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NOV 27 2023  
SC Court of Appeals

The STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Deborah Brooks Durden, Administrative Law Judge  
Appellate Case No. 2023-001050

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Charles Williams, #086721, ..... Appellant,

v.

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

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**RECORD ON APPEAL**

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Charles Williams, SCDC #086721  
Broad River C.I., GRN 2104  
4460 Broad River Rd.  
Columbia, S.C. 29210  
**APPELLANT PRO SE**

Jessica E. Kinard  
Legal Counsel  
S.C. Department of Probation,  
Parole and Pardon Services  
293 Greystone Blvd.  
P.O. Box 207  
Columbia, S.C. 29202  
**ATTORNEY FOR RESPONDENT**

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State of South Carolina  
Department of Probation, Parole and Pardon Services

HENRY McMASTER  
Governor



JERRY B. ADGER  
Director

293 Greystone Boulevard  
Post Office Box 207  
Columbia, South Carolina 29202  
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March 29, 2023

Mr. Charles Williams #00086721  
Broad River Correctional Institution  
4460 Broad River Rd.  
Columbia, SC 29210

RE: NOTICE OF REJECTION

Dear Mr. Williams:

It is my responsibility to inform you, on behalf of the South Carolina Parole Board, that the Board has reached a decision regarding your parole hearing. The Board hereby makes the following CONCLUSION OF LAW:

After careful consideration of: (1) the characteristics of your current offense(s), prior offense(s), prior supervision history, prison disciplinary record, and/or prior criminal record, as described in the findings of fact below; (2) the factors published in Department Form 1212 (Criteria for Parole Consideration); (3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws, and (4) actuarial risk and needs assessment factors pursuant to Section 24-21-10 (F) (1) of the South Carolina Code of Laws. The Parole Board had determined that your parole must be denied.

You will be notified 30 days prior to your next scheduled parole consideration date.

FINDINGS OF FACT:

01 Nature And Seriousness Of Current Offense  
Vote Count: Unanimous To Reject

Sincerely,

A handwritten signature in black ink, appearing to read "Valerie Suber".

Valerie Suber  
Associate Deputy Director for Paroles, Pardons and Release Services

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

RECEIVED

Charles Williams, OB6721, )  
 )  
Appellant, )  
 )  
vs. )  
 )  
South Carolina Department of Probation, )  
Parole and Pardon Services. )

APR 25 2023

BRCI  
MAIL ROOM  
NOTICE OF APPEAL

DOCKET NO 23 -ALJ-15- \_\_\_\_\_ - \_\_\_\_\_

Notice is hereby given that Charles Williams - OB6721 does hereby appeal the final decision of the South Carolina Department of Probation, Parole and Pardon Services dated March, 29, 23 and received on April, 06, 23, 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) Abuse of discretion.
- (2) Failure to Follow Substantive and Procedural Law.
- (3) UNLAWFUL Procedure.
- (4) Violation of due Process.
- (5) Deprivation of a State-Created Liberty Interest in Parole.
- (6) The Board's Parole decision is Arbitrary and Capricious.

Charles Williams, OB6721  
Appellant's Name

Charles Williams, OB6721  
Signed

Broad River Corr. Inst. 4460 Broad River Rd.  
Mailing Address

April 25, 23  
Dated

Columbia, SC, 29210  
City, State, Zip Code

CERTIFICATE OF SERVICE

I hereby certify that Charles Williams (your name), on the 25 day of April, 2023 in Columbia (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, and addressed as follows:

Name of person/Agency served: Dept. of Probation, Parole and Pardon Services

Address: 293 Greystone Blvd. P.O. Box 207

City, State, Zip Code: Columbia, SC, 29202

Charles Williams  
Print your name

Charles Williams  
Sign your name

(See reverse side for instructions)

**STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT**

Charles Williams, # 086721,

Appellant,

v.

South Carolina Department of Probation,  
Parole and Pardon Services,

Respondent.

