So, Appellant will continue Pro Se as best he can.

Wherefore the Appellant prays this Court reconsider it's Order to dismiss Appellant's Motions and to ask itself why the Respondent would want to keep a record of it's own proceedings from the eyes of the Court for review/Appellant claims it's because the Respondent's wholesale departure from the lawful procedure laid out in the ICAOS Compact to which the compacting states are bound to follow. And this is what was being challenged in the ALC and why all of the matter designated was and is relevant to the present case.

**RELIEF REQUESTED**

Allow the Appellant's Designation of Matter to stand and allow him to proceed with the compiling and submission of the Record on Appeal, To allow the Appellant to Proceed In Forma Pauperis as the Appellant truly is indigent and can't afford to order the necessary transcripts from the Agency at this time, And to Compel the SCDPPPS to deliver the written final Order of Revocation to the Appellant.

*Respectfully Submitted,*  
  
\_\_\_\_\_

# The South Carolina Court of Appeals

Ronald C. Albright, #211533, Appellant,

v.

South Carolina Department of Probation, Parole, and  
Pardon Services, Respondent.

Appellate Case No. 2023-000847

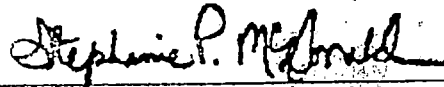
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## ORDER

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Appellant's "petition for equitable tolling," motion to proceed without costs, motion for the production of transcripts, "motion to compel issuance of final order of revocation," and motion to appoint counsel are hereby denied. *See James v. S.C. Dep't of Probation, Parole, and Pardon Servs.*, 377 S.C. 564, 660 S.E.2d 288 (Ct. App. 2008) (the denial of an inmate's parole request, absent a permanent denial of parole eligibility, does not implicate a state-created liberty interest); Rule 207(b), SCACR (the appellant shall make arrangements to obtain transcripts); Rule 210, SCACR (the appellant shall compile and serve the record on appeal).

Respondent's motion to strike Appellant's designation of matter is granted. Within twenty days of the date of this order, Appellant shall serve and file an amended designation of matter which shall only include matters that were presented to the Administrative Law Court. *See* Rule 210(c), SCACR ("The Record shall not, however, include matter which was not presented to the lower court or tribunal.").



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FOR THE COURT

Columbia, South Carolina

cc:

Ronald L. Albright, 00211533  
Matthew C. Buchanan, Esquire

**FILED**  
**JUL 03 2023**

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STATE OF SOUTH CAROLINA  
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APPELLATE CASE NO. 2023-000847

RONALD C. ALBRIGHT #211533.....APPELLANT,

v.

S.C. DEPARTMENT OF P.P.P.S.....RESPONDENT.


CERTIFICATE OF SERVICE

I, The undersigned, Ronald C. Albright, hereby certifies that I have served a copy of "Petition for Reconsideration" on all parties to this action by placing a copy of such in the Lieber Correctional Institutional Mailbox addressed to the following and Dated as follows:

SC DPPPS  
JESSICA E KINARD-LEGAL DIV.  
P.O. Box 207  
COLUMBIA, SC 29201

ADMINISTRATIVE LAW COURT  
JAMES HARRISSON-CLERK  
1205 PENDLETON ST.  
COLUMBIA, SC. 29201

7-11-23  
Dated

  
Ronald C. Albright

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RONALD C. ALBRIGHT #211533  
L.C.I. - SB-58 - P.O. BOX 205  
RIDGEVILLE, SC. 29472

JUL 13 2023  
SC Court of Appeals

S.C. COURT OF APPEALS  
JENNY A. KITCHINGS-CLERK  
P.O. Box 11629  
COLUMBIA, SC. 29211

11<sup>TH</sup> of July 2023

RE:

"PETITION FOR RECONSIDERATION OF ORDER"

Dear Mrs. Kitchings

Please find enclosed for filing one "Petition for Reconsideration" and "Certificate of Service". Please return to me a file-stamped copy if you would. Thank You.

Cc: S.C.D.P.P.S.  
ADMINISTRATIVE LAW COURT

Respectfully Submitted,  
Ronald C. Albright  
Ronald C. Albright

RONALD C. ALBRIGHT #211533  
L.C.I. SB-58 - P.O. Box 205  
RIDGEVILLE, SC. 29472

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JUL 11 2023

MAIL ROOM  
LEBER C.

THE S.C. COURT OF APPEALS  
HON. JENNY A. KITCHINGS - CLERK  
P.O. BOX 11629  
COLUMBIA, SC. 29211

INTERDEPARTMENTAL  
LEGAL MAIL (7-11-23)