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OCT 08 2024
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Administrative Law Court

THE Honorable S. Phillip Lenski Administrative Law
JUDGE 23 ALT 15-0019

APPELLATE CASE No 2024-000050

Richard L. Coleman #186795 APPELLANT,

v.

S.C. Department of Probation Parole and Pardon
SERVICES RESPONDENT.

RECORD ON APPEAL

Richard L. Coleman 186795
Lieber Correctional Institution
P.O. Box 205
Ridgeway S.C. 29472
Pro SE Appellant

EXECUTED ON: 10.3.24

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Administrative Law Court

THE Honorable S. Phillip Lenski Administrative Law

JUDGE 23 ALJ 15-0019

APPELLATE CASE NO 2024-000050

Richard L. Coleman #186795 APPELLANT,

v.

S.C. Department of Probation Parole and Pardon

SERVICES RESPONDENT.

RECORD ON APPEAL

Richard L. Coleman 186795

Lieber Correctional Institution

P.O. Box 205

Ridgeville S.C. 29472

Pro SE Appellant

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STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Richard Coleman, #186795,

Appellant,

vs.

South Carolina Department of Probation,
Parole and Pardon Services,

Respondent.

Docket No. 23-ALJ-15-0019-AP

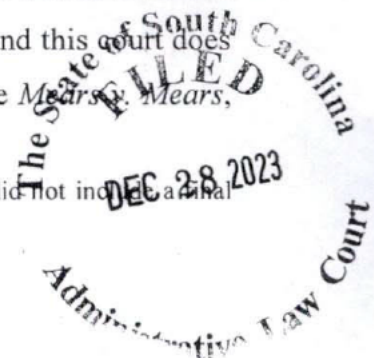
ORDER OF DISMISSAL

This matter is before the South Carolina Administrative Law Court (ALC or court) pursuant to a Notice of Appeal filed on June 1, 2023 by Richard Coleman (Appellant), an inmate in the custody of the South Carolina Department of Corrections (SCDC). The Appellant filed a Notice of Appeal alleging that he was denied his Sixth Amendment right to counsel and that the South Carolina Department of Probation, Parole and Pardon Services (Respondent or Department) is denying him the right to a realistic opportunity to obtain release by continuing to reject the Appellant's parole based solely on the same unchangeable fixed factors.¹

On August 2, 2023, the Respondent filed the Record on Appeal (ROA) with the court. The ROA included the Respondent's final decision dated April 26, 2023, which notified the Appellant of the South Carolina Parole Board's decision to deny him parole. However, the Rules of Procedure for the Administrative Law Court, SCALC Rule 59, provides that "[t]he 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." In this case, the Respondent's final decision is dated April 26, 2023, however, the Appellant did not file a Notice of Appeal with this court until June 1, 2023, and further, failed to include a copy of the 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*,¹

¹ The Appellant's Notice of Appeal included a Notice of Hearing from the Respondent but did not include a copy of the final decision from the Respondent.



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

December 28, 2023
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 28 day of December 2023

Judicial Law Clerk

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Richard h. Coleman

Appellant,

NOTICE OF APPEAL

vs.

South Carolina Department of Probation,
Parole and Pardon Services.

DOCKET NO -ALJ-15- -

Notice is hereby given that Richard h. Coleman does hereby appeal the final decision of the South Carolina Department of Probation, Parole and Pardon Services dated April 26, 2023 and received on MAY 3, 2023, 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. Denied Sixth Amendment U.S. Constitutional right to Counsel
2. Whether Appellant is being denied right to a "realistic opportunity to obtain release" when South Carolina Parole board through Pattern or Practice started and continues to reject appellant's Parole based solely on the same unchangeable fixed factors.

Richard h. Coleman
Appellant's Name

Richard Coleman
Signed

Kieber Correctional Institution
Mailing Address
P.O. BOX 205
RIDGEVIEW S.C. 29472
City, State, Zip Code

MAY 15, 2023
Dated



CERTIFICATE OF SERVICE

I hereby certify that I, Richard Coleman (your name), on the 15 day of MAY, 2023 in Ridgeview (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, and Pardon Service

Address: 293 Greystone Boulevard, P.O. Box 207

City, State, Zip Code: Columbia S.C. 29202

Richard h. Coleman
Print your name

Richard Coleman
Sign your name

(See reverse side for instructions)

Dear Appellant:

6/22/2023

Page 2

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.

