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IN THE STATE OF SOUTH CAROLINA
COURT OF APPEALS

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SC Court of Appeals

APPEAL FROM THE S.C. ADMINISTRATIVE LAW COURT
THE HONORABLE RALPH K. ANDERSON
ADMINISTRATIVE LAW JUDGE

CASE NO. 2026-000521

CHARLES MITCHELL #00 189424 _____ APPELLANT

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SC Court of Appeals

VS.

SOUTH CAROLINA DEPT OF PROBATION, PAROLE
AND PARDON SERVICES _____ RESPONDENT

BRIEF OF APPELLANT

Charles Mitchell

CHARLES MITCHELL
00 189424
ALLENDALE CT. INST
P.O. BOX 1151, HWY 47
FAIRFAX SC 29827

LEGAL MAIL

QUESTION

PRESENTED

DID THE S.C. ADMINISTRATIVE LAW COURT IN ERROR DISMISSED A TIMELY FILE CLAIM OF NEWLY DISCOVERED EVIDENCE IN VIOLATION OF JUVENILE OFFENDER 5TH AND 8TH AND 14TH AMEND TO THE U.S. CONST; WHERE PRISONER WAS INSTRUCTED BY PAROLE AUTHORITIES TO NOTIFY THE BOARD IF HIS FILE CONTAIN ANY INADEQUACIES ON OCTOBER-10-2018 WHERE THIS INVESTIGATION WAS CONFIRMED ON JANUARY-13-2025 THAT DETERMINE PRISONER PAROLE FILE WAS PRIOR INCORRECT CONFIRMED THAT PAROLE AUTHORITIES WAS USING THE WRONG IDENTIFIED CHARLES MICHAEL MITCHELL RECORD SINCE PRISONER INITIAL PAROLE HEARING THAT HAS CURRENTLY CAUSED JUVENILE OFFENDER TO HAVE NOT RECEIVED NO REALISTIC MEANINGFUL OPPORTUNITIES TO OBTAIN RELEASE DO TO UNAWARE PRIOR INCORRECT RECORD WHERE PRIOR NEGLIGENCE CAUSED PRISONER TO NOT RECEIVE AFFORDED REHEARINGS PRIOR BEFORE OCT-23-2024 WHERE INJURY EFFECTIVELY CAUSED PRISONER LIFE SETENCE WITH THE POSSIBILITY TO NOW EFFECTIVELY RESEMBLE LIFE WITHOUT THE POSSIBILITY OF PAROLE THAT COMES INDIRECT CONFLICT WITH STATE V. MITCHELL 2021 6066794

LEGAL MAIL

CHARLES MICHAEL MITCHELL # 00189424 IS A 1991 JUVENILE OFFENDER OF HOMICIDE (16-3-10) S.C. CODE OF LAWS. JUVENILE ON AUGUST-4-1992 WAS SENTENCED TO NATURAL LIFE BY THE HONORABLE R. HENRY MCKELLAR SEE DOCUMENT A. DOING THIS TERM OF 1992.....

"ONE" WHO PLEA GUILTY TO HOMICIDE UNDER S.C. CODE OF LAWS TITLE 16 ARTICLE 1. HOMICIDE (MUST) BE PUNISHED IMPRISONMENT FOR LIFE AND IS NOT ELIGIBLE FOR PAROLE UNTIL THE SERVICE OF TWENTY YEARS. NO PERSON SENTENCED UNDER THE PROVISIONS OF THIS SUBSECTION MAY RECEIVE ANY WORK-RELEASE, EARN WORK CREDITS, GOOD-TIME CREDITS OR ANY OTHER CREDIT THAT WOULD REDUCE THE MANDATORY IMPRISONMENT REQUIRED BY THIS SUBSECTION.

SEE 26 S.C. JUR. PROBATION, PAROLE AND PARDON (11) V. PAROLE 11. DEFINITION, NATURE, AND PURPOSE OF PAROLE : STATES..... LIKE PROBATION, THE ESSENCE OF PAROLE IS A GRANT OF CONDITIONAL FREEDOM. [UNLIKE] PROBATION, PAROLE IS A FORM OF EARLY RELEASE FROM PRISON, BEFORE THE COMPLETION OF SENTENCE BASED ON THE PRISONER'S AGREEMENT TO ABIDE BY CERTAIN CONDITIONS DURING THE BALANCE OF HIS SENTENCE.

IN THE CASE OF JUVENILE OFFENDER THE SOUTH CAROLINA COURT OF APPEALS STATED THAT CHARLES MICHAEL MITCHELL # 00189424 WAS NOT ONE OF THE CLASS OF OFFENDERS WHO WAS NOT ENTITLED TO RESENTENCING BECAUSE HE WAS NOT SENTENCED TO LIFE WITHOUT THE POSSIBILITY OF PAROLE..... SEE STATE V. MITCHELL 2021 6066794.

SEE MAJOR VS. S.C. DEPT OF PROBATION AND PAROLE AND PARDON SERVS 384 S.C. 457, 465 S.E 2D 795, 799 (2009) [A] SENTENCING COURT IS NOT AUTHORIZED TO DETERMINE PAROLE ELIGIBILITY. SEE ADAMS V. SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES 2016 WL 6092509. SEE ATWELL V. STATE 197 SO. 3d 1040 AT [4] CONSTITUTIONAL LAW: PARDON AND PAROLE STATE..... THE JUDICIARY HAS NO INPUT AS TO THE OPERATION OF THE PAROLE SYSTEM.

LEGAL MAIL

CONVICTED JUVENILE OFFENDER STATE AT THIS POINT THE SOUTH CAROLINA PAROLE AUTHORITIES HAS NOT INFORMED JUVENILE OFFENDER BY LEGAL MAIL DOCUMENT THAT [HE'S] NONPAROLE ELIGIBLE. SEE DOCUMENT A., JUVENILE SENTENCE COURT TRIAL GUILTY PLEA TRANSCRIPT CLEARLY REVEAL THAT THE SENTENCING COURT [ORALLY PRONOUNCED] THAT JUVENILE OFFENDER BE COMMITTED TO THE DEPARTMENT OF CORRECTION FOR THE TERM OF HIS NATURAL LIFE. SEE U.S. V. DEMARTINO 112 F.3D 75..... STATE IT IS THE ORAL SENTENCE WHICH CONSTITUTES THE JUDGMENT OF THE COURT AND WHICH IS AUTHORITY FOR EXECUTION.

CONVICTED JUVENILE OFFENDER STATE JUST AS IN MAJOR 384 S.C. 457, 465 S.E 795, 799 IF THE SENTENCING COURT IS NOT AUTHORIZED TO DETERMINE PAROLE ELIGIBILITY AND JUVENILE WAS [ORALLY SENTENCE] TO NATURAL LIFE IN THE DEPARTMENT OF CORRECTION UNDER STATUTE CODE 16-3-20 (A) THAT DO NOT AUTHORIZE ANY FORM OF EARLY RELEASE..... THAT WOULD REDUCE THE "MANDATORY" IMPRISONMENT WHERE THE S.C. JUR (26) (V) PAROLE DEFINITION CLEARLY STATE [PAROLE] IS A FORM OF EARLY RELEASE FROM PRISON BEFORE THE COMPLETION OF SETENCE..... TO INCLUDE JUVENILE OFFENDER WAS CLAIM BY THE SOUTH CAROLINA COURT OF APPEALS TO [NOT] BE ONE OF THE CLASS OF OFFENDERS OF AIKEN VS. BYARS, 410, 534 765 SE. 2D 572 (2014) NOT ENTITLED TO RESENTENCING BECAUSE HE WAS CLAIM TO HAVE LIFE WITH PAROLE ELIGIBLE, COMPELS THE S.C. COURT OF APPEALS WITH RESPECTFUL COMPETENT TO REVIEW JUVENILE OFFENDER UNIQUE CIRCUMSTANCES WHERE HE SUCCESSFULLY DEMONSTRATE HIS LIFE SENTENCE WITH THE POSSIBILITY OF PAROLE EFFECTIVELY RESEMBLE LIFE WITHOUT PAROLE UNDER THE SOUTH CAROLINA PAROLE BOARD AUTHORITY.

CONVICTED JUVENILE OFFENDER CHARLES MICHAEL MITCHELL # 00189424 BEGIN BY PRESENTING HIS UNIQUE INDIVIDUAL CASE BEFORE OUR SOUTH CAROLINA COURT OF APPEALS THAT INORDER TO BE ENTITLED TO RELIEF HE FIRST MUST MAKE A SUCCESSFUL THRESHOLD SHOWING THAT HE AS A INDIVIDUAL EFFECTIVELY RECEIVED A SENTENCE OF LIFE WITHOUT PAROLE A [SENTENCE] THAT FAILED TO AFFORD HIM A MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE.

SEE.....MILTON JAY JR. V. THE STATE OF FLORIDA
252 SO. 3D 326 AT [2] SENTENCING AND PUNISHMENT
BELOW:

JUVENILE OFFENDERS STATE IN ORDER TO RAISE AN
8TH AMENDMENT CHALLENGE FOR CRUEL AND UNUSUAL
PUNISHMENT IN THE CASE OF A JUVENILE OFFENDER SENTENCED
WITH LIFE IMPRISONMENT. JUVENILE MUST EITHER HAVE
BEEN SENTENCED WITHOUT THE POSSIBILITY OF PAROLE OR
JUVENILE'S LIFE SENTENCE WITH THE POSSIBILITY OF PAROLE
MUST EFFECTIVELY RESEMBLE A LIFE WITHOUT PAROLE
SENTENCE. U.S. CONST. AMEND.

SEE VENNISEE V. STATE, 42 FLA L WEEKLY D2170
235 SO. 3D 947 (FLA. 3D DCA OCT.-11.- 2017).

SEE ROOKS V. STATE, 224 SO. 3D 272 (FLA. 3D DCA 2017)

PRISONER CONFIRM IN THESE ABOVE CASES JUST AS IN
STATE VS. MITCHELL 2021 6066794 [EACH] INDIVIDUAL
WAS NOT ENTITLED TO RELIEF BECAUSE THEY WERE CLAIM
TO NOT HAVE BEEN SENTENCE TO LIFE WITHOUT PAROLE
HOWEVER..... A OBVIOUS [DIFFERENCE], MILTON JAY
JR. AND VENNISEE AND ROOKS WERE AFFORDED A
"REALISTIC" MEANINGFUL OPPORTUNITY TO RELEASE AS
THE CONSTITUTION REQUIRE UNDER GRAHAM, 560 U.S. 48,
75 (2010) UNLIKE CONVICTED JUVENILE OFFENDER
CHARLES MICHAEL MITCHELL # 00189424 UNIQUE
INDIVIDUAL CASE BEFORE OUR SOUTH CAROLINA COURT
OF APPEALS..... HE WAS NOT AFFORDED NO MEANINGFUL
OPPORTUNITY TO RELEASE.

PRISONER BEFORE OUR SOUTH CAROLINA COURT OF APPEALS CASE
IS NOT BASED ON AN EXPECTANCY OF RELEASE NOR DO HE
EXPECT PAROLE BOARD NOR PAROLE AUTHORITIES TO A
FAVORABLE ENTITLEMENT TO RELEASE. IN GRAHAM V. FLORIDA
560 U.S. 48, 75 (2010) HOLDING [A] STATE IS NOT
REQUIRED TO GUARANTEE EVENTUAL FREEDOM HOWEVER THE
CONSTITUTION DO EXPECT PAROLE AUTHORITIES TO
RESPECTFULLY PROVIDE A REALISTIC MEANINGFUL OPPORTUNITY
TO OBTAIN RELEASE BASED ON DEMONSTRATED MATURITY
REHABILITATION. PRISONER CONFIRM BASED ON HIS
INDIVIDUAL CASE HISTORY HE WAS COMPLETELY DENIED NO
REALISTIC MEANINGFUL OPPORTUNITY TO RELEASE.

LEGAL MAIL

JUVENILE OFFENDER TRIAL GUILTY PLEA TRANSCRIPT CLEARLY REVEAL THAT SENTENCING COURT JUDGE ORALLY PRONOUNCED THAT HE BE COMMITTED TO THE DEPARTMENT OF CORRECTION FOR THE TERM OF HIS NATURAL LIFE. JUVENILE OFFENDER BELIEVE NATURAL CLEARLY MEANS JUST AS IT IS PLAINLY PRONOUNCED WITHOUT RELEASE NON PAROLE GRANT SENTENCE AND THAT THE ORAL SENTENCE CONSTITUTES THE JUDGMENT OF THE COURT SENTENCE AND THE WRITTEN COMMITMENT ORDER IS MERE EVIDENCE OF SUCH AUTHORITY.

SUBSTANTIAL EVIDENCE CONFIRM NATURAL LIFE SENTENCE WAS NOT PROCEDURALLY BAR UNDER 16-3-20 (A) (SUPP 1991) BECAUSE THIS STATUTE IS A LIFE OR DEATH PENALTY STATUTE PUNISHMENT. SEE STATE V. TORRENCE 305 S.C. 45, SEE 24-21-640 CIRCUMSTANCES WARRANTING PAROLE HOWEVER..... ACCORDING TO MILLER VS. ALABAMA 132 S.C.T. AT 2464 THIS TYPE OF SENTENCE WAS "CATEGORICAL BAN WHEN THE SENTENCING COURT DID NOT TAKE INTO ACCOUNT HOW "CHILDREN ARE CONSTITUTIONALLY DIFFERENT FROM ADULTS FOR PURPOSE OF SENTENCING."

SUBSTANTIAL EVIDENCE CONFIRM WHILE STATUTE 16-3-20 (A) (SUPP. 1991) ADDRESSED PAROLE ELIGIBILITY THIS SUBSECTION PROVISION RESTRICTED ALL FORMS OF ANY TYPE OF SENTENCE REDUCEMENT FROM HIS SENTENCE. JUVENILE OFFENDER STATE AFTER THE SERVICE OF TWENTY YEARS TO BECOME ELIGIBLE HIS RELEASE IS STILL BEING RESTRICTED BECAUSE ACCORDING TO 16-3-20 (A) [SUPP. 1991]..... NOTHING CAN REDUCE THIS STATUTE MANDATORY IMPRISONMENT NOT EVEN WORK-RELEASE, EARN WORK CREDITS, PROGRAM CREDITS TO INCLUDE PAROLE. SEE S.C. JUR (26) (V) PAROLE DEFINITION BELOW :

PAROLE 11 (V.) STATES [PAROLE] IS A FORM OF EARLY RELEASE FROM PRISON BEFORE THE COMPLETION OF SENTENCE.

SUBSTANTIAL EVIDENCE CONFIRM ALL FORMS OF EARLY RELEASE FROM HIS SENTENCE WAS RESTRICTED BEFORE 20 YEARS OF ELIGIBLE AND AFTER.

LEGAL MAIL

CONVICTED JUVENILE OFFENDER CONFIRM THE SENTENCING COURT DID NOT AUTHORIZED PAROLE ELIGIBILITY BEFORE SENTENCING AND THAT THE SENTENCING COURT SENTENCE JUVENILE TO NATURAL LIFE ON AUGUST - 4 - 1992.

SUBSTANTIAL EVIDENCE REVEAL BEFORE SENTENCING ON AUGUST - 4 - 1992 STATUTE 16 - 3 - 20(A) WAS ALREADY A RESTRICTED STATUTE OF PAROLE ELIGIBILITY AND ANY FORMS OF EARLY SENTENCE REDUCTION OF HIS SENTENCE PUNISHMENT.

SUBSTANTIAL EVIDENCE CONFIRM (BEFORE) JUVENILE COMPLETED 20 YEARS OF SERVICE TO APPLY FOR CONSIDERATION FOR PAROLE EARLY RELEASE ("PAROLE GRANT") WAS AGAIN PRIOR RESTRICTED IN (1995 AMEND OF 16-3-20(A) AS A NO PAROLE OFFENSE.

SUBSTANTIAL EVIDENCE CONFIRM PAROLE ELIGIBILITY BEFORE 1995 AMEND WAS STILL CONSIDER A PRIVILEGE FORM OF EARLY RELEASE FROM HIS NATURAL LIFE MANDATORY IMPRISONMET PUNISHMENT UNDER 16-3-20(A) THAT WAS RESTRICTED INCLUDING WORK-RELEASE, GOOD TIME CREDITS, PROGRAM CREDITS WHICH NO PERSON UNDER THIS PROVISION MAY NOT RECEIVE.

CONVICTED JUVENILE OFFENDER CONFIRM [IF] PAROLE AUTHORITIES CLAIM THAT PAROLE IS A FORM OF EARLY RELEASE FROM THE REMAINDER OF A PRISONER SENTENCE AND JUVENILE WAS SENTENCE TO NATURAL LIFE..... UNDER STAUTE 16-3-20(A) (SUPP. 1991) THAT RESTRICTED ALL FORMS OF SENTENCE REDUCEMENT SUCH AS PAROLE, WORK RELEASE, EARN WORK CREDITS, PROGRAM CREDITS, OBVIOUS RELEASE WILL NOT BE POSSIBLE BECAUSE THESE ARE ALL FORMS OF EARLY RELEASE TO INCLUDE A JUVENILE OFFENDER DEMONSTRATED MATURITY AND REHABILITATION THAT THE CONSTITUTION REQUIRES PAROLE SYSTEMS TO OFFER "SOME" MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE SEE GRAHAM V. FLORIDA, 560 U.S. 48, 75 (2010) SEE MONTGOMERY V. LOUISIANA 136 S. CT. AT 736.

HISTORY

ON OCTOBER - 10 - 2018, PRISONER AND COUNSEL MRS LAURA W. YOUNG OF BLUME, FRANKLIN AND YOUNG, LLC OF COLUMBIA, SOUTH CAROLINA RESPECTFULLY NOTIFIED THE BOARD DOING A RECORDED VIDEO CONFERENCE PAROLE HEARING THAT A INTRODUCTION BY PAROLE BOARD OF CRIMINAL DOMESTIC VIOLENCE RECORD WAS NOT PRISONER RECORD BEFORE BOARD AND THAT RECORD COULD BE PRISONER FATHER RECORD.

