

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW
COURT JUDGE PHENIP HENSKI
CASE NO. 2024-000050

Richard h. Coleman #186945 APPELLANT

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

REPLY BRIEF

The Respondent alleged in it's INITIAL BRIEF the same-thing that Judge HENSKI alleged in his ORDER OF DISMISSAL. The Respondent's alleged that Appellant did not timely filed his Notice of Appeal and alleged appellant did not provided the Court with a copy of the letter of rejection from South Carolina Department of Probation, Parole and Pardon Services. The allegations made by the Respondent's are false.

FACTS

March 1st, 2024 South Carolina Court of Appeals filed the Appellant's initial Brief.

2. Like stated in Initial Brief on May 15, 2023 nineteen (19) days after Appellant's Parole was rejected Appellant file a Notice of Appeal with the S.C. Administrative Law Court (SEE EXHIBIT #1) and Appellant provided the Court with Copy of REJECTION LETTER From the Parole board. Appellant's Notice of Appeal was considered file on May 15, 2023 the same-day of delivery to SCDC Mailroom Personnel. June 1, 2023 is the date the Court stamped on Appellant's Notice of Appeal, which is not Appellant's fault. The Respondent's has not provided no evidence that can show and prove Appellant's facts are not true.

3. Appellant provided the Administrative Court with a copy of letter of rejection, logically showing and proving in light of reality when an individual file a notice of Appeal with the Administrative Law Court, a copy of final decision must be provided before the case get assigned to a Administrative Judge. No copy of Final Decision the call will not be assigned to a Judge.

Here in this case Appellant's case was assigned to a Judge and Appellant's case was before the Administrative Law Court about ten (10) months before the Judge dismissed Appellant's case based on false allegations. Appellant's case was assigned to a Judge which serves as a clear indication that Appellant provided the Court with copy of rejection letter. NO FINAL DECISION

PROVIDED TO THE COURT, NO CASE WILL BE ASSIGNED TO AN ADMINISTRATIVE JUDGE.

4. Respondent made no allegations against Appellant's Request in light of Joseph Kelsey v. S.C. Department of Probation Parole and Pardon Services 2023 WL 5598698.

In addition the Respondent has take no action on Appellant's request to the Parole Board's reports concerning his suitability for Parole, likelihood of reoffending, etc and any assesment tools that applies to Appellant and their results.

5. On September 24, 2023 Appellant Submitted Request and on September 25 2023, the Administrative law filed Appellant's Request/Motion.

CONCLUSION

Appellant followed the rules and appellant timely filed his Notice of Appeal with the AHC. Appellant also timely file Request With the Respondents in regards to reviewing Parole Board's reports, etc, and Appellant did provide the AHC with copy of the final decision from S.C. Parole Board. Because the record and documents provided by the Appellant clearly shows and proves

that the allegations of the ALC and Respondents are false. Appellant appeal should be granted, and Appellant's Motion to review Parole Board's reports also should be granted.

Respectfully Submitted

Richard Coleman

Richard L. Coleman #186795

Richard h. Coleman #186795
APPELLANT,

) IN SOUTH CAROLINA COURT
) OF APPEALS

VS.

) CASE No. 2024 000050

South Carolina Department
Of Probation Parole And
Pardon Services,
RESPONDENT.

) CERTIFICATE OF SERVICE

I, Richard h. Coleman Appellant in the above caption case hereby certify that I have served the within Reply Brief on Respondent the 29 Day of March 2024 by depositing copy of the same in the United States mail postage prepaid addressed to

Matthew C. Buchan
SCDPPPS 293 Greystone Boulevard
Post office box 209
Columbia S.C. 29202

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S/ Richard Coleman

Richard h. Coleman 186795

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South Carolina Court of Appeals

Jenny Abbott Kitching, Clerk

Post office Box 11629

Columbia S.C. 29211

March 29, 2024

RE: Richard L. Coleman #186795 vs. South Carolina Dept. of Probation, Parole, and Pardon Services, Case # 2024-000050

Dear Clerk:

Please find enclosed for filing with the Court the original Reply Brief. Please file with the Court.

Sincerely
Richard Coleman
Richard L. Coleman 186795

Richard K. Coleman #186745
Lieber Correctional Institution
Stons # 49-A
136 Wilburn Ave
R. Dyeville S.C. 29492

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