Case Type	Case Number	Filing Date	Date Assigned	Judge Last Name	Case Title (Appellant v. Respondent)
PPPS 15	23P0019	6/1/2023	6/22/2023	Lenski	Richard Coleman #186795 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.

COPY

Judge Henshaw
305 Adams Street
1205 Pendleton Street
Columbia S.C. 29201

September 23, 2023

COPY

Re: Richard H. Coleman v P.P.P. 2
CASE: 23P0019

Dear Judge Henshaw:

Please find enclosed for filing with the Court the original and one (1) copy of my Independent Motion to Access of My Private File in light of the Courts ruling in Joseph v S.C. Dept of Probation, Parole and Public Services, 2023 WL 5598648.

Please file the original with the Court and return the copy clocked stamped for my personal file.

Sincerely,
S/ Richard H. Coleman
Richard H. Coleman

The State of South Carolina
FILED
SEP 25 2023
Administrative Law Court

CONF

Richard L. Coleman #186795
APPELLANT,

VS.

South Carolina Department
of Probation, Parole and Pardon
Services,

RESPONDENT.

STATE OF SOUTH CAROLINA
IN ADMINISTRATIVE LAW
COURT

CASE No. 23P0019

MOTION

I, Richard L. Coleman Appellant in the above caption case do hereby REQUEST for the Parole Board's reports concerning my suitability for Parole likelihood of reoffending, etc and any assessment tools that applies to me and their results.

In support of my request please know that I have U.S Constitutional right to access of my Parole file Joseph Kelsey v. S.C. Dept of Probation, Parole, and Pardon Service, 2023, WL 5598698.

S/ Richard Coleman

APPELLANT.



STATE OF SOUTH CAROLINA

Richard h Caseman 186745

APPELLANT,

VS

South Carolina Department
Of Probation, Parole, and Pardon
Services,

RESPONDENT.

ADMINISTRATIVE LAW COURT

CASE NO. 23P0019

CERTIFICATE OF SERVICE

I, Richard h Caseman the undersigned Appellant
do hereby certify that I have served the attached
REQUEST TO ACCESS TO MY PAROLE FILE in the United
States mail box postage prepaid with return address
to the Deputy Director of Legal Services as indicated
below on this 24 day of September, 2023

Dept, Probation, Parole, and Pardon Services

293 Graystone Boulevard

Post Office Box 207

Columbia SC 29202

Richard h Caseman
Appellant

The State of South Carolina
FILED
SEP 25 2023
Administrative Law Court

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

HENRY McMASTER
Governor



MELVIN WARREN
Acting Director

293 GREYSTONE BLVD
POST OFFICE BOX 207
COLUMBIA, SOUTH CAROLINA 29202
Telephone: (803) 734-9220
Facsimile: (803) 734-9440
www.state.sc.us/ppp

September 28, 2023

The Honorable Phillip Lenski
Judge, Administrative Law Court
1205 Pendleton Street, Suite 224
Columbia, S.C. 29201

RE: Richard Coleman, #186795 v. S.C. Department of Probation, Parole and Pardon Services

Dear Judge Lenski:

This letter is in response to Mr. Coleman's September 24, 2023 request to access his parole file pursuant to *Kelsey v. S.C. Dep't of Probation, Parole and Pardon Services*, Op. No. 6020 (S.C. Ct. App. Aug. 30, 2023).

Please be aware that the Department has petitioned the Court of Appeals for reconsideration in *Kelsey*. Until the decision is final, the Department is taking no action regarding the release of the Board's parole files.

Please let me know if you would like a formal response to Mr. Coleman's request.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew C. Buchanan".

Matthew C. Buchanan
General Counsel

cc: Richard Coleman, #186795

October 4, 2023

The Honorable Philip Lenski
Judge Administrative Law Court
1205 Pendleton Street, Suite 229
Columbia SC 29201

RE: Richard L. Coleman #186795 vs. SC Department of Probation,
Parole and Pardon Service, 23-ALJ-15-0019

Dear Judge Lenski:

Please find enclosed for filing a
LETTER to you. Please file the original with the court
and return the copy for my personal file checked stamped.

