

6-19-25

William Smith, petitioner
AKA. William Kinard

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Jun 26 2025

Amended Notice of Appeal

Appellate Case NO 2024-CP-34-00194
For P.C.R

Appellate Case 2025-000513

V

State of South Carolina
Respondent

S.C. SUPREME COURT

I hereby file this Amended Notice of Appeal to this P.C.R. that was filed on June 13, 2024. THE STATE made a Motion to Dismiss, saying time Bar because of the one year limitation. 17-27-10. So on August 21, 2024 sent a order of Dismiss to a 4th Cir Judge in Summerville County S.C.

A Reason this Petition, was late, filing P.C.R. (Reason Lee court inst was on lock down, for investigation. Corruption, Drug, Staff, Bring Contraband, so 69 Security Staff was fired, there was no movement, nothing going the way from Red Team, was feeding the General Pop culture for 10 months. Then, once it was filed, the state had this 4th Cir Judge to sign a Condition Order of Dismiss on August 21, 2024, but I didn't get a copy until Jan. 26, 2025, it got to the court Jan 23, 2025. And I was at the court in Bishopville S.C. it should not have taken 6 months. So there was not way I could file a Appeal to the Order within 20 days. So I file a Appeal Rule 60-B-4 and 5. Asking the court to grant the P.C.R. after the year limitation, because this P.C.R. is not affecting my conviction or sentence, it dealing with asking the 4th Cir Judge to Revoke my parole, because under 17-27-20 (A)(5)(B) I am unlawfully being held on a parole violation for being arrested on 8-9-22. And the Marlboro County Solicitor, Dismiss all criminal charges from the arrest and charge on 1-10-24. And the 4th Cir is the only court that has jurisdiction, to hear case 17-27-20 (A)(5)(B) for unlawful Revoke of parole violation. And mention 60-B-5. to correct mistake, S.C.D.C. and S.C. Dept parole Release, violated on appeal line. 24-21-680. Refusing to allow me to have lawyer to finish the work I ask, through Motion file with Clerk court. Violation this A mistake.

petition, Cox Shew, Document. That S.C. Dept of Parole Release Services and
S.C. is holding petition unlawfully on a parole violator. When the Marlboro
County has dismissed all 5 charges from the arrest on 8-9-22. The petition
got all 5 warrants at the same day 8-9-22. This was used to violate
OR Parole his parole at final hearing, on Fed. 7. 2023. When the
Solicitor dismissed all charges, on 1-10-24. They dismissed all evidence
of criminal intent, that the parole board use against him. This why
they are in violation of 17-27-20 (A)(5)(B) unlawfully holding him
on a parole violator where there no violation. Because all charges were
dismissed by Solicitor on 1-10-24. See Copy Warrant and Dismiss charge.

Then. The Violator Petition Due process, By Refusing to allow
him to have a lawyer to his final hearing, and he put the
Motion in to Marlboro County clerk of Court asking for A lawyer
SEE. Copy Motion to Court, See Copy Fax Sent to Parole Agent. See Copy
paper from Parole, State. You have ask for lawyer and file Motion.
This a violation to S.C. Parole Guideline 24-21-68. Due process. No lawyer at final hearing.
SEE. Sally V. State 410 SE2d 921+922.

And, it violation S.C. State Constitution (S6) 2684 (1971)
No one shall be in prison for Debt Except in case of Fraud
I Never miss a Report Even if I did have money to pay fee they seek
my face. 6 year 9 month 20 days I reported 1 time per month
This A Marlboro County case, the state keep sending this case other County. Her Judge
to sign off on. Then to send it to Marlboro County Judge who have jurisdiction of
Case. in Marlboro County. And it A violation 14 Amendment Right.
See Hawkins V. Freeman 166 F3d 267 (4th Cir 1991) 388 S.C. at 368 527 at 744.

And this a Violation 14. Amendment Right. See *Hawkins v Freeman*
166 F3d 267 (4th 1999) 338 S.C. at 368 527 SE2d at 749

Petitioner file file A. Motion 59.(E) asking the Court to Review the
Fact. Because Due process was Violate By Refusing him a
lawyer. Then State Agency Violate 17-27-20(A)(5)(B) By Refuse
to Reinstete his Parole. When there No Evidence to Support
Any Criminal. Actor Criminal Conviction. Because the Marlboro
County Solicitor office Dismiss all 5 charge from the arrest
on 8-9-22. That was use at the Admistrative hearing and turn
in and was use at his Final Revoke hearing on Feb 7, 2023

Then Feb 28, 2024 the Se parole Board took him Back up to the
parole Board, and Refect him on parole on false information
and from the Evidence, of his arrest on 8-9-22. When they
had the Document in the Computer to Show, all Criminal
Charge have Been Dismiss By the S.C. Marlboro County
Solicitor office. the Petitioner appeal to S.C. Administrative
Law Court. (Case 24-ALT-15-0013 APJ) Final Order Date
Septer 5, 2024, the Denal the Appeal of Revocation and Reinstatement
of parole are outside the purview of this court. State they did not
have Jurisdiction to Review the parole Board process. and at not
liberty Interest. this is Admin Law Clerk, Case 2024-CP-34, 00199
P.C.R. for Cir Court Judge (3) that handle Reinstatement.

For Parole. under 17-27-20(A)(5)(B), unlawfully Being held
on Parole Violation when there No Criminal Violation, that was
use at the Administrative hearing on 11-23-22. and the Criminal Evidence
that was use at the Final hearing at Reopened hearing. And the
Court ask correct the mistake under Rule 60 A. And B. 4 and
5. And to Be allow and granted the P.C.R. after the 1 year
time limitation. And Because, of the mist here at BREI look
Derick, And there No lawbreaker, So I am being demand because
to the Court. And the Mail work here, Do Not give out the
legal mail when come in, it Be Anywhere 7 to 12 Days
Before I get legal mail No one us trying to correct this
problem. So I ask this humbly Court to grant my P.C.R.
hearing to Be Reinstated Back on parole Because I have
Not Broken No State, Federal or local laws, to Be Violated
AND, S.C. state constitution laws. state No person shall Be
lock up in prison for Debt. Except in ~~case~~ ~~of~~ ~~Fixed~~
of the S.C. ReEntry program get me a Job. when I am
Release I can make payment on the Debt of my
BOA account.

The Petitioner William Smith ask this Court to grant his P.C.R. and Reinstatement his Parole, Because the Her Court is the Correct Jurisdiction to here case Regarding the law. For 17-27-20 (A)(5)(B) for Unlawfully Rework or unlawfully Being held By. the S.C. Dept Parole Release Service and S.C. DC.

The state, is Violate Rule 60-B (4)(5).
By Not complying with the law.

Brown, 358 S.C. at 596 SE2d at

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When they Violate there one guideline. 24-21-680
Final hearing. A. Refuse to have a lawyer at this
hearing with the parolee, put A motion in to clerk of
Court. Violation Due process. Sally V. State 410 SE2d 924
922, SC 1991 Violation 17-27-20(A)(5)(B) 14. Amendment

Hawkins V Freeman 166 267 (4 Cir 1991)
338 S.C. at 368 527. SE2d at 749

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