

William Smith #161838
Appellant

To S.C. Court of Appeal

10-30-24

V

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Office of Appeal to Final Order
Docket No 24-AJT-1500013-AP

NOV 13 2024

SC DPPPS

SC Court of Appeals

Respondent

Notice of Appeal

Appellant Case No 2024-001787
Put in Mail Box 11-1-24

I Appellant William Smith #161838 Clear Cut Claim that the South Carolina Dept of Parole and Release Service, is DEPRIVING Appellant, William Smith #161838, of his Freedom By unlawfully holding him on a Parole Violation, AND unlawfully violation the 24-21-680, Parole guideline, By taken his to a Final Revoke hearing on Fed, 7, 2023, And there was No Disposition, from the 5 charge he was arrested for on 8-9-22, (the law I person is innocent upon his arrest until it is proven he is guilty in the court of law or Pleas guilty. his Parole has Been unjustified, and he is Being Punish and unlawfully held, Pursuant to statute, 17-27-20 (A)(5)(B) Code Ann. Because, the Disposit from 8-9-22 arrest, has Been Dismiss By the Solicitor of Marlboro County and this the Reason, for Revoked hearing getting an arrest. But Not Being convicted, the Record Show, the Appellant, his Not Broken Any State, Federal or local law. To Cause his parole to Be Violated and the Record would show his proof of Evidence to support his claim of Fact to this Court. Appellant was on Parole 6 year 9 month 20 Days Reporting 1 time per month.

(1)

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The SCDPPPS IS IN VIOLATION OF THERE GUIDLINE 24-21-680
By Classifying this Case as a ("Routine Denial") When it
Denial From PreVoked hearing on Fed, 7 2023, the guideline
State to take Appellant Back up to Parole within 1 year
Not 1 year and 22 Days later, With opt going Back to
Review the Fact of the Desportux of Any penrodency
Charge or Detainu. (IF they would have Done So) My
Parole would have Been Reinstated. AT the Next hearing
And, Because they Refuse to Correct this Misake, Jam Being unkwfully
held, And the Conning to Violate the guideline Because this My
First Violation, Jam Suppose go Back to parole every 1
A year, they have My Next hearing Fed 28, 2026.

When My Parole was Suppose to Beek Reinstated Fed 28, 2024
The Appellant Due Proccess of Protection of Law IS Violated
14 Amendment IS Violated. SEE. Heck V. Humphrey 512
U.S. 477 (1994) SEE, Kerr V. State, 345 S.C. 547 S.E2d
494 (2001). The Circist Court, Chanson County R. Markley Dennis JR
Granted Relief and Reinstated Parole on ground grant ^{Partic} petition
For Cartharta. The supreme court waller J. that Petitioner was
eligible Back on Parole under Cocain trafficking, he was convicted
In Effect in 1985.

Wherefore, in accordance with Heck v. Humphrey 512 US 477 (1994) statute and the 17-27-20 (A)(B)(C) on lawfully holding Appellant on a Parole Violation, For Being arrested on 5 charge on 8-9-22. (That have Been Dismiss By the Marlboro County Solicitor ^{of Parole} on 1-10-24, And the S.C. Dept had this information on file Before they took me Back up for Parole 1 year 22 Day later, using MISinformation to Relect me on Parole on Feb 28, 2024. When IF Some would have Reinvestigated this, I would have Been Reinstated Back on Parole at that time, Because the Record would Show, the charge Been Dismiss, the Reason for the Revoktion, and Parole Violation, got Dismiss, there is NO Conviction, No plea, and all 5 charge was Dismiss By the Solicitor. (the Respondent) Try to Say, the State can Reincarcerate me. (IF I was Not innocent of all charge the Solicitor would No have Dismiss all 5 case, cost to Most, Because I am convicted Felone on Parole, if I was guilty of Any kind Crime, the State would have Been take a plea or less go to Trial, No Dismiss of 5 charge The Solicitor Say By Record I am innocent By the Law. There is No laws Broken to Violate My Parole OR. Revok My parole. This is a violation of My Due Process, AND violation 17-27-20 (A)(B)(C), unlawfully holding me in SCDC. on Parole Violation, And Refuse to correct these Misake update Record ③ to Show Fact. ④