Sincerely

Richard Coleman

Richard L. Coleman #186795



0077

Richard h. Coleman #186795
APPELLANT,

} STATE OF SOUTH CAROLINA
} ADMINISTRATIVE LAW COURT

VS.

} CASE NO. # 23-ALJ-15-0017

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

Dear Judge Henski:

This letter is in reference to a letter that the respondent's letter to you dated September 28, 2023. The respondent informed you in it's letter to be aware that the Department has petitioned the Court of Appeals for reconsideration in Kersey and informed you that it is taking no action regarding the release of my Parole file until the decision become final or reconsideration.

Your Honor it be my understanding that the South Carolina Court of Appeals ruled on Kersey August 30, 2023 and currently Kersey 2023 wk 5548698 West-LAW. Thereby meaning such said actions indicates the Court's ruling is final.

Moreover the Respondent's actions of sending you a letter in response to my request is ~~to~~ make no request, so it make no sense for the Respondent to respond to you in reference to my request. The respondent did not directly respond to me and

State of South Carolina
FILED
The Respondent
OCT 11 2023
Administrative Law Court

the respondent's actions Shows and proves it has no intent to follow the law. In addition the actions of S.C. Department of Probation, Parole, and Pardon Service and the S.C. Court of Appeals ruling in Kelsey Shows and Proves that in the past to the present the Parole board has been denying me access to my Parole file: not providing me the board's reports concerning my suitability for Parole; not providing me with any assessment tools, not taking my hallmark Years into consideration, treating me no different than adult offenders; Constantly rejecting my Parole based on unchangeable fixed factors; etc, and as direct result I have been constantly deprived of my Constitutional right to a realistic meaningful opportunity for release

Richard h Coleman #186715
APPELLANT,

VS.

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

STATE OF SOUTH CAROLINA
IN ADMINISTRATIVE LAW COURT

CASE NO. 23-ALJ-15-0019

CERTIFICATE OF SERVICE

I, Richard h Coleman #186715 Appellant in the above caption case hereby certify that I have sent the attach letter dated October 4, 2023 on the Respondent by depositing copy of the same in the United States mail, postage prepaid on this 4 day of October 2023, addressed to:

South Carolina Department of Probation, Parole,
and Pardon Services, P.O. Box 207
Columbia S.C. 29202

Richard Coleman
Richard h Coleman #186715
The State of South Carolina
FILED
OCT 11 2023
Administrative Law Court

The Honorable Jenny Kitching
Clerk of Court
South Carolina Court of Appeals

June 24, 2024

RE: Richard L. Coleman #186795 vs. SCDPSS

CASE No: 2024-000050

Dear Clerk:

Please find enclosed for filing with the court the original and one (1) copy of my second Request made to the Respondent in light of this Court ruling in Joseph Kelsey v. SCDPSS, 2023 WL 5598698. Please the original with the Court and return the copy checked stamped for my personal file.

RECEIVED

JUL 01 2024

SC Court of Appeals

Sincerely

Richard Coleman

Richard L. Coleman 186795

RECEIVED

JUL 01 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Administrative Law Court

The Honorable S. Phillip Lenski, Administrative Law Judge

APPELLATE CASE No: 2024-000050

Richard L Coleman #186795 APPELLANT

S.C. Department of Probation Parole and
Pardon Services RESPONDENT.

In the month of September day of 23, year of 2023
in light of the South Carolina Court of Appeals ruling in
Joseph vs. Dept of Probation Parole and Pardon Services,
2023 wh 5598698 I Requested Access of my Parole file
and requested the Parole Board's reports concerning my
Suitability for Parole likelihood of reoffending, etc, and requested
any assesment tools that applies to me and their results.

Furthermore from the date of my Request no action
has been taken on my Request. Therefore in light of South
Carolina Court of Appeals ruling I hereby Request again
for action to be taken on my motion.

EXECUTED ON: June 24, 2024

RECEIVED

JUL 01 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Administrative Law Court

THE HONORABLE S. PHILLIP LENSKE ADMINISTRATIVE

LAW JUDGE

APPELLATE CASE NO 2024-000050

Richard h. Coleman APPELLANT

S.C. Department of Probation Parole
and Pardon Service RESPONDENT.