PRISONER AND COUNSEL WAS WITHOUT PAROLE FILE REVIEW BEFORE THE COURT RULING OF [KELSEY V. SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES 441 S.C. 373, 893 S.E2D 588 2023 WL 5598698, SEE BLACKWELL V. SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES 2024 WL 2956900. CONVICTED JUVENILE OFFENDER DID NOT APPEAL HIS OCTOBER - 10 - 2018 PAROLE DENIAL DO TO BEFORE KELSEY AND OBVIOUSLY AFTER KELSEY PRISONERS DID NOT HAVE TO FILE APPEAL WITH THE S.C. ADMINISTRATIVE LAW COURT [INORDER] TO NOTIFY THE BOARD THAT PRISONER THINK HIS OR HER FILE CONTAIN SOME ERROR OR OTHER INACCURACY. [ACCORDING] TO FORM 1212 SEE DOCUMENT B, ADVISE PRISONERS TO NOTIFY THE BOARD OF THE SPECIFIC ERROR OR INACCURACY WHERE THE BOARD WILL INVESTIGATE THE INQUIRY AND NOTIFY THE INMATE OF THE ACTION. COMPELLING EVIDENCE REVEAL FORM 1212 DID NOT STATE HOW LONG A INVESTIGATION WILL TAKE TO BECOME FINALIZE WHEN REPORTED ON OCTOBER - 10 - 2018, EVIDENCE REVEAL BY REASONABLE LOGIC [ONCE] THE INVESTIGATION BECAME FINALIZE ONE WOULD ASSUME TO BE NOTIFIED ACCORDING TO FORM 1212.

CONVICTED JUVENILE OFFENDER CONFIRM HE HAD NO CONSTITUTIONAL RIGHT TO DEMAND A SPECIFIC TIME FRAME TO FINALIZE THE INVESTIGATION REPORTED ON OCTOBER - 10 - 2018, SEE BARKER V. WINGO 92 S.C.T. 2182 AT [6] CRIMINAL LAW LENGTH OF DELAY

THERE IS NO CONSTITUTIONAL BASIS FOR QUANTIFYING INTO A SPECIFIED NUMBER OF DAYS OR MONTHS THE SPEEDY TRIAL RIGHT U.S. C. A. CONST AMEND 6.

EVIDENCE CONFIRM [ONCE] THE BOARD BECAME NOTIFIED OF THE SPECIFIC ERROR ON OCTOBER - 10 - 2018 REHEARING WAS MANDATORY WHETHER PRISONER WOULD HAVE APPEALED SEE [KELSEY] OR [AFTER] THE INVESTIGATION BECAME FINALIZED THAT DETERMINE A IDENTIFIED ERROR WHETHER IT TOOK DAYS MONTHS OR YEARS TO BECOME FINALIZE. PRISONER CONFIRM HE NEVER WAIVED HIS RIGHT TO REHEARING NOR APPEAL, SEE BAKER 92 S.C.T 2182 AT [8]

ESTOPPEL NATURE AND ELEMENTS OF WAIVER. [WAIVER] IS AN INTENTIONAL RELINQUISHMENT OR ABANDONMENT OF A KNOWN RIGHT OR PRIVILEGE. SUBSTANTIAL EVIDENCE REVEAL PAROLE AUTHORITIES WAIVED CONVICTED JUVENILE OFFENDER CONSTITUTIONAL RIGHT TO REHEARING OF THE OCTOBER-10-2018 IN VIOLATION OF DUE PROCESS WHERE PAROLE GRANT COULD HAVE BEEN POSSIBLE IF NOT PAROLE AUTHORITIES WAIVER OF ERROR SEE DOCUMENT C.

ON OCTOBER-23-2024, CONVICTED JUVENILE OFFENDER WAS OFFER FOR THE FIRST TIME TO REVIEW HIS PAROLE FILE AFTER THE SOUTH CAROLINA COURT RULING OF KELSEY 441 S.C. 373 IS WHERE PRISONER DISCOVERED REPORTED CRIMINAL DOMESTIC VIOLENCE HAD WENT UNCORRECTED. [IN] ADDITION PRISONER DISCOVERED INACCURATE PREJUDICE RECORDS RANGING FROM 1977 TO 1988 THAT WERE NOT CONVICTED JUVENILE OFFENDER CRIMINAL RECORD HISTORY. ON OCTOBER-23-2024 PRISONER WAS DENIED PAROLE WHERE ON NOVEMBER-18-2024 PRISONER CONTACTED BELOW:

1. MR. TODI D. GALLMAN (ACTING DIRECTOR) OF THE SOUTH CAROLINA DEPT OF PROBATION PAROLE AND PARDON SERVICES.
2. MRS VALERIE SUBER (ASSOCIATE DIRECTOR) OF THE SOUTH CAROLINA DEPT OF PROBATION PAROLE AND PARDON SERVICES.

SEE DOCUMENT D PAGES (1-9), CONVICTED JUVENILE REQUEST FOR PAROLE RECONSIDERATION IN VIOLATION OF CONVICTED JUVENILE OFFENDER EIGHT AMENDMENT TO THE UNITED STATES CONSTITUTION AND IN VIOLATION OF AIKEN V. BYARS, 410 S.C. 534 765 S.E. 2D 572 (2014). SUBSTANTIAL EVIDENCE REVEAL ON PAGE (5) OF 1-9..... PAROLE AUTHORITIES WERE PRIOR MADE AWARE IN SPECIFIC ERROR THAT CRIMINAL DOMESTIC VIOLENCE RECORD REPORTED ON OCTOBER-10-2018 BY PRISONER AND COUNSEL THAT RECORD DID NOT BELONG TO CONVICTED JUVENILE OFFENDER. PRISONER ADVISED S.C. PAROLE AUTHORITIES ON PAGE (7) OF DOCUMENT D, THAT ALL PAROLE BOARD HEARINGS [MUST] ALL BE REHEARD WHICH WAS NOT A HARMLESS ERROR DO TO COMPELLING EVIDENCE PAROLE AUTHORITIES WERE USING PREJUDICE FALSIFIED RECORDS TO REJECT CONVICTED JUVENILE OFFENDER A REALISTIC MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE [SINCE] PRISONER FIRST INITIAL PAROLE HEARING WHERE CONVICTED JUVENILE OFFENDER REQUEST TO REMEDY THE DUE PROCESS VIOLATION TO GRANT PAROLE..... WHERE

THERE WERE PRIOR POSSIBILITIES TO A MEANINGFUL OPPORTUNITIES TO OBTAIN RELEASE BEFORE OCTOBER - 23 - 2024 IF NOT FOR PAROLE AUTHORITIES PRIOR INCORRECT RECORD THE OUTCOME COULD HAVE BEEN DIFFERENT SEE DRUMGOLD V. CALLAHAN 707 F.3d 28.

SUBSTANTIAL COMPELLING EVIDENCE REVEAL THE "EXTREMELY" UNEXPLAINED UNREASONABLE LONG DELAY IT TOOK THE SOUTH CAROLINA PAROLE AUTHORITIES TO REMOVE THEIR PRIOR INADEQUATE, INSUFFICIENT INFORMATION OF FALSE CRIMINAL RECORD FOUND BY PRISONER IN HIS PAROLE FILE SEE DOCUMENT D. PAGE (5) 1-9 THAT WERE PREPARED AT INITIAL PAROLE HEARING OF (2012), THAT WAS FINALLY DECIDED TO BE REMOVED BY S.C. PAROLE AUTHORITIES ON JANUARY - 13 - 2025; NO DOUBT EFFECTIVELY PREJUDICE AND INJURY CONVICTED JUVENILE OFFENDER CHARLES MICHAEL MITCHELL # 00189424.

CONVICTED JUVENILE OFFENDER CONFIRM HE HAS FOUND A IDENTIFIED ERROR THAT IS A SUCCESSFUL CHALLENGE OF CRUEL AND UNUSUAL PUNISHMENT IN THE CASE OF A JUVENILE OFFENDER SENTENCE TO LIFE WITH PAROLE ELIGIBILITY WHERE SOUTH CAROLINA PAROLE AUTHORITIES PRIOR RECORD ERROR HAS ACTIVELY PREJUDICE PRISONER THAT REQUIRE ATTENTION AND A RESPECTFUL REMDY OF THE WRONG WHERE THE FAILURE TO AFFORD A CORRECTIVE REMDY WOULD CONSTITUTE DEPRIVATION OF LIBERTY WITHOUT DUE PROCESS..... WHERE AFTER THE REMOVAL OF THE CONFIRMED INADEQUATE INFORMATION THAT HAD CONTRIVED TO EFFECTIVELY HELP CAUSED PRISONER TO NOT BE AFFORDED NO PRIOR REALISTIC MEANINGFUL OPPORTUNITIES TO OBTAIN RELEASE BEFORE JANUARY - 13 - 2025 SEE DOCUMENT D. PAGE (5) 1-9 WHERE THE AFFORDED PAROLE REHEARING HELD ON..... MARCH - 26 - 2025 NOT ONLY DENIED PAROLE OBVIOUS S.C. PAROLE AUTHORITIES USED THE "EXACT" SAME REASONS TO REJECT JUVENILE OFFENDER PAROLE GRANT REHEARING THAT WERE EXACT SAME REASONS PRISONER PAROLE GRANT WAS BEING DENIED WHEN PAROLE FILE RECORD CONTAINED FALSE CRIMINAL RECORDS SINCE PRISONER INITIAL PAROLE HEARING REPORTED ON HIS "REQUEST FOR PAROLE RECONSIDERATION SEE DOCUMENT D. PAGES (3) (4) 1-9..... SEE DOCUMENT F., MARCH - 26 - 2025 NOTICE OF REJECTION.

PRISONER CONFIRM THE PRIOR USAGE OF FALSE CRIMINAL RECORDS FOUND IN CHARLES MICHAEL MITCHELL # 00 189424 PAROLE FILE ON OCTOBER-23-2024 WERE MISIDENTIFICATION OF RECORDS WHICH WAS INVESTIGATED TO BE JUVENILE OFFENDER FATHER CRIMINAL HISTORY RECORDS IDENTIFIED IN ERROR AS CONVICTED JUVENILE OFFENDER CRIMINAL HISTORY SEE DOCUMENT 6 [SLED CATCH] CITIZENS ACCESS TO CRIMINAL HISTORIES.

PRISONER CONFIRM WHEN SOUTH CAROLINA PAROLE AUTHORITIES INITIALLY PREPARED THE WRONG RECORDS SINCE (2012) IN ERROR WITHOUT PROPER IDENTIFICATION OF RECORDS HISTORY FOR EXAMPLE SEE SLED CATCH PAGE (5) HIGHLIGHT DOCUMENT G AND PAGE (8) INFORMATION SUBMITTED INDICATES PRISONER FATHER IS A CONVICTED FELONY OF VIOLENCE [AND] THE MISIDENTIFICATION CRIMINAL HISTORY FOUND IN JUVENILE OFFENDER PAROLE FILE IDENTIFIED IN ERROR EFFECTIVELY WRONGFULLY CLASSIFIED CHARLES MICHAEL MITCHELL # 00 189424 CONVICTED JUVENILE OFFENDER AS A PRIOR "VIOLENT" OFFENDER CRIMINAL THAT THE PRIOR PAROLE BOARD MEMBERS IN ERROR FROM INITIAL HEARING TO OCTOBER-23-2024 CLASSIFIED PRISONER AS ONE NOT AUTHORIZED FOR PAROLE GRANT. SEE CODE OF LAWS OF SOUTH CAROLINA 1976 ANNOTATED 24-21-640 CONFIRMED ON JANUARY-13-2025. CONVICTED JUVENILE OFFENDER CONFIRM THE CONFIRMED MISIDENTIFICATION OF RECORDS THAT WAS FOUND BY PRISONER ON OCTOBER-23-2024 SEE DOCUMENT D. PAGE (5) 1 AND 2 WERE BOTH REMOVED ON JANUARY - 13- 2025 HOWEVER..... THE UNREASONABLE LONG DELAY "SEE MATTER OF WELFARE OF J.G.B. 443 N.W. 2d 867 CRIMINAL LAW THE BALANCING TEST EFFECTIVELY PREJUDICE AND INJURY JUVENILE OFFENDER FROM (2012) TO THE PRESENT DO TO NO REALISTIC MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE WAS AFFORDED BECAUSE THE PRIOR RECORD WAS CONFIRMED INCORRECT.

JUVENILE OFFENDER STATE THE PRIOR INCORRECT RECORD FROM INITIAL HEARING OF (2012).....THAT WAS FINALLY REMOVED ON JANUARY - 13 - 2025 LEFT THE PRISONER JUVENILE OFFENDER WITH NO REHEARINGS FROM (2012) TO (2022) WHICH WAS OBVIOUS NOT THE FAULT ERROR OF PRISONER AND NOT KNOWN TO PRIOR COURTS TO INCLUDE THE S.C. COURT OF APPEALS.

DUE PROCESS VIOLATION OVERLOOK BY PAROLE AUTHORITIES
BELOW:

IF..... CONVICTED JUVENILE OFFENDER "CHARLES MICHAEL MITCHELL" # 00189424 REQUEST FOR PAROLE RECONSIDERATION DOCUMENT D., PAGE (5) 1-9 SPECIFICALLY IDENTIFIED FALSE CRIMINAL RECORDS IN HIS PAROLE FILE RECORD BELOW;

1. CRIMINAL DOMESTIC VIOLENCE DATED 6/5/1992 WAS NOT HIS CRIMINAL RECORD HISTORY

2. FOUND ADDITIONAL CRIMINAL RECORDS RANGING FROM 1977 TO 1988 WAS NOT HIS CRIMINAL RECORD HISTORY WHERE IN RESPONSE TO HIS [FOUND IDENTIFIED ERROR CORRESPONDENCE LETTER] RECEIVED IN AGENCY OFFICE ON 11-25-2024 ACCORDING TO DOCUMENT E., DATED JANUARY-13-2025 "WHERE S.C. PAROLE AUTHORITIES DID NOT [REFUTE] NOR CHALLENGE NOR DISAGREE CRIMINAL FALSE RECORDS FOUND THAT PRISONER CONFIRM EFFECTED WRONGFUL DECISION MAKING BY PAROLE AUTHORITIES SINCE CONVICTED JUVENILE OFFENDER INITIAL HEARING OF (2012).
CONVICTED JUVENILE OFFENDER CONFIRM ACCORDING CODE OF LAWS OF SOUTH CAROLINA 1976 ANNOTATED 24-21-640 CIRCUMSTANCES WARRANTING PAROLE, PAROLE AUTHORITIES USAGE OF CONFIRMED FALSE RECORDS BY COMMON SENSE UNDER STATUTE EFFECTIVELY MADE CONVICTED JUVENILE OFFENDER [UNAUTHORIZED] INELIGIBLE FOR PAROLE GRANT WHICH READS AS FOLLOW BELOW:

"THE BOARD MUST NOT GRANT PAROLE NOR IS PAROLE AUTHORIZED TO [ANY] PRISONER SERVING A SENTENCE FOR A SECOND OR SUBSEQUENT CONVICTION, FOLLOWING A SEPARATE SENTENCING FOR A PRIOR CONVICTION, FOR VIOLENT CRIMES AS DEFINED IN SECTION 16-1-60. PROVIDED THAT WHERE MORE THAN ONE INCLUDED OFFENSE SHALL BE COMMITTED WITHIN A ONE-DAY PERIOD TO ONE CONTINUOUS COURSE OF CONDUCT, SUCH MULTIPLE OFFENSES MUST BE TREATED FOR PURPOSES OF THIS SECTION AS ONE OFFENSE.

SUBSTANTIAL COMPELLING EVIDENCE REVEAL, ONCE CONVICTED JUVENILE OFFENDER CORRECTLY PIN POINTED THE IDENTIFIED FALSE CRIMINAL RECORDS OF (1.) CRIMINAL DOMESTIC VIOLENCE DATED 06-05-1992 AND FOUND ADDITIONAL CRIMINAL RECORDS RANGING FROM 1977 TO 1988 [ALL]..... [SPECIFICALLY] ADDRESSED IN PRISONER " DOCUMENT REQUEST FOR PAROLE RECONSIDERATION SEE DOCUMENT D. PAGES (5) AND (7) 1-9..... IT IS OBVIOUS OBSERVABLE S.C. PAROLE AUTHORITIES DID NOT [REFUTE] NOR [DISAGREE] NOR [CHALLENGE] STILL NOT YET OF THIS DAY SEE DOCUMENT E. . PRISONER CONFIRM DESPITE PAROLE AUTHORITIES " GRANTED" PRISONER A REHEARING FOR THE 10-23-2024 PAROLE DENIAL, AND REMOVED THE FALSE CRIMINAL RECORDS A FACT STILL [OBSERVABLE] AND ACTIVE APPEALABLE, THAT PAROLE AUTHORITIES NEVER ADVISED THE S.C. ADMINISTRATIVE LAW COURT RATHER AGENCY PRIOR KNEW THEY PERPARED FALSE CRIMINAL RECORDS [OR] AGENCY DISCOVERED FALSE CRIMINAL RECORDS AFTER PRISONER REQUEST FOR PAROLE RECONSIDERATION DATED 11-18-2024.

EVIDENCE REVEAL ON DOCUMENT E. JANUARY-13-2025 IT IS UNCLER [RATHER] PAROLE AUTHORITIES WERE [UNAWARE] THEIR AGENCY PREPARED INCORRECT RECORDS, AND GRANTING PAROLE REHEARING FOR 10-23-2024 WOULD NOT [CONSTITUTE] MOOT CLAIM BECAUSE..... HAVING ACTUAL KNOWLEDGE OF USING FALSE RECORDS SINCE PRISONER FIRST INITIAL PAROLE HEARING [VERSE] BEING UNAWARE OF USING FALSE RECORDS SINCE PRISONER FIRST INITIAL PAROLE HEARING IS OBVIOUS [TWO] DIFFERENT THINGS WITH TWO DIFFERENT RESULTS BY REVIEWING THE FACTS BELOW:

IF SOUTH CAROLINA PAROLE AUTHORITIES CLAIM "ISSUE IS MOOT AND MATTER SHOULD BE DISMISSED" BEFORE THE S.C. COURT OF APPEALS [MOOT] CLAIM WOULD COME IN DIRECT CONFLICT OF CONTROVERSIAL WITH THE S.C. COURT OF APPEALS "DECISION OF STATE V. MITCHELL 2021 6066794. IN STATE VS. MITCHELL "COURT CLAIM" CHARLES MICHAEL MITCHELL II 00189424 CONVICTED JUVENILE OFFENDER WAS NOT ONE OF THE CLASS OF OFFENDERS ENTITLED TO RESENTENCING BECAUSE HE WAS SENTENCE TO LIFE WITH THE POSSIBILITY OF PAROLE..... [SPECIFICALLY] ADDRESSING GRAHAM V. FLORIDA, 560 U.S. AT 75

["HOLDING"]..... A STATE IS NOT REQUIRED TO GUARANTEE EVENTUAL FREEDOM BUT MUST PROVIDE " SOME MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE BASED ON DEMONSTRATED MATURITY AND REHABILITATION SEE..... MONTGOMERY V. LOUISIANA 577 U.S. 190 212 (2016).