Docket No. 23-ALJ-15-0010-AP

**ORDER OF DISMISSAL**

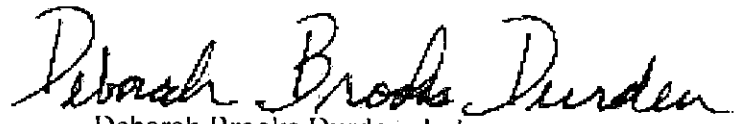
This case is before the Administrative Law Court (ALC or Court) pursuant to the appeal of Charles Williams (Appellant), an individual incarcerated with the South Carolina Department of Corrections. On March 29, 2023, the South Carolina Department of Probation, Parole and Pardon Services (Department) notified Appellant the South Carolina Parole Board (Board) had rejected his most recent request for parole. In its Notice of Rejection, the Board stated it considered the factors outlined in S.C. Code Ann. section 24-21-640 (Supp. 2022) and the factors set forth in Department Form 1212. Appellant filed an appeal with the ALC on April 25, 2023 challenging the Board's denial of parole.

S.C. Code Ann. § 1-23-600(D) (Supp. 2022) provides, "An administrative law judge shall not hear...an appeal involving the denial of parole to a potentially eligible inmate by the Department of Probation, Parole and Pardon Services." Thus, this Court's authority to review a decision of the Board is limited to determining if the Board abrogated an inmate's right to parole eligibility and, thus, infringed on a state-created liberty interest. Cooper v. S.C. Dep't of Probation, Parole and Pardon Servs., 377 S.C. 489, 499, 661 S.E.2d 106, 111 (2008). A decision of the Board is arbitrary and capricious if it fails to indicate it considered the relevant factors in section 24-21-640 and Form 1212. Compton v. S.C. Dept. of Probation Pardon and Parole Servs., 385 S.C. 476, 479, 685 S.E.2d 175, 177 (2009). If the Board states it considered the above relevant factors, the decision of the Board constitutes a routine denial of parole which this Court has no jurisdiction to hear. Id.

The Notice of Rejection dated March 29, 2023, states that the parole board considered the relevant factors in reaching its decision. Thus, this is a routine denial of parole, and the ALC has no authority to consider this appeal. Cooper v. S.C. Dept. of Probation Pardon and Parole Services, 377 S.C. 489, 66 S.E.2d 106 (2008).

FILED  
05/31/2023  
SC Admin. Law Court

**IT IS THEREFORE ORDERED** that this appeal is **DISMISSED**, with prejudice.  
**AND IT IS SO ORDERED.**

  
Deborah Brooks Durden, Judge  
S.C. Administrative Law Court

May 31, 2023  
Columbia, South Carolina

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STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Deborah Brooks Durden, Administrative Law Judge  
Case No. 23P0010

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CHARLES WILLIAMS, #086721.....APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE,  
AND PARDON SERVICES.....RESPONDENT.

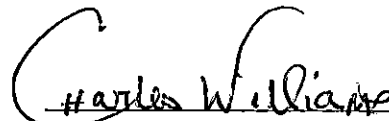
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**NOTICE OF APPEAL**

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Charles Williams, SCDC #086721 appeals the order of the Honorable Deborah Brooks Durden, dated May 31, 2023. Appellant received a copy of this order on June 5, 2023.

June 26, 2023  
Columbia, South Carolina

  
Charles Williams, SCDC #086721  
Broad River C.I., GRN 2104  
4460 Broad River Rd.  
Columbia, S.C. 29210

**APPELLANT PRO SE**

cc: Matthew C. Buchanan  
General Counsel  
S.C. Department of Probation,  
Parole and Pardon Services  
293 Greystone Blvd.  
P.O. Box 207  
Columbia, S.C. 29202

**ATTORNEY FOR RESPONDENT**

The STATE OF SOUTH CAROLINA  
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APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Deborah Brooks Durden, Administrative Law Judge  
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SC Court of Appeals

Charles Williams, #086721, ..... Appellant,

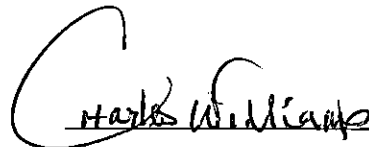
v.

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

CERTIFICATE OF COUNSEL

I, Charles Williams, #086721, certify that this *Record on Appeal* contains all the material proposed to be included, and contains nothing irrelevant.

Date: November 21-23

  
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Charles Williams, SCDC #086721  
Broad River C.I., GRN 2104  
4460 Broad River Rd.  
Columbia, S.C. 29210  
**APPELLANT PRO SE**

Jessica E. Kinard  
Legal Counsel  
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