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

HENRY McMASTER  
Governor



JODI D. GALLMAN  
Acting Director

293 Greystone Boulevard  
Post Office Box 207  
Columbia, South Carolina 29202  
Telephone: (803) 734-9220  
Fax: (803) 734-9440  
www.dppps.sc.gov

January 3, 2024

Mr. Bernard Jackson #00210745  
Perry Correctional Institution  
430 Oaklawn Rd.  
Pelzer, SC 29669

RE: NOTICE OF REJECTION

Dear Mr. Jackson:

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  
03 Use Of Deadly Weapon In This Or Previous Offense  
Vote Count: Unanimous To Reject

Sincerely,

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

2

State of South Carolina  
Department of Probation, Parole, and Pardon Services  
293 GREYSTONE BOULEVARD, POST OFFICE BOX 207  
COLUMBIA, SOUTH CAROLINA 29202

Mr. Bernard Jackson #00210745  
Perry Correctional Institution  
430 Oaklawn Rd.  
Peizer, SC 29669

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RECEIVED  
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PCI MAILROOM

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Bernard Jackson #210745  
\_\_\_\_\_, )  
 )  
Appellant, )  
 )  
vs. )  
 )  
South Carolina Department of Probation, )  
Parole and Pardon Services. )  
 )  
Respondent. )  
\_\_\_\_\_ )

NOTICE OF APPEAL

DOCKET NO. \_\_\_-ALJ-15-\_\_\_\_\_-\_\_\_\_\_

Notice is hereby given that: Bernard Jackson #210745 does hereby appeal the final decision of the South Carolina Department of Probation, Parole and Pardon Services dated 1-3-1014 and received on January 10, 2024, 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)): The parole board abrogated the authority of the S.C. Legislature; and deprived me of the liberty interest in my parole eligibility without adequate procedural due process of the law, when: 1. it failed to show that I did not meet to its satisfaction the criteria set by the Legislature in §24-21-640 to be granted release on parole; and 2. denied me parole with only a conclusory statement as to what it considered without any further explanation as to what its findings of fact are based upon, or how they outweighed the intent of the S.C. Legislature stated in §24-21-640 of the S.C. Code of Law as to whether or not an inmate is to be granted or denied release on parole.

Bernard Jackson #210745  
Appellant's Name  
Perry C.I., 430 Oaklawn Road  
Mailing Address  
Pelzer, S.C. 29669  
City, State, Zip Code

Bernard Jackson  
Signed  
Feb. 7, 2024  
Dated

CERTIFICATE OF SERVICE

I hereby certify that I, Bernard Jackson (your name), on the 7 day of February, 20  , in Pelzer (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: S.C. Dept. of Probation, Parole & Pardon Services  
Address: Division of Legal Services 293 Greystone Blvd., P.O. Box 207  
City, State, Zip Code: Columbia, S.C. 29250

Bernard Jackson  
Print your name  
(See reverse side for instructions)

Bernard Jackson  
Sign your name

Probation, Parole and Pardon Services:

- 1) You must complete the **Notice of Appeal** on the reverse side of these instructions and mail it to the Administrative Law Court at the following address:

**Clerk's Office  
South Carolina Administrative Law Court  
1205 Pendleton Street, Suite 224  
Columbia, SC 29201**

A copy of the Notice of Appeal must also be forwarded to the Division of Legal Services at the Department of Probation, Parole and Pardon Services at the following address:

Division of Legal Services  
S.C. Dept. of Probation, Parole & Pardon Services  
293 Greystone Boulevard,  
PO Box 207  
Columbia, SC 29250

- 2) **In order for your case to be processed by the ALC, a copy of the final decision from the Department of Probation, Parole and Pardon Services must be attached to the Notice of Appeal.**

Dear Appellant:

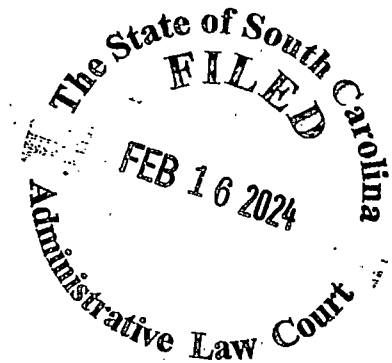
2/16/2024

Page 3

Below is information regarding your case which has been filed with the ALC. Please refer to the Rules of Procedure (enclosed) for the time frames on filing briefs and other matters.