CONVICTED JUVENILE OFFENDER CHARLES MICHAEL MITCHELL #00189424 "CONFIRM" MOOT CLAIM OR MOTION TO DISMISS BEFORE THE SOUTH CAROLINA COURT OF APPEALS WOULD DRAW FULL ATTENTION TO THE "HOLDING" IN GRAHAM V. FLORIDA IN VIOLATION OF S.C. PAROLE AUTHORITIES ADMITTED "PREPARATION OF FALSE RECORDS" SINCE CONVICTED JUVENILE OFFENDER FIRST INITIAL PAROLE HEARING WOULD "ABSOLUTELY" NOT SATISFY FAIR "FUNDAMENTAL DUE PROCESS REQUIREMENT TO A MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE.

PRISONER CONFIRM "THE USAGE OF THE FALSE RECORDS" PRIOR CONVICTIONS [BEFORE] REMOVING ON JANUARY - 13 - 2025 TOTALLY ELIMINATED ALL PRIOR AVAILABLE POSSIBLE OPPORTUNITIES TO OBTAIN RELEASE TO DEMONSTRATE MATURITY GROWTH AND REHABILITATION FROM 2012 TO 2025. COMPELLING EVIDENCE WOULD REVEAL THE PREPARED FALSE CRIMINAL RECORDS BY PAROLE AUTHORITIES OBVIOUSLY CREATED A "NEGATIVE" CHARACTER OF A "IRREDEEMABLE" CONVICTED JUVENILE OFFENDER THE [RARE] TOTAL OPPOSITE OF ONE WHO'S NOT FIT TO RETURN TO "SOCIETY". THE FALSE PRIOR CRIMINAL RECORDS USAGE FROM 2012 TO 2024 CONFIRMED OF JANUARY - 13 - 2025 "INDICATE" ONE WHO LACKS MATURITY GROWTH AND LACK OF REHABILITATION SEE A PERFECT EXAMPLE OF CASES BELOW:

VENNISEE V. STATE 42 FLA L WEEKLY [D2170], 235 SO. 947 (FLA. 3d DCA OCT-11-2017)..... "HOLDING" THAT A DEFENDANT IS NOT ENTITLED TO RELIEF UNDER MILLER WHERE HE CAN NOT "MAKE" A THRESHOLD SHOWING THAT THEY EFFECTIVELY RECEIVED A SENTENCE OF LIFE WITHOUT PAROLE [OR] A SENTENCE THAT FAILED TO AFFORD THEM A MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE.

IN [VENNISEE V. STATE 235 SO.3D] COURT CASE "DEFENDANT SENTENCED AS A JUVENILE TO LIFE IN PRISON WITH THE POSSIBILITY OF PAROLE WAS NOT ENTITLED TO RELIEF WHERE HE HAD BEEN RELEASED ON PAROLE AND HIS PAROLE WAS REVOKED..... "BECAUSE" HE COMMITTED A NEW OFFENSE AS AN ADULT. SEE ROGERS V. STATE, 223 SO.3D 281 (FLA.4TH DCA 2017) THE FORTH DISTRICT HELD..... "WHAT" [GRAHAM VS. FLORIDA] REQUIRE AND WHAT S.C. PAROLE AUTHORITIES "OVERLOOKED" IN IN ROGERS VS. STATE THAT HE HAD AN OPPORTUNITY FOR RELEASE WHERE INFACIT RELEASED TWICE ON PAROLE..ID AT 282, SEE CURRIE V. STATE 219 SO.3D 960 [FLA 1ST DCA 2017].

CONVICTED JUVENILE OFFENDER BEFORE OUR SOUTH CAROLINA PAROLE AUTHORITIES CONFIRM [UNLIKE] VENNISEE, ROGERS, AND CURRIE V. STATE ABOVE..... "THEY" WERE AFFORDED A REALISTIC MEANINGFUL OPPORTUNITY TO RELEASE HOWEVER IN THE CASE OF S.C. CONVICTED JUVENILE OFFENDER CHARLES MICHAEL MITCHELL # 00189424 FROM HIS "INITIAL" PAROLE HEARING OF 2012 TO 3-26-2025 PAROLE REHEARING NO REALISTIC MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE WAS AFFORDED "DO TO THE PREPERATION OF FALSE RECORDS BEGINNING AT INITIAL HEARING 2012 "EFFECTIVELY" MADE PRISONER [UNAUTHORIZED] FOR PAROLE GRANT UNDER 24-21-640 UNTIL JANUARY-13-2025 WHEN PAROLE AUTHORITIES "CLAIM" THEY REALIZE PRISONER PAROLE FILE PRIOR RECORD WAS INCORRECT IS WHAT VIOLATE CHARLES MICHAEL MITCHELL # 00189424 EIGHTH AND FOURTEENTH AMENDMENT TO THE U.S. CONST; THAT CAN NOT AND WILL NOT "SATISFY DUE PROCESS" [MOOT] CLAIM BY PAROLE AUTHORITIES..... "JUST BECAUSE" PAROLE AUTHORITIES REMOVED THE IDENTIFIED FALSE CRIMINAL RECORDS AND GRANTED PRISONER (1) REHEARING WHERE EVEN REHEARING HELD ON 3-26-2025 STILL RESULTED IN A CLEAR DEMONSTRATION FUNCTIONALLY EQUIVALENT TO "LIFE WITHOUT PAROLE.

SEE MILTON JAY JR APPELLANT 25 SO. 3D 326 DISTRICT COURT OF APPEAL OF FLORIDA AT [2].

SUFFICIENT SUBSTANTIAL REASONS TO RESPECTFULLY
REQUEST FOR GRACE OF CONDITIONAL RELEASE:

CONVICTED JUVENILE OFFENDER EIGHTH AMENDMENT OF CRUEL AND UNUSUAL PUNISHMENT "COME INTO PLAY" THAT ONCE SOUTH CAROLINA PAROLE AUTHORITIES CONFIRMED ON JANUARY - 13 - 2025 THAT PAROLE AUTHORITIES PRIOR RECORD WERE INCORRECT..... IT IS TO BE CLEARLY UNDERSTOOD PRISONER "REQUEST FOR PAROLE RECONSIDERATION" WAS TO COMPEL SOUTH CAROLINA PAROLE AUTHORITIES TO STOP USING FALSE RECORDS TO REPEATIVELY REJECT CONVICTED JUVENILE OFFENDER A REALISTIC MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE OBVIOUSLY IT IS TO BE CLEARLY NOTICE ON THE FACE OF PRISONER REQUEST FOR PAROLE RECONSIDERATION SEE DOCUMENT D. PAGE (1) FOR CONFIRMATION.

IN THE CASE OF CONVICTED JUVENILE OFFENDER CHARLES MICHAEL MITCHELL #00189424..... PRISONER [HAD TO REQUEST] FOR A REHEARING, BECAUSE PAROLE AUTHORITIES REPEATEDLY REFUSE TO REMOVE PREJUDICE FALSE RECORDS FROM PRISONER PAROLE FILE RECORD THAT HAD CAUSED "MULTIPLE" WRONGFUL DECISION MAKING SINCE PRISONER INITIAL PAROLE HEARING OF HIS ONLY AFFORDED [MECHANISM] TO OBTAIN RELEASE WAS BY GRACE OF PAROLE GRANT BY "PROVIDING" SUBSTANTIAL PROOF OF FOUND FALSE CRIMINAL HISTORY LOCATED IN PRISONER PAROLE FILE RECORD SEE DOCUMENT D. PAGES (5) AND (7) 1-9.

SUBSTANTIAL COMPELLING EVIDENCE CONFIRM THE REMOVAL OF THE FALSE RECORD AND THE NEW HEARING SCHEDULE ON MARCH - 26 - 2025 OBVIOUSLY DID NOT CURE VIOLATION OF THE 8TH AND 14TH AMENDMENT TO THE U.S. CONST; DO TO THE REHEARING WAS MANDATORY REGARDLESS WITHOUT HAVING BEING FORCE TO REQUEST FOR IT..... SEE KELSEY V. SOUTH CAROLINA DEPT OF PROBATION, PAROLE AND PARDON SERVICES 441 S.C. 373. EVIDENCE REVEAL IF PRISONER WOULD NOT HAVE REQUESTED FOR REHEARING SEE DOCUMENT D. PAGES 1-9

SOUTH CAROLINA PAROLE AUTHORITIES WOULD NOT HAVE REMOVED THE FALSE RECORD AND NO REHEARING WOULD NOT HAVE BEEN AFFORDED.

CONVICTED JUVENILE OFFENDER CONFIRM THE [RESCHEDULE] REHEARING HELD ON MARCH - 26 - 2025 THAT STILL RESULTED IN A EFFECTIVE PAROLE DENIAL IS CHALLENGE UNDER THE 8TH AMENDMENT LEAVING CONVICTED JUVENILE OFFENDER ONLY OPTION IS TO RESPECTFULLY REQUEST FOR CONDITIONAL RELEASE.

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CONVICTED JUVENILE OFFENDER CONFIRM IF FORM 1212 SEE DOCUMENT B. "CRITERIA" FOR PAROLE CONSIDERATION CONFIRM S.C. PAROLE AUTHORITIES PREPARE RECORDS FOR THE PAROLE BOARD AND IT COMES PART OF THE INMATE PAROLE FILE..... WHERE OBVIOUS FROM A REVIEW OF DOCUMENT E. ON JANUARY - 13 - 2025 PAROLE AUTHORITIES DETERMINE THEIR (OWN) AGENCY PREPARED INCORRECT PRIOR RECORDS IDENTIFIED BY PRISONER [OBVIOUS] MANDATE REOPENING OF JUVENILE OFFENDER INITIAL PAROLE HEARING TO ATTEMP TO RESOLVE THE 8TH AND 14TH AMENDMENT OF U.S. CONST; VIOLATION DO TO THE JANUARY - 13 - 2025 ADMITTED LETTER IS CONSIDER "NEW INFORMATION" THAT WOULD REVEAL TO "COMPETENT COURT" SEE THE HONORABLE CHIP HUGGINS 2010 WL 4982611 S.C. CODE 24-21-13 (A)(2)(B) THAT BY LOGIC "PAROLE BOARD" DO NOT PREPARE THE RECORD BECAUSE ACCORDING TO FORM 1212 THE RECORD IS PREPARED THROUGH INVESTIGATION CONDUCTED FOR THE PAROLE BOARD [WHO] IS RELYING ON INITIAL INVESTIGATION INFORMATION TRANSFERRED TO THEIR DEPARTMENT TO RELY ON AND WHICH COMES PART OF THE INMATE PAROLE FILE. EVIDENCE REVEAL BY LOGIC THE PAROLE BOARD COULD NOT HAVE KNOWN. AT INITIAL PAROLE HEARING THAT PAROLE AUTHORITIES PREPARED [PREJUDICE] FALSE CRIMINAL RECORDS. SEE CARL J. MONROE V. THIGPEN 932 F.2D 1437 AT [2], PARDON AND PAROLE "EVIDENCE AND MATTERS CONSIDERED CONFIRM..... "WHILE" PAROLE STATUTE CONFERRED NO LIBERTY INTEREST IN PAROLE IT DID NOT GRANT BOARD DISCRETION TO RELY UPON ADMITTEDLY FALSE INFORMATION IN DETERMING WHETHER TO GRANT PAROLE CONST. AMEND 14. SEE STRADER V. TROY, 571 F.2D 1263, 1266 (4TH CIR. 1978). SEE TOWNES V. JARVIS 577 F.3d 543 AT [1] FOR CONTROVERSY TO BE MOOT, IT MUST LACK AT LEAST ONE OF THREE REQUIRED ELEMENTS OF ARTICLE III STANDING: (1) INJURY IN FACT, (2) CAUSATION, OR (3) REDRESSABILITY CONST ART. 3 2, CL 1.

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CONVICTED FIRST TIME JUVENILE OFFENDER CHARLES MICHAEL MITCHELL # 00 189424 CONFIRM JUST AS THE PAROLE BOARD THAT HE COULD NOT HAVE KNOWN AT THE BEGINNING OF HIS INITIAL PAROLE HEARING THAT THE PAROLE BOARD WERE RELYING ON FALSE RECORDS SINCE (2012)..... ESPECIALLY WHEN PRIOR FILES WERE CONSIDER BY STATUTE CONFIDENTIAL AND PRIVILEGE SEE DOCUMENT E., PRISONER CONFIRM THESE FILES WERE CONFIDENTIAL FROM HIS FIRST PAROLE HEARING OF 2012 TO 2024.

SUBSTANTIAL COMPELLING EVIDENCE CONFIRM WHEN S.C. PAROLE AUTHORITIES FINALLY NOTIFIED CONVICTED JUVENILE OFFENDER ON JANUARY-13-2025 IS A RESPECTFUL "REDRESSABILITY CLAIM..... BECAUSE OBVIOUS JUVENILE OFFENDER WAS "CLEARLY" INJURY. ACCORDING TO UNITED STATES CONSTITUTION UNDER GRAHAM V. FLORIDA 560 AT 75, [CHARLES MICHAEL MITCHELL # 00 189424 CONVICTED JUVENILE OFFENDER "REALISTIC MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE BASED ON DEMONSTRATED MATURITY AND REHABILITATION..... WAS SUPPOSE TO START AT HIS INITIAL HEARING OF 2012 HIS REALISTIC MEANINGFUL RELEASE..... WAS NOT SUPPOSE TO START AFTER PAROLE AUTHORITIES DECIED TO REMOVE THE FALSE CRIMINAL RECORD ON JANUARY-13-2025 IT IS A CLEAR 8TH AMENDMENT VIOLATION..... OF CRUEL AND UNUSUAL PUNISHMENT. CONVICTED JUVENILE OFFENDER CLAIM THE UNREASONBLE DELAY TO AFFORD JUVENILE OFFENDER HIS REALISTIC MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE BEFORE JANUARY-13-2025 VIOLATES THE PLEA STATUTE OF 16-3-20(A) (SUPP 1991) IF SOUTH CAROLINA COURT OF APPEALS CLAIM PRISONER WAS SENTENCE TO PAROLE ELIGIBILITY.

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SUBSTANTIAL COMPELLING EVIDENCE CONFIRM "WHEN S.C. PAROLE AUTHORITIES BOARD BECAME ACTUALLY AWARE ON OCTOBER - 10 - 2018..... THAT PRISONER THINK HIS FILE CONTAINED INADEQUACY INFORMATION PRISONERS DON'T HAVE TO APPEAL TO ADMINISTRATIVE LAW COURT [INORDER] TO NOTIFY THE BOARD BEFORE "KELSEY V. SOUTH CAROLINA DEPT OF PROBATION, PAROLE AND PARDON SERVICES 441 S.C. 373 EVIDENCE CONFIRM OF DOCUMENT B. CRITERIA FOR PAROLE CONSIDERATION "PRISONERS" HAD TO WAIT ON PAROLE AUTHORITIES TO NOTIFY THE INMATE OF THE ACTION TAKEN OBVIOUS AFTER THE INVESTIGATION WHERE FORM (1212) CAN NOT LIE. FOR PROOF PRISONER FILE HIS SECOND REQUEST FOR REHEARING ON NOVEMBER - 18 - 2024 BEFORE HE FILED HIS APPEAL TO THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT ON DEC - 9 - 2024, HIS REQUEST FOR PAROLE RECONSIDERATION SEE DOCUMENT D. , SEE DOCUMENT E JANUARY - 13 - 2025 LETTER IN RESPONSE PAROLE AUTHORITIES CONFIRM THEY RECEIVED MY CORRESPONDENCE LETTER IN THEIR OFFICE ON 11-25-24 PROVE THAT JUVENILE OFFENDER ON OCT-10-2018 DID NOT HAVE TO FILE AN APPEAL TO THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT BEFORE [KELSEY V. SOUTH CAROLINA DEPT OF PROB, PAROLE AND PARDON SERVICES IN ORDER TO NOTIFY THE BOARD THAT HE THINK HIS FILE CONTAIN SOME ERROR OR INADEQUACY.

SUBSTANTIAL COMPELLING EVIDENCE CONFIRM S.C. PAROLE AUTHORITIES INTENTIONLY WAIVED CONVICTED JUVENILE OFFENDER OCTOBER - 28 - 2018 REQUEST FOR REHEARING OF OCTOBER - 10 - 2018 HIS FIRST OFFICIAL REQUEST FOR A REALISTIC MEANINGFUL OPPORTUNITY TO OBTAIN BASED ON DEMONSTRATED MATURITY AND REHABILITATION REQUIRE UNDER GRAHAM V. FLORIDA 560 AT 75 AND DENIED AGAIN ON MARCH - 26 - 2025.

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CONVICTED JUVENILE OFFENDER CONFIRM BEFORE OUR S.C. COURT OF APPEALS ACCORDING TO "NAPUE V. ILLINOIS" 360 U.S. AT 269, 79 S.C.T. 1173 TO..... ESTABLISH A NAPUE VIOLATION, A DEFENDANT [MUST] SHOW THAT THE STATE KNOWINGLY SOLICITED FALSE TESTIMONY OR KNOWINGLY ALLOWED IT TO GO UNCORRECTED WHEN IT APPEARED, AND IF THE DEFENDANT MAKES THAT SHOWING, A NEW TRIAL IS WARRANTED SO LONG AS THE FALSE TESTIMONY "MAY HAVE" HAD AN EFFECT ON THE OUTCOME OF THE TRIAL, "Id AT 272, 79 S.C.T. 1173 - THAT IS IF IT IN ANY REASONABLE LIKELIHOOD [COURT HAVE AFFECTED THE JUDGMENT OF THE JURY OR IN CONVICTED JUVENILE OFFENDER CASE THE PAROLE BOARD AND PAROLE AUTHORITIES DECISION MAKING.

