

William Smith #161838  
V

S.C. Attorney General  
P.C.R. Division 4 Cir

The S.C. Court of Appeal

2-28-25

Appellant Case 2024-CP-3400199

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MAR 13 2025

SC Court of Appeals

Brief to Appellant Notice to Appellant  
Final order of Dismissal

This Brief is file By parolee William Smith #161838 AKA William Kinard ex Bishopville S.C. 29010. to the Final order of Dismiss. to grant this parolee his P.C.R. under Rule 60(B) 4 and 5. to correct the Misake of Due process, Not giving him a lawyer to Final hearing to his Re worked hearing Date Fed 7, 2023 when the Motion was file with the <sup>Clerk</sup> Court. See copy of Document, along a Copy the Demand from a parole Board. And copy the Document to show, what use at Adminstrative hearing on 11-23-22. took copy the parole Violation Warrant Date Fed 7, 2023 the Final hear, all charge from arrest 8-9-22. that Marlboro County Dis mess on 1-10-24. And the letter of Reject from parole Board using False Information, when they suppose have

The paper work Before you Show I am Innocent, and I  
Beex clear By the Seicitor, But I am Biny Treated  
as if I Beex Convicted or Took a plea guilty. When  
I have No Broken No State Federal or local law to  
Violate My parole. When all I want to Do is go  
to the P.C.R. hearing, get Reenstate Back on  
parole and move forward with my life. No more  
No less. the Fact of my proof is Before you Seeky  
help. With Evidence and Document of Fact in  
Support of my claim ex this matter Before  
this court. And I am sendy a copy to Refendant  
S.C. Attorney General. So Body is tryng cover up the  
Fact. When most people Dont have all the Document  
they Be talking. I am talking But the paper Document  
Cere the Fact to Support my claim. ex this matter  
Please help and Grant the P.C.R. So I can Be Reenstate  
and go home Back my Family.

Reinstate Parole Back or parole. They Refuse  
And, look At the South Carolina S.C.D.C. Record  
Summary Reported Date 7-29-2024. This Disput  
The Reject Report. And look, A RSTM, from the center  
Record and classification. Where at State, the S.C.  
Dept Parole have access to my Record, that Show  
① I Dont have No Victim witness against for the  
36 year kidnap case No Weapon charge or Any  
Weapon Conviction.

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No Detainer, No hold, No Permitted charge  
No Criminal History Sheet.

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And if they use this when it got Dismiss, the Violation  
got Dismiss.

Why am I still here in S.C.D.C. When I am  
Suppose had Been Reinstate.

So You the court tell, as they Not in Violation  
the guideline 24-21-680. Due process unlawfully  
holding me in parole violation when there is  
No violation All charge was Dismiss 13 months  
ago. And No one want me to go Back in front of a  
Judge to get Reinstate 2 Back in parole violation.

# Case Law Applicable Law Standard of Review

For the Violation of Due process. No lawyer. at Final hearing.

①. Salley V. State 410 S.E2d 921-922 (S.C. 1991)

Violation of 24-21-680

② State V Allen 370 S.C. 88, 94, 634 S.E2d 653, 655 (2006)

guideline 24-21-680 Due process, Taking me to Final hearing,  
With a lawyer when I put in Motion for release, and Demand A parole  
Bond 14 Amendment Violation. State V. Allen 370, S.C. 88, 634 S.E2d 653

(2006)

U.S. State V. Bom 287, U.S. 216 (1932)

Morrissey V Brewer 408 U.S. 471, 92 S.Ct 2573 (33 L.Ed2d

Violation Law 17-27-20(A)(5)(XB) unlawful holding me in parole  
Violation, when all charge Been Dismiss By Solicitor 1-10-24

IF all 5 charge Been Dismiss, where the Violation, it get  
Dismiss when the Solicitor Dismiss all charge.

Why I am still here in S.D.P.C. when they suppose to  
Be Reinstated Back in parole.

This what I am Seeking to get in front of a Circuit  
Judge to get Reinstatement.

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