(F)

Case Type	Case Number	Filing Date	Date Assigned	Judge Last Name	Case Title (Appellant v. Respondent)
PPPS 15	24P0008	2/7/2024	2/16/2024	Kimpson	Bernard Jackson #210745 v. SC PPPS



You must file all original documents and correspondence regarding this case directly with the above-named Judge and serve a copy on the Deputy Director of Legal Services. Dept. of PPPS, PO Box 207, Columbia, SC 29202.

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Bernard Jackson, #210745, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 South Carolina Department of Probation, )  
 Parole and Pardon Services, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

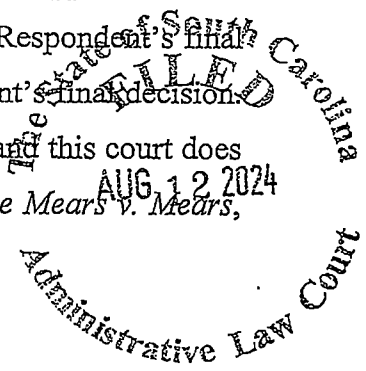
Docket No. 24-ALJ-15-0008-AP

ORDER OF DISMISSAL

This matter is before the South Carolina Administrative Law Court (ALC or court) pursuant to an appeal filed on February 7, 2024 by Bernard Jackson (Appellant), an inmate in the custody of the South Carolina Department of Corrections (SCDC). On January 3, 2024, the South Carolina Department of Probation, Parole and Pardon Services (Department or Respondent) notified the Appellant of the South Carolina Parole Board's (Board) unanimous decision to deny the Appellant parole.

On February 7, 2024, the Appellant filed his Notice of Appeal with the court. On February 16, 2024 this matter was originally assigned to the Honorable Milton Kimpson. On March 27, 2024, the Respondent filed the Record on Appeal. On April 26, 2024, the Appellant filed his brief. On June 5, 2024, the Respondent filed its brief. On June 13, 2024, the court issued a Notice of Reassignment informing the parties that this case has been reassigned to the undersigned. On June 17, 2024, the Appellant filed his reply brief.

In accordance with the Rules of Procedure for the Administrative Law Court (SCALC) Rule 59, a "...notice of appeal from the final decision to be heard by the Administrative Law Court shall be filed with the Court and a copy served on each party, including the agency, within thirty (30) days of receipt of the decision from which the appeal is taken." The Respondent's final decision is dated January 3, 2024, however the Appellant did not file a Notice of Appeal with this court until February 7, 2024, more than thirty (30) days after the date of the Respondent's final decision. In this case, the Appellant has failed to timely appeal the Respondent's final decision. Timely filing and service of a notice of appeal is a jurisdictional requirement and this court does not have the authority to extend or expand the time for filing such appeal. *See Mears v. Mears,*



287 S.C. 168, 337 S.E.2d 206 (1985); *State v. Brown*, 344 S.C. 302, 543 S.E.2d 568 (Ct. App. 2001). Therefore, because the Appellant failed to timely file his Notice of Appeal with the court, this court does not have jurisdiction to hear it. Based on the foregoing,

**IT IS HEREBY ORDERED** that this appeal is **DISMISSED**.  
**AND IT IS SO ORDERED.**

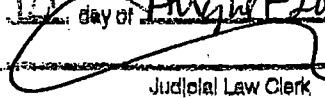


S. Phillip Lenski  
Administrative Law Judge

August 12, 2024  
Columbia, South Carolina

**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States Mail, postage paid, or in the interagency Mail Service addressed to the party(ies) or their attorney(s).

This 12 day of August 2024  
  
Judicial Law Clerk