CONVICTED JUVENILE OFFENDER [NO DOUBT] HAS SUCCESSFULLY DEMONSTRATE TO OUR S.C. COURT OF APPEAL'S AND OUR S.C. PAROLE AUTHORITIES A "SUCCESSFUL" NAPUE VS. ILLINOIS VIOLATION BY COMPELLING EVIDENCE AND MILLER V. ALABAMA, 132 S. CT. 2455 (2012), SEE AIKEN V. BYARS, 410 S.C. 534, 544 (2014) SEE GRAHAM V. FLORIDA, 560 U.S. 48, 75 (2010), SEE MONTGOMERY V. LOUISIANA, 136 S. CT. AT 736..... WHERE THIS COURT GAVE, EXAMPLES OF SPECIFIC EVIDENCE THAT WOULD BE RELEVANT TO PAROLE CONSIDERATIONS FOR MONTGOMERY TO REMEDY THE MILLER VIOLATION BY CONSIDERING THEM FOR PAROLE, RATHER THAN RESENTENCING THEM., MARYLAND RESTORATIVE JUSTIC INITIATIVE V HOGAN NO. CVELH-16-1021, 2017 WL 467731 (D. Md. FED. 3, 2017). SEE MILTON JAY JR. V. THE STATE OF FLORIDA 252 SO. 3D 326.

CONVICTED JUVENILE OFFENDER CONFIRM HIS 5TH AND 8TH AND 14TH AMENDMENT TO THE U.S. CONST, ARE BEING VIOLATED THAT WHEN CONVICTED JUVENILE OFFENDER WAS FINALLY (NOTIFIED) ON JANUARY-13-25 SEE DOCUMENT E., THAT HIS PRIOR RECORD WAS

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INCORRECT, " COMPELLING EVIDENCE REVEAL " CONVICTED JUVENILE OFFENDER CHARLES MITCHELL #00189424 WAS NOT ONLY " ENTITLED " TO THE OCTOBER - 23 - 2024 REHEARING; PRISONER WAS ACTUALLY ENTITLED TO ALL WRONGFUL PAROLE DENIALS THAT WERE EFFECTED BY THE USAGE OF THE FALSE RECORD TESTIMONY BEFORE (2024). CONVICTED JUVENILE OFFENDER CLAIM BY COMPELLING EVIDENCE TO OUR S.C. COURT OF APPEALS, PAROLE AUTHORITIES OBVIOUS UNEXPLAINED UNREASONABLE LONG DELAY TO REMOVE THE FALSE RECORDS ENTER AT JUVENILE OFFENDER INITIAL HEARING IN SERIOUS ERROR AND THE UNREASONABLE LONG DELAY TO NOTIFY PRISONER IN A TIMELY FASHION " WHEN " ALSO BOUGHT TO THE S.C. PAROLE AUTHORITIES FULL ATTENTION ON OCTOBER - 10 - 2018 LIVE PAROLE CONFERENCE HEARING NO DOUBT HELP CAUSE..... JUVENILE OFFENDER LIFE WITH THE POSSIBILITY OF PAROLE UNDER S.C. PAROLE AUTHORITY TO EFFECTIVELY " RESEMBLE " LIFE WITHOUT PAROLE. SEE MILTON JAY JR. THE STATE OF FLORIDA 252 SO. 3d / 326.

CONVICTED JUVENILE OFFENDER CONFIRM. BEFORE OUR S.C. COURT OF APPEALS THAT WHEN PRISONER AND COUNSEL REPORTED ON OCTOBER - 10 - 2018 THAT HIS FILE CONTAINED FALSE RECORDS DOING HIS LIVE RECORDED PAROLE HEARING, AND BY OF PRISONER REQUEST FOR PAROLE REHEARING DATED OCTOBER - 28 - 2018 SEE DOCUMENT C. SUBSTANTIAL EVIDENCE CONFIRM NONREFUTE PAROLE AUTHORITIES WERE NOTIFIED PRIOR MADE AWARE.

CONVICTED JUVENILE OFFENDER CONFIRM ON OCTOBER - 23 - 2024 HE DISCOVERED THAT HIS PRIOR REPORT NOTIFY TO THE PAROLE BOARD AND PAROLE AUTHORITIES REPORT OF FALSE RECORDS WENT UNCORRECTED FROM 2018 WHERE HE ALSO FOUND FALSE RECORDS IN HIS PAROLE FILE FROM 1977 TO 1988 ALL REPORTED IN HIS REQUEST FOR PAROLE

RECONSIDERATION SEE DOCUMENT D. PAGES (1-9). SUBSTANTIAL COMPELLING EVIDENCE CONFIRM WHEN PAROLE AUTHORITIES CONFIRMED ON JANUARY-13-2025 THAT CHARLES MICHAEL MITCHELL# 00189424..... IDENTIFIED AN ERROR THAT DETERMINE PAROLE AUTHORITIES PRIOR RECORD WAS INCORRECT NOT (ONLY) MANDATED REHEARING FOR THE OCTOBER-23-2024 IT ALSO CONFIRMED WHEN PRISONER WAS "FINALLY" NOTIFIED FROM HIS OCTOBER-10-2018 REPORT OF FALSE RECORD THAT PRISONER THINK WAS IN HIS FILE AS "INSTRUCT BY FORM (1212) TO INVESTIGATE AND NOTIFY PRISONER OF THE ACTION TAKEN.

SUBSTANTIAL COMPELLING EVIDENCE CONFIRM THE EXTREMELY LONG OBVIOUS "UNEXPLAINED" DELAY TO REMOVE THE FALSE PREJUDICE RECORDS BOUGHT TO PAROLE AUTHORITIES ATTENTION ON OCTOBER-10-2018 BY PRISONER COUNSEL AND PRISONER BY WAY OF LIVE RECORDED PAROLE VIDEO CONFERENCE CLEARLY PREJUDICE JUVENILE OFFENDER FROM PRIOR RECEIVING ANY REALISTIC MEANINGFUL OPPORTUNITIES TO PRIOR RELEASE BASED ON DEMONSTRATED MATURITY AND REHABILITATION THAT THE CONSTITUTION REQUIRES PAROLE SYSTEMS TO OFFER.

PRISONER STATE WHEN HE FINALLY BECAME NOTIFY JANUARY-13-2025 THAT HIS PRIOR RECORD WAS INCORRECT DID NOT PROCEDURALLY BAR THE REHEARING FOR OCTOBER-10-2018, do TO PRISONER NOTIFY REPORT WAS CONFIRMED THAT HIS PAROLE PRIOR FILE WAS INCORRECT, WHEN IT WAS BOUGHT TO THE PAROLE AUTHORITIES ATTENTION AND IF THE PAROLE AUTHORITIES WERE MANDATED TO [RESCHEDULE] THE OCTOBER-23-2024 FOR REHEARING SEE DOCUMENT E., OBVIOUS THE OCTOBER-10-2018 PAROLE DENIAL WAS MANDATED AS WELL SEE DOCUMENT C., OCTOBER-28-2018 REQUEST FOR PAROLE REHEARING. PRISONER STATE THE FAILURE TO AFFORD PRISONER HIS CONSTITUTION RIGHT TO OCTOBER-10-2018 REHEARING AFTER THE INVESTIGATION DETERMINE PAROLE PRIOR RECORD WAS INCORRECT ON JANUARY-13-2025 VIOLATE NAPUE V. ILLINOIS UNDER NEWLY DISCOVERED EVIDENCE, 79 S. CT. 1173..... WHEN PAROLE AUTHORITIES ALLOWED FALSE RECORD REPORTED TO GO UNCORRECTED TO BE EFFECTIVELY USED TO REJECT JUVENILE OFFENDER ANY REALISTIC MEANINGFUL OPPORTUNITIES TO OBTAIN RELEASE.

CONVICTED JUVENILE OFFENDER CLAIM HE HAD (1) YEAR FROM JANUARY-13-2025 TO JANUARY-13-2026 TO APPEAL FROM DATE OF DISCOVERED EVIDENCE SEE (17-27-45); PRISONER TIMELY FILE NEWLY DISCOVERED EVIDENCE APPEAL ON NOVEMBER-20-2025 SEE DOCUMENT K.

SUBSTANTIAL COMPELLING EVIDENCE CONFIRM THE MARCH-26-2025, REHEARING (ONLY) ACCOUNT FOR THE OCTOBER-23-2024, PAROLE DENIAL SEE DOCUMENT E. WHICH CONFIRM HOW LONG THE REPORTED FALSE RECORD INVESTIGATION WENT UNCORRECTED BEFORE PRISONER WAS NOTIFIED ON JANUARY-13-2025 AS REQUIRE BY FORM (1212) SEE DOCUMENT B.

NOTE: FORM 1212 "CRITERIA FOR PAROLE CONSIDERATION" DID NOT STATE HOW LONG AN INVESTIGATION SHALL TAKE ONCE THE BOARD BECOME NOTIFY.

CONVICTED JUVENILE OFFENDER CONFIRM "JUST BECAUSE PAROLE AUTHORITIES DECIDED IN ERROR TO NOTIFY PRISONER ON (JANUARY-13-2025) FROM A (OCTOBER-10-2018) REPORT OF FALSE RECORD OF MISIDENTIFICATION OF RECORD THAT WAS CONFIRMED TO BE PRIOR INCORRECT RECORD..... DO NOT PROCEDURALLY BAR JUVENILE OFFENDER CHALLENGE OF 8TH AND 14TH AMENDMENT TO THE UNITED STATES CONSTITUTION WHEN INVESTIGATION BECAME FINALIZED WHERE PRISONER CHALLENGE CLAIM ON NOVEMBER-25-2025 SEE DOCUMENT K., IN VIOLATION OF NAPUE V. ILLINOIS "THAT PAROLE AUTHORITIES KNOWINGLY ALLOWED FALSE RECORDS TO GO UNCORRECTED WHEN IT APPEARED TO THEIR ATTENTION ON OCTOBER-10-2018 SEE DOCUMENT C. AND ALLOWED THE USAGE OF THE FALSE RECORD TO CONTINUE TO BE USED BY THE PAROLE BOARD AS MEANS TO HELP REJECT JUVENILE OFFENDER PRIOR AVAILABLE OPPORTUNITIES WHERE PAROLE GRANT RELEASE COULD HAVE BEEN POSSIBLE IF NOT FOR THE USAGE OF CONFIRM PRIOR INCORRECT RECORD JUVENILE LIFE WITH THE POSSIBILITY OF PAROLE WOULD NOT EFFECTIVELY RESEMBLE LIFE WITHOUT THE POSSIBILITY OF PAROLE SEE MILTON JAY JR. V. THE STATE OF FLORIDA 252 SO. 3D 326.

CONVICTED JUVENILE OFFENDER HERE WITHIN THIS BRIEF HUMBLLY REQUEST FOR CONDITIONAL REIFEASE TO

LEGAL MAIL

IN THE STATE OF SOUTH CAROLINA
COURT OF APPEALS

RECEIVED

MAY 20 2026

SC Court of Appeals

CASE NO. 2026-000521

IN THE STATE OF SOUTH CAROLINA
COUNTY OF _____

CHARLES MITCHELL # 00189424
APPELLATE

VS.

SOUTH CAROLINA DEPARTMENT OF PROBATION
PAROLE AND PARDON SERVICES
RESPONDENT

CERTIFICATE OF SERVICE

RECEIVED

APR 21 2026

SC Court of Appeals

I HEREBY CERTIFY THAT I HAVE ON THIS DAY 13 OF MARCH 2026 SERVED RECORD ON APPEAL AND BRIEF OF APPELLANT ALONG WITH ATTACH DOCUMENTS LETTERS A-L ON THE BELOW SAID PERSONS BY PLACING A COPY RECORD ON APPEAL AND A COPY OF APPELLANT BRIEF AND COPY OF ATTACH DOCUMENTS LETTERS A-I TO "DEPUTY DIRECTOR OF LEGAL SERVICES DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES POST BOX 207 COLUMBIA SOUTH CAROLINA 29202

2. THE HONORABLE RALPH K. ANDERSON III CHIEF ADMINISTRATIVE LAW JUDGE, ADMINISTRATIVE LAW COURT EDGAR A. BROWN BUILDING 1205 PENDLETON STREET, SUITE 224 AND

3. THE ORIGINAL BRIEF OF APPELLANT AND RECORD ON APPEAL AND CERTIFICATE OF SERVICE TO SOUTH CAROLINA COURT OF APPEALS JENNY ABBOTT KITCHINS CLERK OF COURT POST OFFICE BOX 11629 COLUMBIA, SOUTH CAROLINA 29211 BY DEPOSITING THE SAME IN THE UNITED STATES ALLENDALE CORRECTIONAL INSTITUTION MAIL ROOM, POSTAGE PAID

SWORN TO AND SUBSCRIBED BEFORE ME THIS 13TH DAY OF April 2026

Angela D. Rowe (L.S)
NOTARY PUBLIC

ANGELA D. ROWE
Notary Public - State of South Carolina
My Commission Expires
December 11, 2030

MY COMMISSION EXPIRES December 11, 2030

CC: TO: MRS ALLISON K. ELDER (TIME SERVED)
222 RUTHERFORD ST.
GREENVILLE, S.C. 29609

Charles M. Mitchell
CHARLES M. MITCHELL

TO: JON OZMINT (THE OZMINT FIRM LLC)
P.O. BOX 6814 COLUMBIA, S.C. 29260

NOTE: I.N.S.T. Mail Room WAS close 4/10/26

IN THE STATE OF SOUTH CAROLINA
COURT OF APPEALS

RECEIVED

APR 21 2026

SC Court of Appeals

APPEAL ORDER OF DISMISSAL
RALPH K. ANDERSON, III
CHIEF ADMINISTRATIVE LAW JUDGE

CHARLES MITCHELL # 00189424 _____ APPELLANT

VS.

SOUTH CAROLINA DEPT OF PROBATION, PAROLE AND
PARDON SERVICES _____ RESPONDENT

RECEIVED

MAY 20 2026

SC Court of Appeals

RECORD ON APPEAL

CHARLES MITCHELL #00189424
APPELLANT

CHARLES M. MITCHELL #00189424
ALLENDALE CORRECTIONAL
INSTITUTION
P.O. BOX 1151, HWY 47
FAIRFAX SC 29827

1 DEPARTMENT OF CORRECTIONS FOR THE TERM OF YOUR NATURAL LIFE.

2 MR. HARPOOTLIAN: THANK YOU, YOUR HONOR.

3 (WHEREUPON, THE GUILTY PLEA PROCEEDINGS WERE CONCLUDED)

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South Carolina Department of Probation, Parole and Pardon Services
Criteria For Parole Consideration

SC Board of Probation, Parole and Pardon Services
 P. O. Box 50666
 Columbia, SC 29250
All children Cannon

Inmate Name <i>Charles Mitchell</i>	SCDC # <i>189424</i>
--	-------------------------

Criteria For Parole Consideration

The South Carolina parole law creates no right to be released on parole. Parole in South Carolina is strictly a matter of privilege or grace. The South Carolina Board of Probation, Parole and Pardon Services has absolute discretion to grant or deny parole. As such, the publication of these parole criteria in no way creates an expectancy of release, nor does it bind the Parole Board in any way to a favorable parole decision or establish any presumptions of entitlement to parole.

In deciding whether or not to grant parole, the Parole Board considers, among other things, the inmate's record before incarceration as well as during incarceration. The record itself is prepared through investigations conducted for the Parole Board, and it becomes a part of the inmate's parole file. These files are maintained by the Department of Probation, Parole and Pardon Services and are, by the statute, privileged and confidential. The confidentiality of the parole file is far reaching; inmates themselves have no right to inspect the contents of their files. If the inmate thinks his/her file is somehow incomplete or contains some error or other inaccuracy, he/she must notify the Board of the specific error or inaccuracy. The Board will investigate the inquiry and notify the inmate of the action taken.

Inmates do, however, enjoy certain rights in the parole process. The inmate has the right to appear at his parole hearing. If the inmate fails to appear, the Board may decide his/her case in absence. The inmate has the right to be represented by an attorney, however, he/she has no right to have an attorney appointed if he/she cannot afford one. At the hearing, the inmate has the right to present witnesses and evidence on his/her own behalf, but an inmate does not have a right to confront witnesses.

In deciding whether or not an inmate should be granted parole, the Board or Panel of the Board exercises its absolute discretion to the limits allowed by state and federal law. The discretion of the Board or panel aims at protecting the best interest of both society and the inmate being considered for parole. In its concern for the protection of society's and the inmate's best interests, the Board or Panel deliberates upon the "reasonable probability" that an inmate will not again violate the law, if parole is granted. When deliberating upon the reasonable probability that an inmate will not again violate the law, the Board or Panel weighs the factors listed below. The Board or Panel, in its absolute discretion, also considers any other factors not listed below which it considers relevant in a particular case.

1. The risk the inmate poses to the community;
2. The nature and seriousness of the inmate's offense, the circumstances surrounding the offense, and the inmate's attitude toward it;
3. The inmate's prior criminal records and his/her adjustment under any previous programs or supervision;
4. The inmate's attitude toward his/her family, the victim, and authority in general;
5. The inmate's adjustment while in confinement, including his/her progress in counseling, therapy, and other similar programs designed to encourage the inmate to improve himself/herself;
6. The inmate's employment history, including his/her job training and skills and his/her stability in the work place;
7. The inmate's physical, mental and emotional health;
8. The inmate's understanding of the cause of his/her past criminal conduct;
9. The inmate's efforts to solve his/her problems, such as seeking treatment for substance abuse, enrolling in academic and vocational education courses, and in general using whatever resources the Department of Corrections has made available to inmates to help with their problems;
10. The adequacy of the inmate's overall parole plan. This includes inmates living arrangements, where he/she will live and who he will live with; the character of those with whom the inmate plans to associate in both his/her working hours and his/her off-work hours, the inmate's plans for gainful employment;
11. The willingness of the community into which the inmate will be released to receive the inmate;
12. The willingness of the inmate's family to allow him/her to return to the family circle;
13. The attitudes of the sentencing judge, the solicitor, and local law enforcement officers respecting the inmate's parole;
14. The feelings of the victim's family, and any witnesses to the crime about the release of the inmate;
15. Other factors considered relevant in a particular case by the Board.

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Reservation of Discretionary Power of the Parole Board

These criteria in no way limit the absolute discretion of the Parole Board or Panel to make parole decisions on a case-by-case basis and to grant or deny parole as it determines to be in the best interest of society and the inmate under review.

