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SC Court of Appeals

STATE OF SOUTH CAROLINA

In The Court of Appeals

Appeal From The Administrative Law Court, Crystal M. Rookard,
Administrative Law Judge

Appellate Case No. 2023-001546

DARRELL L. GOSS,

Appellant,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

Respondent.

SUPPLEMENTAL
RECORD ON APPEAL

DARRELL L. GOSS #305517
Evans Correctional Institution
610 Highway 9 West
Bennettsville, SC 29513
APPELLANT, PRO SE

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Appellant's Brief _____ 1

Certificate of Service

STATE OF SOUTH CAROLINA
Administrative Law Court

Docket No. : 22-ALJ-04-0141-AP

DARRELL L. GOSS,

Appellant,

vs.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

Respondent.

APPELLANT'S BRIEF

DARRELL L. GOSS

Pro Se Appellant

Lieber State of South Carolina

P.O. Box 205

Ridgeville, SC 29929

OCT 11 2022
Administrative Law Court

ISSUE ON APPEAL

Whether Appellant's release date should be June 15, 2024 ?

STATEMENT OF FACTS

Appellant Darrell L. Goss was arrested and charged with the underlying crimes on June 15, 2007. He was held in the county jail until his trial date on February 23-26 2009, where he was convicted as charged. Appellant was sentenced to twenty (20) years imprisonment (with time credit for the time he spent in the county jail). He entered the South Carolina Department of Corrections on March 3, 2009.

This appeal follows.

ARGUMENT

By law, Appellant is required to complete eighty-five percent (85%) of his 30-year sentence before he can be released from custody, see, S.C. Code of Law § 24-13-150. During his incarcerated period, Appellant must be given credit for good behavior, work, and education performance. Three (3) days per month for good behavior shown; and six (6) days per month for work and education performances, not to exceed seventy-two (72) days collectively, see, S.C. Code of Law § 24-13-210; and § 24-13-230.

With this in mind, Appellant maintain that his release (max-out) date should be June 15, 2024 because that will be seventeen (17) years - which equates to 85% - completed on his sentence. However, unfortunately, that's not the case here, because Appellant's max-out date is currently at September 15, 2025. That's an additionally 15-months (or, a year and three months) that's been added onto his sentence.

To the extent that Respondent argues Appellant had loss some good-time credits due to disciplinary infractions, Appellant points out that his last disciplinary infraction, where he loss good-time credits, was on August 3, 2016. There he loss 333 days. But that was 6-years ago. Therefore, by now, Appellant should have already receive those credits back, plus more; consequently, placing his max-out date back at June 15, 2024.

In addition, Appellant also submit that he was never given credit and/or recognition for the programs that he's completed while incarcerated. see, Certificates of Completion attached to Motion to Supplement.

CONCLUSION

Wherefore, premises considered, Appellant respectfully requests the Court to instruct Respondent to adjust his release date to reflect June 15, 2024.

Respectfully Submitted,

Darrell L. Goss

Darrell L. Goss #305517

Lieber Corr. Inst.

P.O. Box 305

Ridgeville, SC 29473

October 10, 2023

STATE OF SOUTH CAROLINA
Administrative Law Court

Darrell L. Goss, #305517,
Appellant,

Docket No. : 22-ALJ-04-0141-AP

vs.

CERTIFICATE OF SERVICE

South Carolina Department
of Corrections,
Respondent.

I, Darrell L. Goss, do hereby certify that on this 10th day of October, 2022, I served the foregoing Appellant's Brief upon opposing counsel in this matter, by depositing a true copy of the same in the U.S. mail, prepaid postage, addressed as follows :

Cheron Hess
S.C. Dept. of Corrections
4444 Broad River Rd.
P.O. Box 21787
Columbia, SC 29221-1787



CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

March 29, 2024

Darrell L. Goss

Darrell L. Goss # 305517

Evans Correctional Institution

610 Highway 9 West

Bennettsville, SC 29512

APPELLANT, PRO SE

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