

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

RONALD C. ALBRIGHT #211533  
APPELLANT,

v.

S.C. DEPT. OF P.P.P. SERVICES  
RESPONDENT.

DOCKET No. 25-ALT-15-0004

REPLY TO RESPONDENT'S OPPOSITION  
TO APPELLANT'S DISCOVERY REQUEST

IN RESPONSE TO SCDPPPS'S OPPOSITION TO APPELLANT'S MOTION FOR DISCOVERY OF THE PAROLE FILE SUMMARY, APPELLANT ASSERTS THE FOLLOWING; HIS CLAIM HAS ALWAYS AND SOLELY BEEN ABOUT THE FLAWED PROCEDURE EMPLOYED BY THE PAROLE BOARD TO REACH IT'S REVOCATION DECISION BASED UPON ERROR IN THE RECORD AND THE PRODUCT FROM THAT FLAWED PROCEDURE, (UNFOUNDED ALLEGATIONS AND ERRORS), CONTINUE TO TAINT THE SUBSEQUENT DENIALS OF PAROLE.

THIS IS NOT A "ROUTINE DENIAL OF PAROLE" APPEAL, BUT A QUESTION OF PROCEDURE AND EVIDENCE RELIED UPON, AND IS WELL WITHIN THE SCOPE OF THE ALC'S REVIEW OF PAROLE MATTERS. A DECISION BASED ON ERROR IS VOID. A DECISION REACHED ACCORDING TO 1-23-380 (5)(A-F) IS REVIEWABLE BY THIS COURT. THE PAROLE FILE SUMMARY IS A RECORD OF THESE ERRORS THAT WARRANT REVIEW.

RESPONDENT IS MIS-APPLYING "COMPTON" 385 S.C. 476 TO THIS CASE, AS THIS IS NOT A COMPLAINT OF A ROUTINE DENIAL OF PAROLE. THEY ARE ALSO LIMITING THEIR SCOPE OF CONSIDERATION TO 24-21-640 AND FORM 1212. IN "REGULAR" S.C. PAROLE CASES, THIS MAY BE ALL THAT'S NEEDED, BUT THIS WAS AN ICAOS CASE. THE "STATUTORY CRITERIA" THAT THE PAROLE BOARD HAS REVIEWED IN 24-21-640 AND FORM 1212 MAY BE CORRECT BUT IT IS NOT THE ONLY "APPROPRIATE CRITERIA". IN I.C.A.O.S. CASES LIKE APPELLANT WAS UNDER, SCDPPPS HAS ADOPTED ADDITIONAL STATUTES, RULES, AND REGULATIONS TO WHICH IT IS BOUND TO CONSIDER IN THESE CASES: 24-21-1130, 24-21-1170, AND 24-21-1220. THE DUE PROCESS PROTECTIONS ARE EMBODIED IN THE I.C.A.O.S. RULES ESPECIALLY RULE 5.108(a-9), AND SKIPPING THEM VIOLATED THESE RIGHTS.

IN "COOPER" 377 S.C. 489 IT WAS HELD THAT IF THE PAROLE BOARD DEVIATES FROM, OR RENDERS IT'S DECISION WITHOUT CONSIDERATION OF THE "APPROPRIATE CRITERIA" IT ESSENTIALLY ABROGATES AN INMATE'S RIGHT TO PAROLE ELIGIBILITY AND INFRINGES ON A STATE CREATED LIBERTY INTEREST WARRANTING MINIMAL DUE PROCESS PROTECTIONS. BY CIRCUMVENTING THE STATUTORY I.C.A.O.S. PROCEDURES IN APPELLANT'S PAROLE REVOCATION, THE PAROLE BOARD ALLOWED UNFOUNDED ALLEGATIONS AND ERRORS INTO THE RECORD AND THESE HAVE TAINTED EVERY PAROLE DECISION SINCE. THIS IS APPELLANT'S ARGUMENT, NOT THE DENIALS THEMSELVES, BUT WHAT THEY ARE BASED UPON.

THIS MAKES THE PAROLE FILE SUMMARY MOST RELEVANT TO THIS CASE AS IT CONTAINS A LOT OF THE ERRORS STEMMING FROM AN IMPROPER REVOCATION THAT APPELLANT IS COMPLAINING OF. THAT'S WHY IT IS REQUESTED IN DISCOVERY AND NEEDS TO BE IN THE RECORD TO BE REVIEWED AND CORRECTED.