Appellant Seek to Be taking Back up to A Emergency parole hearing at the Next Board, By Court order, to Reinstate My parole, and Release me Back in to the Community Back on parole. OR, Take Me Back up for Parole Fed 7, 2025 And Reinstate My parole, By Court order. A.S.A.P A.K.C. had Jurisdiction over matter, It was a Matter of Appellant Freedom, this a State created Liberty Interest, the Appellant was out on parole Free, 6 year 9 months 20 days. He was on his way to work, when he got Stop and, arrest on 8-9-22. For a hit and Run that Never happen But S.C. Dept. Parole, Revoke his Parole, From information from ① the Violation warrant, and Violation Report and the Report From Administrative hearing Report tape 11-23-22. By Mevene D. Suber. Who state To Appellant, if he Beat all the Charge From 8-9-22 Arrest, then his parole would Be Reinstate. Appellant is asking the court of Appellate to Please look into To this matter of how and correct this matter, By Sending a Court order to have parole Reinstate. The SC Dept has, State, unless it is Court order the matter resolve, they wont correct the Misake of Due process 24-21-680 or 17-27-20 (A)(5)(B).

Slezak V. S.C.P.C 361 S.C. 327, 605 SE2d 506, 508 (2004)
State created liberty interest, unlawfully holding Appellant
When charge have been Dismiss, and S.C. Dept of Parole is
Using the arrest from 8-9-22. as the Reason to Rework
and Violate his parole. When he was out Free for
6 year 9 month and 20 day. And, the Refuse to correct
the Record and update the information and is using the
Arrest Record, to hold the Appellant, When the New
Record, Show the case and charge from 8-9-22 have
been Dismiss and he is clear and innocent.
But is Being unlawful held, which is a Violation of
of Statute code Ann. 17-27-20 (A)(5)(B). And No one want
to Corret the matter of law, the Appellant is Innocent
And he, Showing his Burdon of Proof and Evident, See a
Copy Exhibit. A Disposition of charge Being Dismiss all
5-charge from 8-9-22. Then See the Exhibit B. Copy the
parole warrant, the parole violation paper and copy of
Exhibit. C. the 'Administrative Summary from the hearing
Tape on 11-23-22. (J) and at this hearing I spoke up and
Explain I was innocent then, and Mevin D. Suber told
me if I Beat the charge, that My parole would Be
Reinstate. That has not happen, I am Being unlaw
fully held (A violation of the State Law) 17-27-20
(A)(5)(B). By the S.C. Dept of Parole Release Service.
And A.K.C. Refuse to correct the Misake and order
Appellant Reinstate Back on parole or Send case
to Circuit Court to have et Done on P.C.R.
S.C. Dept of Parole is violate the (P) Law 17-27-20 (A)(5)(B).

10-30-24

William Smith #161838
Appellant

Appellant case NO. 2024-00178

v

CERTIFICATE OF SERVICE

South Carolina Dept of
Probation, Parole and Pardon
Service
Respondent.

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CERTIFICATE OF SERVICE

I Herby That I William Smith #161838 on This Day 10-30-24 City
OF Bishopville S.C. 29010 Serend A copy of the Forgoing Copy of Brief
to Appeal that was File From Adminstrative Law Court Final Order to
to Appellant Parole Appeal. All Parties to this Matter Server by
deposting Same in the LEE corr inst Mail Box For the U.S.
Mail Postage Agency Serverd at same time.

William Smith

①. The South Carolina Court of Appeal
Clerk Jenny ABBOTT Kitching
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Columbia, S.C. 29211

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put in mail 11-1-24

William Smith #161838 - ⑤

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AKA. William Kinard
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IMS

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