PROFF OF SERVICE

I, Richard h. Coleman #186795 Pro Se Appellant in the above caption case hereby certify that I have served the attached MOTION/REQUEST dated June 24 2024 on the respondent on this 24 day of June, 2024 by depositing copy of the same in the United States mail Postage Prepaid addressed to:

Dawn Nichols
S.C. Dept of Probation, Parole, and Pardon Service
P.O. Box 209
Columbia S.C. 29202

S/ Richard Coleman
APPELLANT

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
Telephone: (803) 734-9220
Fax: (803) 734-9440
www.dppps.sc.gov

April 26, 2023

Mr. Richard Coleman #00186795
Lieber Correctional Institution
P.O. Box 205
Ridgeville, SC 29472

RE: NOTICE OF REJECTION

Dear Mr. Coleman:

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
02 Indication Of Violence In This Or Previous Offense
03 Use Of Deadly Weapon In This Or Previous 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

4/26/2023

16.

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
Telephone: (803) 734-9220
Fax: (803) 734-9440
www.dppps.sc.gov

April 28, 2021

Mr. Richard Coleman #00186795
Perry Correctional Institution
430 Oaklawn Rd.
Pelzer, SC 29669

RE: NOTICE OF REJECTION

Dear Mr. Coleman:

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:

Nature And Seriousness Of Current Offense
Indication Of Violence In This Or Previous Offense
Use Of Deadly Weapon In This Or Previous Offense
Institutional Record Is Unfavorable
Vote Count: Unanimous To Reject

Sincerely,

A handwritten signature in cursive script that reads "Nettie C. Jacobs".

Nettie C. Jacobs
Board Support Services

4/28/2021

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

HENRY McMASTER
Governor



JERRY B. ADGER
Director

2221 Devine Street, Suite 600
Post Office Box 50666
Columbia, South Carolina 29250
Telephone: (803) 734-9220
Fax: (803) 734-9440
www.dppps.sc.gov

March 21, 2019

Mr. Richard Coleman #00186795
Perry Correctional Institution
430 Oaklawn Rd.
Pelzer, SC 29669

RE: NOTICE OF REJECTION

Dear Mr. Coleman:

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:

Nature And Seriousness Of Current Offense
Indication Of Violence In This Or Previous Offense
Use Of Deadly Weapon In This Or Previous Offense
Vote Count: Unanimous To Reject

Sincerely,

A handwritten signature in cursive script that reads "Nettie C. Jacobs".

Nettie C. Jacobs
Board Support Services

3/20/2019

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

NIKKI R. HALEY
Governor



JERRY B. ADGER
Director

2221 Devine Street, Suite 600
Post Office Box 50666
Columbia, South Carolina 29250
Telephone: (803) 734-9220
Fax: (803) 734-9440
www.dppps.sc.gov

January 11, 2017

Mr. Richard Coleman #00186795
Perry Correctional Institution
430 Oaklawn Rd.
Pelzer, SC 29669

RE: NOTICE OF REJECTION

Dear Mr. Coleman:

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:

Nature And Seriousness Of Current Offense
Indication Of Violence In This Or Previous Offense
Use Of Deadly Weapon In This Or Previous Offense

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Ray Patton, Jr.", written over a light blue background.

Larry Ray Patton, Jr.
Director of Parole Board Support Services

1/11/2017

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

NIKKI R. HALEY
Governor



KELA E. THOMAS
Director

2221 Devine Street, Suite 600
Post Office Box 50666
Columbia, South Carolina 29250
Telephone: (803) 734-9220
Fax: (803) 734-9440
www.dppps.sc.gov

October 9, 2014

Mr. Richard Coleman #00186795
Broad River Correctional Institution
4460 Broad River Rd.
Columbia, SC 29210

RE: NOTICE OF REJECTION

Dear Mr. Coleman:

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); and (3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws, the Parole Board concludes that parole must be denied.

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

FINDINGS OF FACT:

Nature And Seriousness Of Current Offense
Indication Of Violence In This Or Previous Offense
Use Of Deadly Weapon In This Or Previous Offense

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Ray Patton, Jr.".

Larry Ray Patton, Jr.
Director of Parole Board Support Services

10/8/2014

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

NIKKI R. HALEY
Governor



KELA E. THOMAS
Director

2221 Devine Street, Suite 600
Post Office Box 50666
Columbia, South Carolina 29250
Telephone: (803) 734-9220
Fax: (803) 734-9440
www.dppps.sc.gov

September 12, 2012

Mr. Richard Coleman #00186795
Lee Correctional Institution
990 Wisaky Hwy.
Bishopville, SC 29010

RE: NOTICE OF REJECTION

Dear Mr. Coleman:

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); and (3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws, the Parole Board concludes that parole must be denied.