In some cases, the Board may decide that an inmate should be granted parole if the inmate completes one or more stated conditions. When this is the case, the Board may grant a parole that becomes effective when the inmate completes one or more stated conditions. Should the inmate disobey any rule or regulation of the South Carolina Department of Corrections before satisfying the stated conditions to make his parole effective, the Board may rescind the inmate's parole and treat the case as though parole had been rejected. In other cases, the Board may feel it needs more time to form its decision. In such cases, the Board may simply take the parole consideration under advisement and reschedule it at a later date. Similarly, the Board may postpone a parole hearing in order to dispose of detainers or pending charges.

If the Board rejects an inmate for parole, the inmate will be given written notice of rejection stating the reasons for rejection. Decisions of the Board have no precedential effect whatever and in no way limit the Board's absolute discretion at later parole hearings.

After rejection for parole, the procedure of scheduling of rehearing is as follows:

1. An individual serving time for a violent offense defined in §16-1-60 of the South Carolina Code of Laws 1976 will be reheard for parole two years following the date of parole rejections. Applicable legal exceptions may allow for a one year hearing.
2. An individual serving time for a nonviolent offense defined in §16-1-70 of the South Carolina Code of Laws 1976 will be reheard for parole one year following the date of parole rejections.

I certify that the above material has been explained to me, and I have received a copy.

Inmate's Signature <i>Charles Mitchell</i>	Date <i>12/16/14</i>	Witness <i>[Signature]</i>	Date <i>12/16/14</i>
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document C

10-28-2018

TO: MR. HENRY ELDRIDGE, CHAIRMAN
STATE OF SOUTH CAROLINA DEPARTMENT OF
PROBATION, PAROLE, AND PARDON SERVICE
2221 DEVINE STREET, SUITE 600 POST OFFICE
BOX 50666 COLUMBIA, SOUTH CAROLINA 29250

DEAR MR. HENRY ELDRIDGE, CHAIRMAN

RE: REQUEST REHEARING

ON THE 9-10-2018, COUNSEL FOR PAROLE ELIGIBLE STATE INMATE CHARLES MITCHELL # 00189424, MS LAURA YOUNG OF THE BLUME FRANKLIN-BEST AND YOUNG LLC, 900 ELMWOOD AVENUE, SUITE 200 COLUMBIA SOUTH CAROLINA 29201 803-765-1044 FAX 803-765-1143, DID FORWARD YOU A COPY OF A REQUESTED SPECIAL PAROLE HEARING ON ON BEHALF OF SAID STATE INMATE ABOVE, HOWEVER NO RESPONSE CAME BACK FROM THIS AGENCY, AND BECAUSE OF THIS A ERROR TOOK PLACE. SEE Montgomery v. Louisiana, 136 S.C.T. 718, 726 (2016) Miller v. ALABAMA, 132 S.C.T. 2455, 2464 (2012) AND GRAHAM v. FLORIDA, 560 U.S. 130 S.C.T. (2011) AND Aiken v. BYARS, 410 SOUTH CAROLINA SUPREME COURT 534-765 S.E.2d 572 (2014).

ON THE 10-10-2018, A PAROLE HEARING WAS HELD AT THE LIEBER CORRECTIONAL INSTITUTION FOR THE ABOVE STATE INMATE, HOWEVER NO REQUESTED SPECIAL HEARING WAS HELD FOR THE ABOVE JUVENILE HOMICIDE OFFENDER..... REASON NOT YET MADE KNOWN.....BY THIS AGENCY!
(SEE) 9-10-2018, ATTACH COPY AS DOCUMENTED TO REQUEST REHEARING, (SEE) COURT ORDER, CONCLUSION BY DEANDREA G. BENJAMIN, CHIEF ADMINISTRATIVE JUDGE, FIFTH JUDICIAL CIRCUIT CONCLUSION ATTACH COPY... PAGE 7 OF 7

IT WAS DETERMINE THAT CHARLES M. MITCHELL
PAROLE GRANT BE REJECTED FOR THE FORTH
TIME FOR ELIGIBLE REVIEW.....

VOTE COUNT: UNANIMOUS TO REJECT

THIS MATTER COMES TO YOUR ATTENTION
DUE TO SERVAL CONSTITUTION RIGHTS MAY
HAVE BEEN VIOLATED THAT NEED A
RESPECTFUL ATTENTION THAT CAN BE RESOLVED
UPON REVIEW BELDW:

(1.) CHARLES M. MITCHELL #00189424 RECORD FILES
WAS OBVIOUSLY MIXED AND COMBINED WITH
HIS FATHER RECORD FILES CHARLES M. MITCHELL
WHO BOTH HAVE THE SAME IDENTICAL FIRST,
MIDDLE AND LAST NAME...AND USED AGAINST
HIM AT HIS PAROLE HEARING WHICH HELP
DETERMINE RATHER TO GRANT PAROLE OR
REJECT LIVE BY "VIDEO CONFERENCE ON
10-10-2018, QUOTE: BY HEAD CHAIR OF
BOARD..... MR. MITCHELL WHAT HAPPEN IN
THE DDMESTIC VIOLENCE CASE. THIS
RECORDING TOOK PLACE LIVE IN THE
PRESENCE OF ATTORNEY AND FAMILY.

MR. MITCHELL #00189424 DID ATTEMP TO
CORRECT THE HEAD CHAIR BOARD OF THE
OBVIOUS INCORRECT FILE INFORMATION IN
WHICH THE HEAD CHAIR BOARD RESPONDED
QUOTE... I COULD NOT TELL. (MEANING THE
DIFFERENCE OF PERSON.)

CON.....

HISTORY ON FILE

CHARLES M. MITCHELL, SENIOR HAS SEVERAL DOMESTIC VIOLENCE OFFENSES AND NUMEROUS CRIMINAL CONVICTIONS RECORDS OFFENSES AND POOR COMMUNITY ADJUSTMENTS AND IN AND OUT JAIL RECORDS CONVICTIONS TO INCLUDING MISDEMEANORS...AND HIS NARCOTIC OFFENSES.

CLEARLY THE 10-10-2018, PAROLE HEARING HEID WAS NOT A DEMONSTRATED INDIVIDUAL FAIR DUE PROCESS PAROLE HEARING. BECAUSE THESE TWO CONDINED FILES HELP DETERMINE A UNANIMOUS TO REJECT PAROLE GRANT..... FURTHER THERE IS NO TELLING WHAT OTHER SERIOUS ERRORS ARE CONDINED WITHIN CHARLES M. MITCHELL #00189424 FILE RECORD FROM HIS FIRST PAROLE ELIGIBLE HEARING TO HIS CURRENT PAROLE REJECTION.

THE 10-12-2018, RE: NOTICE OF REJECTION FINDINGS OF FACT. CRIMINAL RECORD INDICATES POOR COMMUNITY ADJUSTMENT THAT HELP TO DETERMINE PAROLE REJECTION IS OF OBVIOUS ERROR THAT MR. MITCHELL REQUEST TO BE REVIEWED AND CORRECTED. SEE BELOW:

MR. MITCHELL # 189424. DO NOT HAVE A CRIMINAL RECORD IN THE "SUMTER COUNTY PINWOOD RESIDENCE PLAN AREA FORM 1333 DATED 5-23-2018, CONDUCTED BY PAROLE EXAMINER MS BROWN, AT THE LIEBER CORRECTIONAL I.N.S.T. SECTION (A) OF ABOVE FORM.

CON.....

PROOF OF SERVICE

I Charles Mitchell, # 00189424, CERTIFY THAT I
HAVE SERVED THE WITHIN **RE: REQUEST REHEARING**
DATED 10-28-2018. ON THE BELOW SAID PERSONS
ONE (1) COPY OF THE SAME AT THE LIEBER CORR I.N.S.T.
MAIL ROOM (UNITED STATES MAIL.) POSTAGE PREPAID ADDRESSED
TO EACH SAID PERSON BELOW:

TO: MR. HENRY ELDRIDGE, CHAIRMAN
STATE OF SOUTH CAROLINA DEPARTMENT OF
PROBATION, PAROLE AND PARDON SERVICE
2221 DEVINE STREET, SUITE 600 POST OFFICE
BOX 50666 COLUMBIA, SOUTH CAROLINA 29250

TO: MR. JERRY B. ADGER, DIRECTOR
STATE OF SOUTH CAROLINA DEPARTMENT OF
PROBATION, PAROLE AND PARDON SERVICE
2221 DEVINE STREET, SUITE 600 POST OFFICE
BOX 50666 COLUMBIA, SOUTH CAROLINA 29250

To: MR. Jodi D. BAIIMAN / ACTING DIRECTOR
DEPARTMENT OF PROBATION, PAROLE AND PARDON
SERVICES 293 GREYSTONE BOULEVARD POST
OFFICE BDX 207 COLUMBIA, SOUTH CAROLINA
29202

TO: MRS. VALERIE SUBER
DEPARTMENT OF PROBATION, PAROLE AND PARDON
SERVICES 293 GREYSTONE BOULEVARD POST
OFFICE BOX 207 COLUMBIA, SOUTH CAROLINA
29202

DATE: 11-15-2024

SUBJECT:

REQUEST TO REHEAR AND DETERMINE A
POSSIBLE GRANT OF PAROLE TO FORMALLY ATTEMP
TO RESOLUTE THE CONTINUE VIOLATED EQUAL
PROTECTION RIGHTS OF 1992 JUVENILE CONVICTED
STATE INMATE CHARLES MITCHELL #00189424
WHEN THE SCPPPS KEEP REPEATIVELY CONTINUE TO
COMBINE A NON RELATED CRIMINAL RECORDS OF NON
ANDTHER RELATED CRIMINAL RECORDS OF ANOTHER
INMATE OR PERSON PERSONAL PRIVATE FILES INTO
INTO CHARLES MITCHELL #00189424 PAROLE FILE,
PREPARING PRIOR BEFORE SENDING NOTICE OF HEARING
DATE. AND WHEN PAROLE BOARD IS DETERMING IN
VOTING RATHER JUVENILE CONVICTED STATE INMATE
CHARLES MITCHELL #00189424 SHOULD BE GRANTED
RELEASE THAT RESULTS IN A REJECT FOR RELEASE.

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Parole, Pardons and Release Services

HISTORY:

INMATE CHARLES MITCHELL #00189424 is a FIRST TIME CONVICTED JUVENILE OFFENDER OF ADULT STRAIGHT TIME SENTENCE SEVERING A LIFE WITH PAROLE ELIGIBLE SENTENCE. CONVICTED JUVENILE OFFENDER HAS NO COURT PENDING CHARGERS STATE NOR FEDERAL. CHARLES MITCHELL #00189424 PLEADED GUILTY TO HOMICIDE OF STEVEN WAYNE HAMMOND ON AUGUST-4-1992, WHICH AT THE RICHLAND COUNTY COURT, INMATE MITCHELL #00189424 WAS 17 YRS OLD WHEN THIS OFFENCE OCCURED AND THE STATE OFFER A PLEA TO 20 TO LIFE WITH PAROLE ELIGIBLE SENTENCE. NO FAMILY COURT WAS OFFER ONLY ADULT COURT PROCESS AS COURT FIELDS REVEAL.

THOSE CHILDREN THEN AND CHILDREN NOW WHO WERE UNDER THE AGE OF 18 YEARS OLD ARE CONSIDER CHILDREN CONVICTED OFFENDERS UNDER THE SOUTH CAROLINA STATE LAW / SEE **AIKEN V. BYARS 410 S.C. 534, 544 (2014)**, FOR THOSE THAT HAVE LIFE WITH PAROLE ELIGIBLE SENTENCES IT NOW FAILS TO THE PAROLE BOARD TO CONSIDER HIS YOUTH AND ITS ATTENDANT CIRCUMSTANCES TO AFFORD A TRUE MEANINGFUL DEMONSTRATION OF MATURITY AND REHABILITATION TO BE GRANTED PAROLE BY THE PAROLE BOARD.

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PAROLE HISTORY:

1. STATE INMATE CHARLES MITCHELL #00189424, FIRST APPEARED BEFORE THE SOUTH CAROLINA PAROLE BOARD IN MARCH OF 2012. MITCHELL #00189424 WAS GIVEN A NOTICE OF REJECTION ON MARCH-15-2012. THE FINDING OF FACT:
 1. NATURE AND SERIOUSNESS OF CURRENT OFFENSE
 2. INDICATION OF VIOLENCE IN THIS OR PREVIOUS OFFENSE
 3. USE OF DEADLY WEAPON IN THIS OR PREVIOUS OFFENSE

2. INMATE CHARLES MITCHELL #00189424, SECOND APPEARANCE BEFORE THE SOUTH CAROLINA PAROLE BOARD WAS IN APRIL 2014. MITCHELL #00189424 WAS GIVEN A NOTICE OF REJECTION ON APRIL-17-2014. THE FINDING OF FACT:
 1. NATURE AND SERIOUSNESS OF CURRENT OFFENSE
 2. INDICATION OF VIOLENCE IN THIS OR PREVIOUS OFFENSE
 3. USE OF DEADLY WEAPON IN THIS OR PREVIOUS OFFENSE

3. INMATE CHARLES MITCHELL #00189424, THIRD APPEARANCE BEFORE THE SOUTH CAROLINA PAROLE BOARD WAS IN JUNE 2016. MITCHELL #00189424 WAS GIVEN A NOTICE OF REJECTION ON JUNE-23-2016. THE FINDING OF FACT:
 1. NATURE AND SERIOUSNESS OF CURRENT OFFENSE
 2. INDICATION OF VIOLENCE IN THIS OR PREVIOUS OFFENSE
 3. USE OF DEADLY WEAPON IN THIS OR PREVIOUS OFFENSE

4. INMATE CHARLES MITCHELL #00189424, FOURTH APPEARANCE BEFORE THE SOUTH CAROLINA PAROLE BOARD WAS IN OCTOBER 2018. MITCHELL #00189424 WAS GIVEN A NOTICE OF REJECTION ON OCTOBER-12-2018. THE FINDING OF FACT:
 1. NATURE AND SERIOUSNESS OF CURRENT OFFENSE
 2. INDICATION OF VIOLENCE IN THIS OR PREVIOUS
 3. USE OF DEADLY WEAPON IN THIS OR PREVIOUS
 4. CRIMINAL RECORD INDICATES POOR COMMUNITY ADJUSTMENT
 5. VOTE COUNT: UNANIMOUS TO REJECT

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5. INMATE CHARLES MITCHELL #00189424, FIFTH APPEARANCE BEFORE THE SOUTH CAROLINA PAROLE BOARD WAS IN OCTOBER 2020. MITCHELL WAS GIVEN A NOTICE OF REJECTION ON OCTOBER - 28 - 2020. THE FINDING OF FACTS:
1. NATURE AND SERIOUSNESS OF CURRENT OFFENSE
 2. USE OF DEADLY WEAPON IN THIS OR PREVIOUS OFFENSE
 3. VOTE COUNT: UNANIMOUS TO REJECT
6. INMATE CHARLES MITCHELL #00189424, SIXTH APPEARANCE BEFORE THE SOUTH CAROLINA PAROLE BOARD WAS IN OCTOBER 2022. MITCHELL WAS GIVEN A NOTICE OF REJECTION ON OCTOBER - 27 - 2022. THE FINDING OF FACTS:
1. NATURE AND SERIOUSNESS OF CURRENT OFFENSE
 2. INDICATION OF VIOLENCE IN THIS OR PREVIOUS OFFENSE
 3. USE OF DEADLY WEAPON IN THIS OR PREVIOUS OFFENSE
 4. CRIMINAL RECORD INDICATE POOR COMMUNITY ADJUSTMENT
 5. INSTITUTIONAL RECORD IS UNFAVORABLE
 6. VOTE COUNT: UNANIMOUS TO REJECT
7. INMATE CHARLES MITCHELL #00189424, SEVENTH APPEARANCE BEFORE THE SOUTH CAROLINA PAROLE BOARD WAS ON OCTOBER - 23 - 2024. MITCHELL #00189424 WAS GIVEN A NOTICE OF REJECTION ON OCTOBER - 24 - 2024, LEGAL MAIL DELIVERED ON OCTOBER - 29 - 2024 AT THE KERSHAW MAIL ROOM.
THE FINDING OF FACTS:
1. OF NATURE AND SERIOUSNESS OF CURRENT OFFENSE
 2. VOTE COUNT: UNANIMOUS TO REJECT

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DISCREPANCIES

According to FORM TBD DISTRIBUTION: PPRS AND INMATE: INMATE CHARLES MITCHELL #00189424 DID AGREE TO REQUEST A REVIEW HIS PAROLE FILE. MANY DISCREPANCIES WERE FOUND THAT WAS NOT NORMAL. THIS WAS THE FIRST TIME THAT THE SCPPPS HAS OFFER CHARLES MITCHELL #00189424 TO REVIEW HIS PAROLE FILE WITHOUT MITCHELL #00189424 ASKING ABOUT IT. THIS FORM TBD WAS NEVER OFFER TO HIM DOING HIS PRIOR PAROLE HEARING. MANY ARE CONCERNED AS TO RATHER THESE DISCREPANCIES ARE INTENTIONAL THAT NOW OPEN A DOOR TO BRING TO YOUR OFFICE DEPARTMENT ATTENTION BECAUSE THE SCPPPS WERE ALREADY AWARE PRIOR BEFORE THE 10-23-2024. PAROLE HEARING.

DISCREPANCIES

1. CRIMINAL COURT RECORDS: 06-05-1992

AT THE MAGISTRATE COURT OF CRIMINAL OFFENDER OF DOMESTIC VIOLENCE, BELONG TO ANOTHER PERSON WHO HAS THE NAME OF CHARLES MITCHELL. CHARLES MITCHELL # 00189424 INDICMENT # 92-65-402260, COURT OF GENERAL SESSIONS.

2. CRIMINAL COURT RECORDS: CRIMINAL COURT RECORDS OF A ABITUAL CRIMINAL SAID PERSON CHARLES MITCHELL RANGING FROM 1977 TO 1988 ON THE PAROLE FILE OF CHARLES MITCHELL # 00189424 HIS NOT CHARLES MITCHELL #00189424 RECORD FILE. CHARLES MITCHELL #00189424 WAS BORN IN OCTOBER-12-1974 SSN: 247-39-7910.