WHAT JUST PURPOSE WOULD IT SERVE FOR RESPONDENT TO KEEP THESE FILES FROM THE EYES OF APPELLANT AND THIS COURT? IF EVERYTHING IT CONTAINS IS SUPPOSEDLY FACTUAL AND CORRECT, THEN THERE'S NOTHING FOR RESPONDENT TO WORRY ABOUT, BUT IF IT'S FULL OF UNFOUNDED ALLEGATIONS AND ERRORS, THEN THEY'RE SEVERELY IMPEDING APPELLANT'S PAROLE ELIGIBILITY AND DEMAND REVIEW AND CORRECTION.

SO ULTIMATELY, THIS IS NOT A QUESTION DEALING WITH A "ROUTINE DENIAL OF PAROLE", IT'S A QUESTION IF THE PROPER PROCEDURES WERE FOLLOWED IN A REVOCATION UNDER ICAOS AND DID THIS BREACH OF THE COMPACT'S PROCEDURES ALLOW ERRORS IN THE RECORD THAT THEN POISONED ALL SUBSEQUENT PAROLE DECISIONS SINCE?

THIS IS ALMOST LIKE THE EVIDENCE DOCTRINE OF "FRUIT OF THE POISONOUS TREE" - ONLY EVERY ERROR AND UNFOUNDED ALLEGATION THE PAROLE BOARD CARRIED OVER IN THEIR RECORDS FROM THE FLAWED REVOCATION PROCEDURE HAS BEEN PROVEN FALSE BY THE APPELLANT WITH OFFICIAL DOCUMENTS, BUT HAVE UNJUSTLY LIVED ON IN THEIR RECORDS TO CAUSE AN UNFAIR IMPEDIMENT TO PAROLE ELIGIBILITY. THIS CONSTITUTES A CONTINUING VIOLATIONS DOCTRINE AND WILL CONTINUE TO NEGATIVELY AFFECT APPELLANT AT EVERY PAROLE HEARING IN PERPETUITY UNTIL THE PAROLE FILES ARE CORRECTED.

THIS IS NOT AS RESPONDENT PUT IT "HOW APPELLANT DRESSES HIS ARGUMENT" BUT THE PROCEDURES EMPLOYED BY THE AGENCY AND THE EVIDENCE RELIED UPON IS HIS ARGUMENT. REGARDLESS OF HOW MANY TIMES IN THE PAST RESPONDENT HAS ATTEMPTED TO SWAY OTHER COURTS TO BELIEVE THAT APPELLANT IS CHALLENGING A ROUTINE DENIAL OF PAROLE, OR IS TRYING TO GET THIS COURT TO OVERTURN A DENIAL, THIS IS NOT THE CASE IN THIS COURT, AND HAS NEVER BEEN THE CASE IN ANY OTHER COURT.

THERE IS A GENUINE DISPUTE OF MATERIAL FACT IN THIS CASE. APPELLANT IS CLEARLY ARGUING PROCEDURE IN HIS APPEAL AND RESPONDENT IS MISTAKENLY LABELING IT AS ARGUING A DENIAL. ALTHOUGH APPELLANT DOESN'T SEE HOW HIS ARGUMENT WAS CONFUSED. APPELLANT IS ONLY ASKING FOR A FAIR CHANCE BASED ON A TRUE AND FACTUAL RECORD AND THIS CAN NOT TAKE PLACE WITH THE PAROLE FILES AS THEY ARE NOW.

THEREFORE...

FOR THESE REASONS, APPELLANT RESPECTFULLY REQUESTS THAT THIS HONORABLE COURT REJECT RESPONDENT'S MOTION IN OPPOSITION AND GRANT APPELLANT'S MOTION FOR DISCOVERY OF THE PAROLE FILE SUMMARY AS IT IS MOST RELEVANT TO APPELLANT'S ACTUAL ARGUMENT AND IT DEMANDS REVIEW AND CORRECTION, AND TO EFFECTUATE THIS, IT MUST BE ADDED TO THE RECORD ON REVIEW, OR REMAIN FLAWED AND HIDDEN FOREVER.

4-15-25  
DATED

RESPECTFULLY SUBMITTED,

Ronald C. Albright

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This is, ultimately, a question dealing with his routine denial of parole, because the question does not address the Parole Board's procedures, only that he has been denied parole and he wishes to persuade the ALC to overturn the parole denial. Regardless of how the Appellant dresses his argument, it remains an appeal of a routine denial of parole.

The Supreme Court in *Compton* set the outer reaches of the extremely limited authority of the Administrative Law Court to review a parole consideration decision of the Parole Board, by only allowing a review of the issue of whether the Parole Board complied with the stated procedure. The addition of the parole case summary is simply not relevant to the limited nature and scope of the appellate review.

For these reasons, the Respondent respectfully requests that the Appellant's motion to supplement the record and for discovery be denied.

Respectfully submitted,



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April 11, 2025