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

FINDINGS OF FACT:

Nature And Seriousness Of Current Offense — *PAST EVENT, NEVER CHANGE*
Indication Of Violence In This Or Previous Offense *PAST EVENT, NEVER CHANGE*
Use Of Deadly Weapon In This Or Previous Offense *PAST EVENT, NEVER CHANGE, NO PREVIOUS RECORD*

MS. SCHWITZAPPEL
↓ ↓

Sincerely,

Catherine Cooper
Director of Parole Board Support

9/12/2012

RECEIVED

MAY 22 2023

Board Support Services

South Carolina Department of
Probation, Parole, and Pardon Services
2221 Devine Street
Post Office Box 50666

MAY 1, 2023

Pursuant to South Carolina Parole's Board
operations manual I Richard K. Coleman hereby
request RECONSIDERATION/ RE HEARING.

ISSUE

South Carolina Department of Probation, Parole
and Pardon Service actively Blocked my Representative/
Counsel from representing me at my Parole hearing.

SUPPORTING FACTS

1. I, Richard K. Coleman hired Representative/Counsel
John C. Burnett to represent at my Parole hearing.
2. Mr. Burnett repeatedly contacted South Carolina
Department of Probation, Parole, and Pardon Service,
for reason to obtain the location of his presence at
my Parole hearing, however he was not provided and he
was not provided with no Zoom link.
3. On April 26, 2023 the Parole board proceeded with
my hearing without the presence of my representative.

4. South Carolina Parole Board has Procedural Requirements under State and Federal Constitution.

5. I have a Constitutional right under the 14th Amendment to due process.

6. I have Constitutional right to have a representative / Counsel represent me at my Parole hearing.

CONSTITUTION

My Constitutional rights under the U.S. Constitution was violated when S.C. Dept. of Probation Parole and Pardon Service actively blocked my representative / Counsel from my Parole hearing. I should be granted new hearing and granted Parole.

Respectfully Submitted

S/ Richard Coleman

Richard H. Coleman #186795

STATE OF SOUTH CAROLINA } In SOUTH CAROLINA DEPARTMENT
County of RICHLAND } PROBATION PAROLE AND PARDON
Richard h. Coleman #186745 } SERVICE

CERTIFICATE OF SERVICE

The undersigned in the above captioned case does hereby certify that service of MOTION FOR RE-HEARING was served by placing copy of the same in the united States mail, first class postage prepaid at the below listed address clearly indicated on said envelope this 1 day of MAY 2023 addressed as follows:

South Carolina Dept of Probation, Parole
and Pardon Service, 243 Graystone
Boulevard, Post office box 207
Columbia S.C. 29202

Richard Coleman
Richard h. Coleman 186745

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

HENRY McMASTER
Governor



MELVIN WARREN
Acting Director

293 GREYSTONE BOULEVARD
COLUMBIA, SOUTH CAROLINA 29210
Telephone: (803) 734-9220 / Facsimile: (803) 734-9440
www.dppps.sc.gov/
MAILING ADDRESS: P.O. BOX 207
COLUMBIA, SOUTH CAROLINA 29202

August 16, 2023

COLEMAN, RICHARD L. (SCDC ID: 00186795)

Lieber CI 136 Wilborn Avenue/
P.O. Box 205
Ridgeville, SC 29472

This letter is in response to your correspondence which was received in our office on 5/2/2023. We have received your correspondence as an official request for reconsideration of the Board's decision handed down on 4/26/2023, which denied parole. Be advised this office has not received a letter of representation from any attorney regarding your parole consideration. You have identified your attorney as John C. Burnett. We have not located an attorney by that name who is an active member of the SC Bar. The hearing and file have been reviewed. There is no mention of legal representation during the hearing conducted on 04/26/2023. There is no evidence to support reconsideration of the Board's ruling in this case.

This decision is final.

Please note, there is no rehearing/appeal process for the routine denial of parole.

Sincerely,

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

Valerie Suber

Associate Deputy Director of Paroles, Pardons and Release Services
SC Department of Probation, Parole and Pardon Services
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