CHARLES MITCHELL #00189424 AND FORMER ATTORNEY LAUREN W. YOUNG OF THE JOHN H. BLUME ELIZABETH FRANKLIN-BEST LAURA W. YOUNG, 900 ELMWOOD AVENUE, SUITE 200 COLUMBIA, SOUTH CAROLINA 29201 803-765-1044. WHILE AT A ACTIVE PAROLE HEARING ON THE CONFERENCE RECORDED LIVE THE SCPPPS DID QUESTION I MITCHELL #00189424 WHILE IN THE PRESENSE OF MY FORMER LAWYER LAUREN YOUNG, OF A CRIMINAL ACT OF DOMESTIC VIOLENCE ON MY PAROLE RECEIVED AS IF I MITCHELL # HAD COMMITTED THESE VIOLENT ACTS. BECAUSE OBVIOUS ITS ON CHARLES MITCHELL #00189424 PAROLE BOARD FILE RECORD. DEC 11 2024

IN RESPONSE I MITCHELL # 00189424 ASSUMED THAT THE SCPPPS WAS REFERRING TO MY FATHER CHARLES MITCHELL, EVEN LAUREN YOUNG HAD ADVISED THE SCPPPS THAT CILENT CHARLES MITCHELL # 00189424 DOES NOT HAVE A DOMESTIC VIOLENCE CRIMINAL RECORD AND THAT FILE RECORD COULD THAT OF HIS FATHER.

SEE / EFFECTIVE OCTOBER - 12 - 2021 28 C.F.R. (2.28)

FAVORABLE INFORMATION OR INFORMATION SUPPORTING PRISONER OF SUBSTANTIAL SIGNIFICANCE OR OTHER EXTRAORDINARY AND COMPELLING INFORMATION, A COMMISSIONER OR DIRECTOR MAY REOPEN A CASE AND ORDER A SPECIAL RECONSIDERATION HEARING ON THE NEXT AVAILABLE DOCKET, OR MODIFY THE PREVIOUS DECISION... THE SOUTH CAROLINA STATE LAW ALSO HAS THIS RIGHT OF FAVORABLE INFORMATION OF SUBSTANTIAL SIGNIFICANCE OR OTHER EXTRAORDINARY AND COMPELLING INFORMATION.

ONCE JUVENILE CONVICTED STATE INMATE CHARLES M MITCHELL # 00189424 AND FORMER JOHN A. BLUME ATTORNEY LAUREN W. YOUNG HEARD THE ERRORS OF THE DISCREPANCIES WE IMMEDIATELY POINTED OUT THE CLEAR ERROR LIVE VIDEO CONFERENCE... FROM THAT POINT THE SCPPPS HAD THE OBLIGATION TO INVESTIGATE THAT POINTED OUT DISCREPANCY DISAGREEMENT NOT TO IGNORE THE COMPELLING INFORMATION! SEE KELSEY V. SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES - AUG 30 - 2023 / 441 S.C. 373. SEE FRANKLIN V. SHIELDS UNITED STATES COURT OF APPEALS 4TH, SEPTEMBER - 19 - 1977 / 569 F.2d 784

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Paroles, Pardons and Release Services

CONSTITUTION IMPOSES ON PAROLE AUTHORITIES THE REQUIREMENT THAT WITHIN THE BOUNDS OF REASONABLENESS THEY SHOULD DEAL OPENLY AND FAIRLY WITH EACH PRISONER WHO IS BEING CONSIDERED FOR PAROLE, BUT WITH DISCRETION TO MAINTAIN AN APPROPRIATE BALANCE BETWEEN THE RIGHTS OF THE PRISONER AND THE LEGITIMATE CONCERNS OF THE STATE; THE PAROLE AUTHORITIES SHOULD BE ALLOWED A WIDE RANGE FOR EXPERIMENTATION AND DISCRETION AND COURTS SHOULD TREAD CAUTIOUSLY IN SUBJECTING THEM TO SPECIFIC AND INFLEXIBLE CONSTITUTIONAL STANDARDS.

Convicted JUVENILE STATE INMATE CHARLES MITCHELL #189424, REQUEST TO REOPEN HIS PAROLE REJECTION HEARING ON 10-23-2024, DO TO THE SCPPPS ABUSED THEIR ABSOLUTE DISCRETION, WHEN SCPPPS CONTINUE TO USE ANOTHER SAID PERSON NAMED CHARLES MITCHELL PERSONAL CRIMINAL FILES THAT IS NOT THE SAME INDIVIDUAL CHARLES MITCHELL #00189424; THESE ARE INFACIT (TWO) DIFFERENT PEOPLE WITH DIFFERENT (AGES) AND (SSN). Convicted JUVENILE STATE INMATE HAS HAD (7) SEVEN PAROLE BOARD HEARING, AND ALL (7) PAROLE BOARD HEARING MUST BE ALL REHEARD WHICH IS NOT A HARMLESS ERROR ACCORDING TO STATE AND FEDERAL LAWS. ITS NOW 2024 ITS STILL NOT ESTABLISH WHICH CHARLES MITCHELL FILES BELONG TO CHARLES MITCHELL #00189424 IN HIS PAROLE FILE, WHICH CAUSED THE DISCREPANCY TO TAKE PLACE IN FAILING TO PROPERLY CONDUCT A PROPER INVESTIGATION AND PROPER CORRECT THE FILES WHICH WAS INFACIT MADE AWARE PRIOR BEFORE THE PAROLE BOARD YEARS AGO BY MITCHELL #00189424 AND FORMER ATTORNEY LAUREN W. YOUNG AS MENTION... WHICH LEAD TO A UNFAVORABLE VOTE COUNT AT ALL PAROLE BOARD HEARING. /SEE INMATE MITCHELL #00189424 ALL (7) PAROLE BOARD REJECTION FINDING 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; CRIMINAL RECORD INDICATES POOR COMMUNITY ADJUSTMENT; INSTITUTIONAL RECORDS IS UNFAVORABLE; WHICH RESULTED IN A VOTE COUNT: UNANIMOUS TO REJECT FOR A CONVICTED FIRST TIME JUVENILE OFFENDER UNDER 18 YRS OLD BLACK MALE WHO HAS SERVED 32 YRS PLUS SOME MORE MONTHS. THIS IS A CLEAR SERIOUS 8TH AMENDMENT VIOLATION, PAROLE IS SAID TO BE A PRIVILEGE OR GRACE. HOWEVER IF ONES CASE IS NOT A INDIVIDUALIZED CASE BY CASE BASIS LIKE CHARLES MITCHELL #00189424 SITUATION THEN ITS A 8TH AMENDMENT VIOLATION BECAUSE EACH SAID PERSON HAS THE RIGHT TO BE HEARD AND JUDGE BY HIS/HER INDIVIDUAL PAROLE FILES OR CASES... THE SCPPPS POLICY CLEARLY, STATE THIS ON FORM (1212) RESERVATION OF DISCRETIONARY POWER OF THE PAROLE BOARD. THIS MEANS THAT THE SCPPPS DOES NOT HAVE THE POWER OR ABSOLUTE DISCRETION TO ABUSE ITS POWER BEYOND THE UNITED STATES SUPREME COURT CONSTITUTION. THE CONSTITUTION REQUIRES PAROLE SYSTEMS TO OFFER SOME MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE BASED ON DEMONSTRATED MATURITY AND REHABILITATION.

IF THE SCPPPS POLICY CREATES EQUAL DUE PROCESS ON FORM 1212 THAT THE PAROLE BOARD PANEL TO MAKE PAROLE DECISIONS ON A CASE BY CASE BASIS THEN INMATE CHARLES MITCHELL #00189424 SHOULD NOT HAVE TO KEEP TELLING THE SCPPPS TO REMOVE THE FILE OF ANOTHER DIFFERENT INMATE OR SAID PERSON NAMED CHARLES MITCHELL RECORDS OUT OF HIS PAROLE FILE THAT HAS CAUSED ALL (7) PAROLE HEARING TO BE REJECTED BASED ON (2) CHARLES MITCHELL FILES COMBINED IN ONE WHILE TAKEN CHARLES MITCHELL #00189424 UP FOR PAROLE HEARING HAVING TO OVER COME THE SCPPPS MAJOR ERROS WHEN HE CAN NOT DO TO THE SCPPPS FAILER TO CORRECT. THESE ERRORS VIOLATE JUVENILE CONVICTED OFFENDER CHARLES MITCHELL 8TH AMEND RIGHTS OF THE UNITED STATES CONSTITUTION AND LEAVES HIM WITH NO TYPE OF RELEASE AND OFFER NO TYPE OF MEANINGFUL OPPORTUNITY TO DEMONSTRATED MATURITY AND REHABILITATION GRAHAM, 560 U.S. AT 75. / SEE KELSEY V. SOUTH CAROLINA DEPT OF PROBATION, PAROLE AND PARDON SERVICES, 441 S.C. 373 SEE FRANKLIN V. SHIELDS UNITED STATES COURT OF APPEALS 4TH 569 F.2D 784.

INMATE CHARLES MITCHELL #00189424 A CONVICTED JUVENILE OFFENDER REQUEST A REOPEN OF HIS CASE FOR A RESPECTFUL PAROLE GRANT TO DEMONSTRATE MATURITY AND REHABILITATION TO RECOMEND THAT PAROLE BE GRANTED.

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Paroles, Pardons and Release Services

STATE OF SOUTH CAROLINA
COUNTY KERSHAW, LANCASTER

VERIFICATION

I. Charles Mitchell BEING DULY SWORN
UPON MY OATH, DID FORWARD "SUBJECT: REQUEST TO
REHEAR AND DETERMINE A POSSIBLE GRANT OF PAROLE
TO THE BELOW SAID PERSONS ADDRESS BELOW BY GOING
TO THE KERSHAW CORRECTIONAL INSTITUTION MAIL ROOM
4848 GOLDMINE HWY KERSHAW, SC 29067. AND THAT THESE
ALLEGATIONS SET FORTH ARE TRUE PAGES 1 - 9

Charles Mitchell

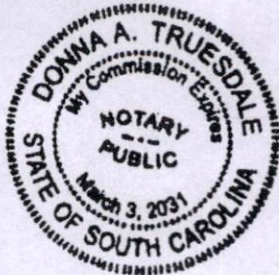
SWORN TO AND SUBSCRIBED BEFORE ME THIS
DAY OF 18th of November 2024

Donna A. Truesdale (L.S.)
NOTARY PUBLIC

MY COMMISSION EXPIRES March 03, 2031

TO: MR. JEDI D. GAIMAN / ACTING DIRECTOR
DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES, 293 CRESTSTONE BOULEVARD
POST OFFICE BOX 207 COLUMBIA,
SOUTH CAROLINA 29202

TO: MRS. VALERIE SUBER
DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES, 293 CRESTSTONE BOULEVARD
POST OFFICE BOX 207 COLUMBIA,
SOUTH CAROLINA 29202



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South Carolina
Paroles, Pardons and Release Services

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

HENRY McMASTER
Governor



CHADWICK A. GAMBRELL
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

January 13, 2025

MITCHELL, CHARLES MICHAEL (SCDC ID: 00189424)

Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, SC 29067

This letter is in response to your correspondence which was received in our office on 11/25/2024. We have received your correspondence as an official request for reconsideration of the Board's decision handed down on 10/23/2024, which denied parole. Your correspondence identified an error in the Prior Record of the parole summary packet. The hearing and file have been reviewed. After an investigation into the criminal history, we have determined that the sole listing, as it appeared in the prior record, is incorrect. We have taken steps to correct this error and will schedule you for a new hearing. We will send written notification of this hearing date approximately 30 days prior to the new hearing.

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

DOCUMENT
E



"Nation's First Probation Agency accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA)."



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

HENRY McMASTER
Governor



JAKE GADSDEN, JR.
Director

293 Greystone Boulevard
Post Office Box 207
Columbia, South Carolina 29202
Telephone: (803) 734-9220
Fax: (803) 734-9440
www.dppps.sc.gov

March 26, 2025

Mr. Charles Mitchell #00189424
Kershaw Correctional Institution
4848 Goldmine Hwy.
Kershaw, SC 29067

RE: NOTICE OF REJECTION

Dear Mr. Mitchell:

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

DOCUMENT
F.

3/26/2025

//

DOCUMENT G.

SLED CATCH
Citizens Access to Criminal Histories

Results

Name **CHARLES MITCHELL**

DOB ~~09251989~~

Gender **Male**

Maiden Name

SSN ~~00226004~~

Transaction **1260112046**

Date of Check **December 06, 2017 at 00:11**

ARREST RECORD
S.C. Law Enforcement Division
WWW

The record is based on a search using Last Name, First Initial, Gender, and Date of Birth, and SSN Only. Compare all identifying data given for record subject with screening subject. Fingerprint comparison is recommended as the most reliable means to identify a record subject.

INTERNET RAP SHEET REQUEST
ORI-SCLED0000 SID-SC00046907 FBI-***** PUR-E
ATN-WEB, ACCOUNT

AUTHORIZED USE ONLY. ***** CONTACT CONTRIBUTING
AGENCY FOR SPECIFIC/MORE DATA ABOUT CHARGES AND/OR DISPOSITIONS.
BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

PAGE-01 DATE-12/06/2017 TIME-00:11:22
REQ ORI-SCLED0000 S C LAW ENF DIV
SID-SC00046907 FBI-
NAME-MITCHELL, CHARLES MICHAEL SEX-M RACE-B
HEIGHT-507 WEIGHT-166 EYES-BRO HAIR-BLK SKIN- BORN-SC
FPC-POPMPMPM15DI12CIDI18 HENRY-12 O 31 W MMM 15
I 26 U OII

PHOTOGRAPH AVAILABLE AUTHORIZED USE ONLY
PALM PRINTS AVAILABLE AUTHORIZED USE ONLY
1-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAFIS

DATE RECORD ENTERED--N/A DATE OF LAST UPDATE--07/17/2012

ADDITIONAL IDENTIFIERS	BIRTH			
NAME	DATES	MARKS	SOC SEC	MISC NUM
MITCHELL, CHARLES	06181955	SC ABDOM		
MIXON, CHARLES	06091954	TAT L ARM		
MITCHELL, CHARLES MIKE	06061954	TAT LF ARM		
MITCHELL, CHARLES M	06091955			
MITCHELL, CHARLES MICHEAL	06051955			

CONTRIBUTOR/SUBJECT	DOA/RCVD	CHARGE/DISPOSITION/ETC
SC0400000 RICHLAND CNTY SO	01/06/1972	
CASE-50597A		
CIT-SC16-11-320		

ARREST CHARGE -HB & GL 2
COUNTS

CIT-SC16-11-320

COURT CHARGE 01-HB & L 1
COUNTS
COURT DISP-CONVICTED;2Y TO
SERVE 1Y
CUSTODY STATUS-RECEIVED
START DATE-08/07/1974

SC040055C R & E CENTER COLA
CASE-72126

SC0400000 RICHLAND CNTY SO
CASE-95370
CIT-SC16-11-320

04/04/1979

ARREST CHARGE -HB & GL
OFFENSE DATE-04/03/1979

CIT-SC16-11-320

ARREST CHARGE -HB & GL
OFFENSE DATE-04/03/1979
ARREST INFO- BOND \$2000 SURET
Y

CIT-SC17-25-30

COURT CHARGE 01-RECEIVING
STOLEN GOODS 3 CTS
COURT DISP-MULTIPLE CHARGE
ONE DISPOSITION; 10Y SUSP;
4Y CONFINED; CONCURRENT;
EACH

CIT-SC16-11-320

COURT CHARGE 02-HOUSEBREAKING
& GRAND LARCENY 2 CTS
COURT DISP-MULTIPLE CHARGE
ONE DISPOSITION
CUSTODY STATUS-RECEIVED
START DATE-09/27/1979

SC040055C R & E CENTER COLA
CASE-97521

SC0440000 UNION CNTY SO
CASE-82684
WARR-A693155
CIT-SC16-11-310

08/05/1982

ARREST CHARGE -BURGLARY
OFFENSE DATE-08/04/1982

CIT-SC16-11-320
WARR-A693155

COURT CHARGE 01-HOUSEBREAKING
& PETTY LARCENY
COURT DISP-CONVICTED;5Y SUSP;
30M CONFINED

SC040055C R & E CENTER COLA
CASE-113300
SC040015G CENTRAL PPP

COURT DATE-09/15/1982
CUSTODY STATUS-RECEIVED
START DATE-09/20/1982
CUSTODY STATUS-FURLOUGHED
START DATE-07/29/1983

MITCHELL, CHARLES MICHAEL
SC0120000 CHESTER CNTY SO

04/02/1984

ARREST CHARGE -BURGLARY 3 CTS
OFFENSE DATE-04/02/1984
PHOTOGRAPH AVAILABLE
ARREST CHARGE -GRAND LARCENY
2CTS
COURT CHARGE 01-BURGLARY 3
CTS
COURT DISP-CONVICTED;7Y CONFI
NE; ON EACH CHG TO RUN
CONCURRENT
COURT DATE-05/17/1984

COURT CHARGE 02-GRAND LARCENY
2 CTS
COURT DISP-CONVICTED;7Y CONFINE;
ON EACH CHG TO RUN CONCURRENT
COURT DATE-05/17/1984

MITCHELL, CHARLES MICHAEL
SC0120000 CHESTER CNTY SO
WARR-B001972

A04/02/1984

ARREST CHARGE -HOUSEBREAKING
AND GRAND LARCENY
OFFENSE DATE-04/02/1984
PHOTOGRAPH AVAILABLE

WARR-B001974

ARREST CHARGE -HOUSEBREAKING
AND GRAND LARCENY
COURT CHARGE 01-HOUSEBREAKING
& GRAND LARCENY 2 CTS
COURT DISP-CONVICTED;7Y CONFINE;
ON EACH CHG TO RUN CONCURRENT
COURT DATE-05/17/1984

MITCHELL, CHARLES MICHAEL

05/22/1984

ARREST CHARGE -DATE OF ARREST
NOT DETERMINED
PHOTOGRAPH AVAILABLE
COURT CHARGE 01-HOUSEBREAKING
AND LARCENY 2 COUNTS
COURT DISP-CONVICTED;7Y CONFINE;
EACH COUNT CONCURRENT
COURT CHARGE 02-HOUSEBREAKING
COURT DISP-CONVICTED;7Y CONFINE;
CONCURRENT
CUSTODY STATUS-RECEIVED
START DATE-05/22/1984

SC040055C R & E CENTER COLA
CASE-122648

MITCHELL, CHARLES MICHAEL

06/14/1985

ARREST CHARGE -DATE OF ARREST
NOT DETERMINED
COURT CHARGE 01-HOUSEBREAKING
& LARCENY
COURT DISP-CONVICTED
CUSTODY STATUS-PAROLED;PROVIS
IONAL
START DATE-06/14/1985

SC040015G CENTRAL PPP

MITCHELL, CHARLES
SC0400100 COLUMBIA PD
CASE-108745
WARR-B850052

04/12/1987

ARREST CHARGE -SIMPLE ASSAULT
OFFENSE DATE-04/12/1987
PHOTOGRAPH AVAILABLE
COURT CHARGE 01-SIMPLE ASSAULT
COURT DISP-NON-CONVICTION;
DISMISSED
COURT DATE-04/15/1987

WARR-B850052

MITCHELL, CHARLES MICHAEL
SC0400000 RICHLAND CNTY SO

01/02/1990

WARR-C591702

ARREST CHARGE -CRIMINAL DOMESTIC VIOLENCE

WARR-C591703

ARREST CHARGE -SIMPLE POSSESSION OF MARIJUANA

WARR-C591701

ARREST CHARGE -POSSESSION OF COCAINE

SC040083J WAVERLY MAGISTRATE
DOC-90014680139
WARR-C591702

COURT CHARGE 01-CRIMINAL DOMESTIC VIOLENCE
COURT DISP-CONVICTED;30D CONFINEMENT OR FINE
COURT DATE-01/30/1990

SC040083J WAVERLY MAGISTRATE
DOC-90014680137
WARR-C591703

COURT CHARGE 02-SIMPLE POSSESSION OF MARIJUANA
COURT DISP-CONVICTED;30D CONFINEMENT OR FINE
COURT DATE-01/30/1990

DOC-92GS4006079
WARR-C591701

COURT CHARGE 03-POSSESSION COCAINE
COURT DISP-CONVICTED;1Y CONFINEMENT
COURT DATE-12/04/1992

MITCHELL, CHARLES M
SC0400000 RICHLAND CNTY SO
WARR-C754932

05/21/1990

ARREST CHARGE -POSSESSION W/INTENT TO DISTRIBUTE CRACK

MITCHELL, CHARLES MICHAEL
SC0400000 RICHLAND CNTY SO
WARR-C796375

02/21/1991

ARREST CHARGE -CRIMINAL DOMESTIC VIOLENCE

CIT-16-25-20(A) -MISDEMEANOR
DOC-R84
WARR-C796375

COURT CHARGE 01-CRIMINAL DOMESTIC VIOLENCE 1ST OFFENSE
COURT DISP-CONVICTED;forfeited bond/ \$237 collected
COURT DATE-03/21/1991

MITCHELL, CHARLES M
SC0400100 COLUMBIA PD
CASE-911790
WARR-D087199

06/28/1991

ARREST CHARGE -SIMPLE ASSAULT
OFFENSE DATE-06/28/1991
PHOTOGRAPH AVAILABLE

WARR-D087199

COURT CHARGE 01-SIMPLE ASSAULT
COURT DISP-CONVICTED;\$100 BOND FORFEITED
COURT DATE-07/01/1991

MITCHELL, CHARLES MICHEAL
SC0200000 FAIRFIELD CNTY SO

08/02/1991

ARREST CHARGE -BURGLARY FIRST

CIT-16-11-312 FELONY

PHOTOGRAPH AVAILABLE

COURT CHARGE 01-BURGLARY 2ND
COURT DISP-CONVICTED;5Y
COURT DATE-11/12/1991

SC040055C R & E CENTER COLA
CASE-181897

11/26/1991 CUSTODY STATUS-RECEIVED
START DATE-11/26/1991
COURT CHARGE 01-BURGLARY 2ND
DEGREE NON-VIOLENT
COURT DISP-CONVICTED;5YRS

MITCHELL, CHARLES MICHAEL
SC0400000 RICHLAND CNTY SO
WARR-C937657 @

03/06/1992

ARREST CHARGE -CRIMINAL DOMES
TIC VIOLENCE
COURT CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE
COURT DISP-CONVICTED;30D
CONCURRENT
COURT DATE-06/05/1992

SC040093J DENTSVILLE MAGISTRAT
DOC-92064660001
WARR-C937657

SC040055C R & E CENTER COLA
CASE-181897
SC040055C R & E CENTER COLA
CIT-44-53-370 FELONY

12/04/1992 CUSTODY STATUS-RECEIVED
START DATE-12/04/1992

COURT CHARGE 01-POSSESSION
COCAINE
COURT DISP-CONVICTED;1Y CONCU
RRENT

MITCHELL, CHARLES
SC0280100 CAMDEN PD
CASE-9301407I
WARR-03248WK

12/30/1993

ARREST CHARGE -DRIVING UNDER
SUSPENSION
OFFENSE DATE-12/30/1993
COURT CHARGE 01-DRIVING UNDER
SUSPENSION
COURT DISP-CONVICTED;\$279 OR
15D
COURT DATE-01/19/1994

WARR-03248WK

MITCHELL, CHARLES MICHAEL
SC0400000 RICHLAND CNTY SO
WARR-E156192

08/01/1994

ARREST CHARGE -FAIL TO STOP
FOR BLUE LIGHT
PHOTOGRAPH AVAILABLE

WARR-E156185

ARREST CHARGE -OPERATING
UNINSURED VEHICLE, 2ND

WARR-E156194

ARREST CHARGE -DRIVING UNDER
SUSPENSION

WARR-E156183

ARREST CHARGE -UNLAWFUL USE
OF PLATE

CIT-17-25-30 MISDEMEANOR
DOC-00GS40
WARR-E156183

COURT CHARGE 01-COURT CHARGE
NOT SUBMITTED

CIT-56-10-270 (A) MISDEMEANOR
DOC-96GS4022206
WARR-E156185

COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/06/1996

CIT-17-25-30 MISDEMEANOR
DOC-00GS40
WARR-E156192

COURT CHARGE 02-OPERATING
UNINSURED MOTOR VEHICLE -
3RD OR SUB
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/06/1996

CIT-56-1-460 MISDEMEANOR
DOC-96GS4022203
WARR-E156194

COURT CHARGE 03-COURT CHARGE
NOT SUBMITTED
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/06/1996

CIT-56-5-750 (B) (1) MISDEMEANOR
DOC-95GS4022204
WARR-E156193

COURT CHARGE 04-DRIVING UNDER
SUSPENSION, NOT FOR DUI-1
ST OFF
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/06/1996

MITCHELL, CHARLES M
SCSHP0700 SC HIWAY DEPT DIST 7
WARR-S870279

09/04/1994

WARR-S870279

COURT CHARGE 05-FAILURE STOP
FOR BLUE LIGHT, NO INJURY
1ST OFF
COURT DISP-CONVICTED; JAIL 3
YRS CONCURRENT SENTENCE
COURT DATE-12/16/1996

ARREST CHARGE -DRIVING UNDER
SUSPENSION
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE
COURT CHARGE 01-DRIVING UNDER
SUSPENSION
COURT DISP-CONVICTED; SENTENCE
UNKNOWN

MITCHELL, CHARLES MICHAEL
SC0400100 COLUMBIA PD
CASE-911790
WARR-06260ZK

12/13/1994

WARR-06261ZK

WARR-06262ZK

ARREST CHARGE -DISREGARDING
STOP SIGN
PHOTOGRAPH AVAILABLE

ARREST CHARGE -DRIVING UNDER
SUSPENSION

ARREST CHARGE -SIMPLE POSSESS
ION OF MARIJUANA

MITCHELL, CHARLES M
SC0400100 COLUMBIA PD
CASE-911790
WARR-E396488

02/17/1995

ARREST CHARGE -CRIMINAL SEXUA
L CONDUCT W/A MINOR

CIT-16-3-655 (1) MISDEMEANOR
DOC-95GS4001554
WARR-E396488

PHOTOGRAPH AVAILABLE

COURT CHARGE 01-CRIM SEX
CONDUCT W/MINOR-<11YRS
OLD-1ST DEGREE
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/06/1996

SC040055C R & E CENTER COLA
CASE-231240
CIT-16-15-140 FELONY

01/25/1996 CUSTODY STATUS-RECEIVED
START DATE-01/25/1996

COURT CHARGE 01-LEWD ACT
W/MINOR
COURT DISP-CONVICTED;10 YEARS

CIT-16-17-490 MISDEMEANOR

COURT CHARGE 02-CONTRIBUTING
TO DELINQUENCY OF A MINOR
COURT DISP-CONVICTED;3YRS CS

MITCHELL, CHARLES MICHEAL
SC0140000 CLARENDON CNTY SO
CASE-SD-0006680
ATN-140000010838
WARR-M084519
CIT-16-11-313-FELONY

07/15/2010

ARREST CHARGE -BURGLARY-3RD
DEGREE 1ST OFFENSE
OFFENSE DATE-07/15/2010

WARR-M084520
CIT-16-13-30 (B) (1) -FELONY

ARREST CHARGE -GRAND LARCENY,
VALUE >\$1,000 BUT <\$5,000
OFFENSE DATE-07/15/2010

WARR-M084521
CIT-16-1-57-FELONY

ARREST CHARGE -PROPERTY OFFEN
SE, 3RD OR SUBSEQUENT
OFFENSE DATE-07/15/2010

@ - WARRANT OCCURS WITH MORE THAN ONE SID NUMBER

BASED ON SEARCH OF SCLED CJIS CCH FILE USING SID/SC00046907
THIS CRIMINAL HISTORY RECORD IS FOR SOUTH CAROLINA ARRESTS AND
CONVICTIONS ONLY AND IS BASED ON THE INFORMATION PROVIDED. SINCE
CHANGES MAY OCCUR DAILY A NEW INQUIRY SHOULD BE MADE AND NO SUBSEQUENT
USE OF THIS RECORD IS ALLOWED.

>>> *** NOTICE *** <<<

* THE SUBJECT OF THIS RECORD IS A CONVICTED SEX OFFENDER. ADDITIONAL *
* INFORMATION MAY BE OBTAINED FROM THE SOUTH CAROLINA SEX OFFENDER *
* REGISTRY AT: > WWW.SLED.SC.GOV < *

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING HANDGUN IN
SOUTH CAROLINA

INFORMATION SUBMITTED TO SLED CCH PURSUANT TO 16-23-10 (C) AND 23-31-110

(C) OF THE SOUTH CAROLINA CODE OF LAWS INDICATES THIS INDIVIDUAL HAS BEEN CONVICTED OF A CRIME OF VIOLENCE AND IS NOT PERMITTED TO POSSESS OR ACQUIRE A HANDGUN.

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING FIREARM OR AMMUNITION PURSUANT TO FEDERAL GUN CONTROL ACT OF 1968

INFORMATION SUBMITTED TO SLED CCH INDICATES THIS INDIVIDUAL HAS BEEN CONVICTED OF A FELONY ACCORDING TO THE SOUTH CAROLINA CODE OF LAWS. THEREFORE, THIS PERSON IS INELIGIBLE TO SHIP, TRANSPORT, OR RECEIVE ANY FIREARM OR AMMUNITION AFFECTED BY INTERSTATE OR FOREIGN COMMERCE, AS DEFINED BY THE GUN CONTROL ACT OF 1968 (18.U.S.C. 922(G)).

** S C CJIS END OF RECORD **

DOCUMENT
H.

BLUME FRANKLIN-BEST & YOUNG, LLC

ATTORNEYS AT LAW

JOHN H. BLUME
ELIZABETH FRANKLIN-BEST
LAURA W. YOUNG
KEIR M. WEYBLE OF COUNSEL
DAVID I. BRUCK OF COUNSEL

900 Elmwood Avenue, Suite 200
COLUMBIA, SOUTH CAROLINA 29201
PHONE: (803) 765-1044
FAX: (803) 765-1143

September 10, 2018

Jerry B. Adger, Director
South Carolina Department of Probation, Parole and Pardon Services
2221 Devine Street, Suite 600
P.O. Box 50666
Columbia, SC 29250

Re: Charles Mitchell (SCDC# 0189424)

Dear Mr. Adger:

I am counsel for Charles Mitchell, who was 17 years old at the time he was sentenced to a term of life imprisonment. Pursuant to the law in existence at the time of the offense (December 7, 1991), Mr. Mitchell first became eligible for parole in 2011. Since his initial parole eligibility date, he has been denied parole on three occasions. He is now 43 years old. As will be set forth in detail below, since Mr. Mitchell was a juvenile (under the age of eighteen) at the time of the offense, and since he did not receive the benefit of an individualized sentencing hearing as is now required by the Eighth Amendment to the United States Constitution and the South Carolina Supreme Court's decision in *Aiken v. Byars*, 410 S.C. 534, 544 (2014), it now falls to the parole board to consider his youth and its attendant circumstances and provide a meaningful opportunity for release.

Recent decisions by both the Supreme Court of the United States and the Supreme Court of South Carolina have established that juveniles are different from adults for sentencing purposes. Following the reasoning of these decisions, individuals who committed crimes when they were juveniles should receive special consideration during parole hearings and, absent strong evidence of irreparable corruption, are entitled to a meaningful opportunity for release. I write to outline the recent United States Supreme Court and South Carolina Supreme Court decisions and, in the spirit of these decisions, request a special hearing for Mr. Mitchell.

In *Miller v. Alabama*, 132 S. Ct. 2455 (2012), the Supreme Court held that juveniles convicted of a homicide offense could not be sentenced to life in prison without parole absent consideration of special circumstances including "diminished culpability and heightened capacity for change." *Id.* at 2469. *Miller's* analysis is based on previous Supreme Court holdings that certain punishments are disproportionate when applied to juveniles, violating the Eighth Amendment. *Roper v. Simmons*, 543 U.S. 551 (2005), held that the Eighth Amendment bars capital punishment for juvenile offenders, and *Graham v. Florida*, 560 U.S. 48, 75 (2010), held that the Eighth Amendment bars life without parole for juvenile nonhomicide offenders. Under *Graham*, the Constitution requires parole systems to offer "some

meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation.” *Graham*, 560 U.S. at 75.

Miller also established that a lifetime in prison is “a disproportionate sentence for all but the rarest of children, those whose crimes reflect irreparable corruption.” *Montgomery v. Louisiana*, 136 S. Ct. 718, 726 (2016), *as revised* (Jan. 27, 2016) (describing *Miller*, internal quotations omitted). In *Aiken v. Byars*, the Supreme Court of South Carolina outlined the factors that a court must consider before sentencing juveniles, including:

- (1) the chronological age of the offender and the hallmark features of youth, including “immaturity, impetuosity, and failure to appreciate the risks and consequence”;
- (2) the “family and home environment” that surrounded the offender;
- (3) the circumstances of the homicide offense, including the extent of the offender’s participation in the conduct and how familial and peer pressures may have affected him;
- (4) the “incompetencies associated with youth—for example, [the offender’s] inability to deal with police officers or prosecutors (including on a plea agreement) or [the offender’s] incapacity to assist his own attorneys”; and
- (5) the “possibility of rehabilitation.”

410 S.C. at 544 (quoting *Miller*, 132 S. Ct. at 2468). As noted above, Mr. Mitchell was a juvenile at the time of the offense and he was sentenced before *Miller* and *Aiken* and thus did not receive the benefit of the meaningful consideration of his youth at sentencing.

Most recently, in *Montgomery v. Louisiana*, the Supreme Court noted that for juveniles sentenced to life without parole a state may remedy the *Miller* violation by considering them for parole, rather than resentencing them. 136 S. Ct. at 736. The Court gave examples of specific evidence that would be relevant to parole considerations for *Montgomery*, including that he organized a prison boxing team, worked in a prison silkscreen department, and served as a role model to other inmates. *Id.*

Mr. Mitchell should also be given the opportunity to present evidence of maturity and rehabilitation. It is incumbent on the South Carolina Board of Pardons and Paroles to allow these juvenile offenders a meaningful opportunity for parole. This opportunity is not to remedy a *Miller* violation, but it is necessary to align the Board with the Supreme Court’s decisions in cases with juvenile offenders. These cases have consistently reflected an understanding that juveniles are different. They are less blameworthy for their crimes and are more amenable to rehabilitation. The Board must ensure that juveniles whose crimes reflected only transient immaturity—and who have since matured—will not be forced to serve a disproportionate sentence in violation of the Eighth Amendment. If Mr. Mitchell is not afforded a meaningful opportunity to demonstrate maturity and rehabilitation, his sentence becomes the functional equivalent of an unconstitutional sentence of life without parole. In Mr. Mitchell’s case, the all of his parole denials have been based on the nature of his original offense. Denying parole to a juvenile offender on the basis of the one thing he cannot change is inconsistent with the current legal principles relevant to deciding whether a juvenile should be released back into society.

This is exactly what a federal district court ruled when it applied the rationale of *Graham*, *Miller*, and *Montgomery* to a juvenile offender who had been sentenced to life with parole for a homicide offense, but denied multiple times. *Maryland Restorative Justice Initiative v. Hogan*, No. CV ELH-16-1021, 2017 WL 467731 (D. Md. Feb. 3, 2017). There the court rejected the State’s motion to dismiss, holding that the plaintiffs had presented a plausible claim that Maryland’s system of parole amounts to de facto life without parole because it did not provide them with a realistic and meaningful opportunity for release in violation of the Eighth Amendment. *Id.* at *27. In Maryland, while the parole board may recommend that parole be granted, the governor has exclusive authority and absolute discretion to reject any application

for parole for any reason or for no reason at all. *Id.* at *6. As a result, the court held, plaintiffs had sufficiently alleged that “Maryland’s parole system operates as a system of executive clemency, in which opportunities for release are ‘remote,’ rather than a true parole scheme in which opportunities for release are ‘meaningful’ and ‘realistic,’ as required by *Graham*.” *Id.* at *27.

This case underlines that whether a juvenile is sentenced to “life without parole” or “life with parole,” can become irrelevant. The real issues are those set forth by *Graham*: (1) whether he or she actually has received the opportunity to obtain release based on demonstrated maturity and rehabilitation, (2) whether this opportunity is “meaningful,” and (3) whether the parole system takes into account the lesser culpability of juvenile offenders. *Graham*, 560 U.S. at 75.

In light of these recent developments in the constitutional law governing juvenile sentencing, states are requiring their parole boards to follow newly implemented standards for individuals who are now adults, but were juveniles at the time of the offense. Consistent with this growing national trend, we request that the Board:

1. Offer compensation for a person with expertise in adolescent brain development and behavior to perform an evaluation of Mr. Mitchell, and require the Board to consider the written evaluation of this expert.
2. Schedule the hearing at a different time from hearings for adult offenders and allow testimony from mental health professionals and/or other witnesses.
3. In addition to the criteria applicable to all offenders already outlined by the Board, consider:
 - a. Age at the time of the offense, the hallmark features of youth, and the diminished culpability of juveniles compared to that of adults;
 - b. The incompetencies associated with youth—for example, the offender’s inability to deal with police officers or prosecutors (including on a plea agreement) or the offender’s incapacity to assist his own attorneys;
 - c. Immaturity at the time of the offense, and any subsequent growth and increased maturity of the juvenile offender during incarceration;
 - d. Home and community environment at the time of the offense;
 - e. The circumstances of the offense, including the extent of the offender’s participation in the conduct and how familial and peer pressures may have affected him;
 - f. The offender’s intellectual capacity;
 - g. Efforts made toward rehabilitation, including participation in available rehabilitative and educational programs while in prison;
 - h. Evidence of remorse; and
 - i. Any other mitigating factor or circumstance submitted by the offender.
4. Require the Board to provide specific findings of fact in support of its decision.

Only if South Carolina requires special hearings for juvenile offenders and mandates the consideration of the above factors in these hearings, will the State be in accord with the United States and South Carolina Supreme Court decisions establishing different substantive and procedural rules for cases – including parole hearings – involving juvenile offenders. We hope that your response reflects the evolving case law and that of other states.

Very truly yours,

Laura Young

Appendix

Massachusetts

See *Diatchenko v. District Attorney for Suffolk Dist.*, 1 N.E.3d 270 (Mass. 2013); *Commonwealth v. Brown*, 1 N.E.3d 259 (Mass. 2013)

1. Counsel is appointed to help with the initial application for parole for juvenile offenders convicted of first- and second-degree murder.
2. The superior court is authorized to allow payment of expert fees for the initial parole hearing.
3. Juvenile offenders are entitled to judicial review of the parole board decision.
4. The parole hearing is held in person before all seven board members.

Connecticut

S.B. 796, Jan. Sess. (Conn. 2015)

1. Counsel is appointed a year before the parole hearing for indigent juvenile offenders.
2. The board must apply special criteria in juvenile offender cases, including whether the offender has demonstrated rehabilitation considering his age at the time the crime was committed, and whether he has demonstrated remorse and increased maturity.
3. The board must use validated risk assessment and needs assessment tools and its risk-based structured decision making and release criteria in making a determination.
4. The parole hearing is held in person rather than the typical videoconference.
5. The board may permit testimony from mental health professionals or other witnesses.

California

S.B. 260 (Cal. 2013)

1. Juvenile offenders are entitled to appointed counsel for parole hearings.
2. Counsel may submit written materials before the hearing.
3. The parole board must give great weight to the diminished culpability of juveniles, the hallmark features of youth, and the subsequent growth and maturity of the juvenile offender.
4. If the board uses psychological evaluations and risk assessment tools to assess growth and maturity, the board must employ a licensed psychologist to administer the evaluations.

Louisiana

La. Rev. Stat. Ann. 15:574.4

1. The board must meet in a three-member panel and must consider a written evaluation of the juvenile offender compiled by a person with expertise in adolescent brain development and behavior, as well as any other relevant evidence.
2. The panel must provide specific findings of fact in support of its decision.
3. Counsel may submit written materials before the hearing.

West Virginia

W. Va. Code §§ 61-11-23, 62-12-13b

1. The board must ensure a meaningful opportunity for the juvenile offender to obtain release.
2. The board must consider the diminished culpability of juveniles compared to that of adults, the hallmark features of youth, and any subsequent growth and increased maturity of the juvenile offender during incarceration.
3. The board must also consider:
 - a. A review of educational and court documents;
 - b. Participation in available rehabilitative and educational programs while in prison;
 - c. Age at the time of the offense;
 - d. Immaturity at the time of the offense;

- e. Home and community environment at the time of the offense;
- f. Efforts made toward rehabilitation;
- g. Evidence of remorse; and
- h. Any other factors or circumstances the board considers relevant.

Nebraska

Legis. B. 44, 103 Leg., 1st Sess. (Neb. 2013)

1. The board must consider:

- a. The offender's participation in available rehabilitative and educational programs while incarcerated;
- b. The offender's age at the time of the offense;
- c. The offender's level of maturity;
- d. The offender's ability to appreciate the risks and consequences of his or her conduct;
- e. The offender's intellectual capacity;
- f. The offender's level of participation in the offense;
- g. The offender's efforts toward rehabilitation; and
- h. Any other mitigating factor or circumstance submitted by the offender.

SC's parole system is doing more harm than good

BY JON OZMINT

Decades of evidence proves that a functional parole system makes us all safer. Human beings don't function well without hope, and the hope of parole incentivizes good behavior and reformation, reducing costs and making prisons and society safer.

Unfortunately, even as South Carolina taxpayers continue to fund our parole agency, that agency has effectively nullified state law, eliminating parole and negatively impacting public safety.



Ozmint

In fact, our parole apparatus has become so dysfunctional and unfair that it is doing more harm than good.

False hope and systemic unfairness create levels of frustration, anger and despair that can be more dangerous than hopelessness. Our parole agency has manipulated the system to ensure that even objectively low-risk inmates who have decades of perfect behavior and proven reformation have no chance at making parole.

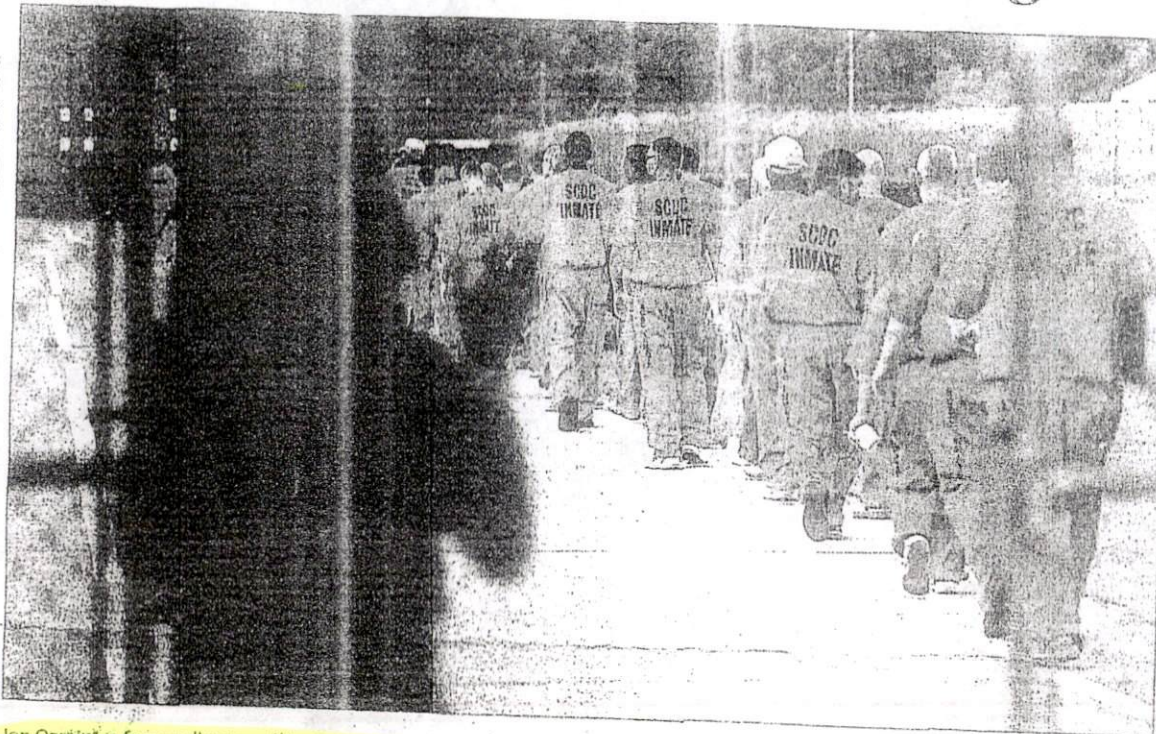
For example, there's a law that allows our agency to protect the opinions of parole agents from disclosure; it has corrupted the law in order to tip the scales against applicants by creating a secret case summary.

Instead of requesting the court transcripts at sentencing of parole-eligible defendants — an easy task — the agency admittedly includes unproven, unworn hearsay and extraneous allegations that are nowhere to be found in the judicial record.

Instead of relying on indictments and the court record, it relies on decades-old incident reports, statements and other extra-judicial materials. This often-inaccurate information is provided to the parole board as the official factual summary on which the board must rely.

These summaries can contradict judicial and law enforcement findings and investigations. It's no surprise that the agency refuses to provide these summaries to appellate courts. It's a star chamber, operating above the courts.

Or consider that our parole agency has a written rule that applicants



Jon Ozmint, a former director of the S.C. Department of Corrections, contends that the state parole system is dysfunctional and unfair.

FILE/ANDREW J. WHITAKER/STAFF

must review their parole file and notify the board of errors. Yet it refuses to allow applicants or their attorneys access to the parole record. Just let that sink in.

It gets worse. To improve the parole process, in 2010 the Legislature required the agency to start administering an objective risk assessment to each applicant. These assessments have been validated nationally and improved over decades to accurately measure risk of re-offense. They are intended to help officials make sound release decisions. This is not an agent's opinion; it's an objective assessment, paid for by taxpayers and intended to help offenders reform, reduce risk and make us all safer.

Shockingly, our parole agency responded to this legislative mandate by refusing to administer the assessment before every hearing. When it does administer the assessment, it refuses to disclose the risk assessment to offenders, attorneys or corrections officials. It's hard to fathom, but our parole agency inten-

tionally decreases public safety by prohibiting the use of this publicly funded assessment to help inmates address weaknesses.

Consistent with its practice of ignoring the objective assessment, the agency encourages board members to reject evidence-based decision-making, by ignoring objective, predictive criteria and relying exclusively on opposition witnesses and the circumstances of the crime. As one court recently noted, this approach "effectively denies eligibility for parole."

In hearing procedures, regardless of its rules, the agency allows unlimited witnesses and unlimited time to those who oppose parole, and those witnesses are allowed to appear in person with the board. But the agency allows only three witnesses for the applicant, by video only, and neither the applicant nor counsel is allowed to appear in person with the board. For applicants, time is always limited, and the board routinely cuts them off after only a few minutes. Hearings routinely last less

than five minutes, including deliberations and voting.

Recently, the agency authorized the board to limit its consideration to only 20 pages submitted by the applicant. This is a clear violation of S.C. Code Section 24-21-640, which provides that the board "shall consider the record of the inmate before, during, and after imprisonment." That doesn't say part of the record, and it doesn't allow this short cut.

Sadly, by one measure our parole agency has been quite successful: It gets paid to do little more than rubber stamp denials. Our prison system has proven that its programming works better than national records for low recidivism.

The numbers prove that Corrections Department inmates are better prepared for release than ever before. Against that backdrop, the effective parole rate in the past year — those leaving prison more than one year early — has dropped to less than 1%: 0.4%. In the year ending in April, out of 1,635 hearings, only six

inmates left prison early on parole: the proverbial rubber stamp.

Recently, more than 20 national corrections experts, representing more than 600 years of corrections and community corrections experience, signed a friend of the court brief expressing dismay at the procedures and outcomes of our board.

Lawmakers should abolish parole or else reform our parole system and transfer its work to the Department of Corrections.

If it's the former, then the millions of dollars we are currently wasting on our no-parole board and agency should be directed to our prisons to deal with the inevitable bad consequences. But the latter approach, reform, would be better. Our state would be safer with a parole agency that believed in parole for reformed offenders.

Jon Ozmint is an attorney, a former corrections director and a former prosecutor who has helped 43 lifers earn parole and reenter society successfully.

document H.

Post and Courier
Commentary
Friday, Sept 15, 2013 A9

Ozmints Parole Points

("Post and Courier" Commentary Friday, September 15, 2023 – "SC's parole system is doing more harm than good.")

1. "A functional Parole system make us all safer. Human beings don't function well without hope, and the hope of parole incentivizes good behavior and reformation, reducing costs and making prisons and society safer."
2. "Our parole apparatus has become so dysfunctional and unfair that it is doing more harm than good."
3. "False hope and systemic unfairness create levels of frustration danger and despair that can be more dangerous than hopelessness"
4. "Our parole agency has manipulated the system to insure that even objectively low-risk inmates who have decades of perfect behavior and proven reformation have no chance of making parole."
5. "For example there is a law that allows our agency to protect the opinions of parole agents from disclosure" it has corrupted the law in order to tip the scales against applicants by creating a secret case summary."
6. "Instead of requesting the court transcripts at sentencing of parole defendants – an easy task – the agency admittedly included unproven, unsworn hearsay and extraneous allegations that are no-where to be found in the judicial record."
7. "Instead of relying on indictments and the court record, it relies on decades' old incident reports, statements and other extra-judicial materials. This often inaccurate information is provided to the parole board as the official factual summary on which the board must rely. These summaries can contradict judicial and law enforcement findings in investigations. It's no surprise that the agency refuses to provide these summaries to appellate courts. It's a star chamber, operating above the courts." Or consider our parole agency has a written rule that applicants must review their parole file and notify the board of errors. Yet it refuses to allow applicants or their attorney to access to the parole record. Just let that sink in".
8. It gets worse. To improve the parole process, in 2010 the Legislature required the agency to start administering and objective risk assessment to each applicant. These assessments have been validated nationally and improved over decades to accurately measure risk of re-offense. They are intended to help officials make sound release decisions. This is not an agent's opinion;

it's an objective assessment, paid for by tax payers and intended to help offenders reform, reduce risk and make us all safer."

9. "Shockingly, our parole agency responded to this legislative mandate by refusing to administer the assessment before the hearing. When it does administer the assessment, it refuses to disclose the risk assessment to offenders, attorneys or corrections officials. It is hard to fathom, but our parole agency intentionally decreases public safety by prohibiting the use of this publicly funded assessment to help inmates address weaknesses."
10. Consistent with its practice of ignoring the objective assessment, the agency encourages board members to reject evidence-based decision making, by ignoring objective, predictive criteria and relying exclusively on opposition witnesses and the circumstance of the crime. As one court recently noted, this approach "*effectively denies eligibility for parole*."
11. "In hearing procedures, regardless of its rules, the agency allows and unlimited time to those who oppose parole, and those who oppose parole, and those witness are allowed to appear in person with the board. But the agency only allows only three witnesses for the applicant, by video only, and neither the applicant no counsel is allowed to appear in person with the board. For applicants, time is always limited, and the board routinely cuts them off after only a few minutes. Hearing routinely last less than five minutes, including deliberations and voting"
12. Recently the agency authorized the board to limit its consideration to only twenty pages submitted by the applicant. This is a clear violation of S.C. Code section 24-21-640. Which provides that the board "shall consider the record the record of the inmate before during, and after imprisonment."
13. "Sadly, by one measurement our parole agency has been quite successful; It gets paid to do little more than rubber stamp denials"
14. "Our prison system has proven that its programming works, setting national records for low recidivism."
15. "Those leaving prison more than one year early – has dropped to less than 1%;0.04%. In the year ending in April, out of 1.635 hearings, only six inmates left prison early on parole: the proverbial rubber stamp."
16. "law makers should abolish parole or else reform our parole system and transfer its work to the Department of Corrections."
17. "Our state would be safer with a parole agency that believed in parole for reformed offenders."

Certificate of Participation

This certificate has been awarded to:

Michael Mitchell

**DOCUMENT
I.**

For active participation in

"The Art Display"

Year October 2007

Libra Correctional

Cooper Unit

A. P. A.

1.

Palmetto Unified School District
Presents
This Vocational Certificate

Be It Known that CHARLES MITCHELL has satisfactorily
completed a 200 hour course of instruction in Vocational Plumbing I
and on the recommendation of the Principal and Faculty the Palmetto Unified School
District awards this certificate

Given at Ridgeville South Carolina, this 22nd day of April 2010

Bruce Castulin
Vocational Instructor
Peter Kell
Principal/Lead Teacher

Walter Burns
Vocational Director
R. Heag
Superintendent

HIS WAY Ministry

"I am Your servant, Lord ... I will give You what I promised ..."

EXODUS VIII

June 24 -26, 2011

CHARLES MITCHELL

has shared the EXODUS WEEKEND and STANDS READY to BEGIN
SUCCESSFUL PASSAGE to RE-ENTRY into FAMILY and SOCIETY.

In witness thereof, this certificate has been awarded by the HIS WAY Ministry.

Roy Price

Roy Price, MOSES, EXODUS VIII

Willie Campbell

Willie Campbell, President

Certificate of Completion

This is to certify that

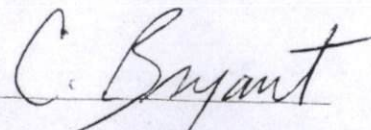
Charles Mike Mitchell

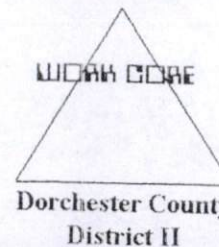
has successfully completed the

Work Smart

with Dorchester County Adult Education Workcore Program

This 27th day of October in the year of 2011


C. Bryant
Instructor



Lieber Correctional Institution

Character Living Unit

A Program of Integrity, Character, Dignity, and Truth

This certificate is awarded to

Charles Mitchell

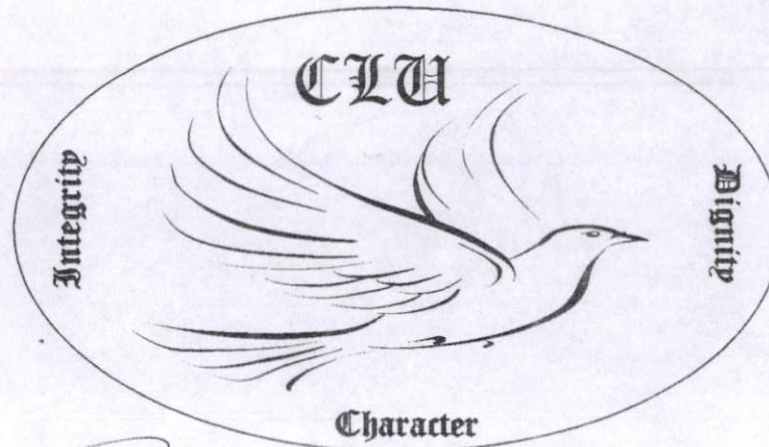
For being a Participant in the pro-social programs below during the August-November 2013 Quarter

Anger Management

Character Recovery

Pre-GED

Victim Impact



James Blackwell

James Blackwell, Associate Warden

11-02-2013

Date

Lieber Correctional Institution
Character Living Unit

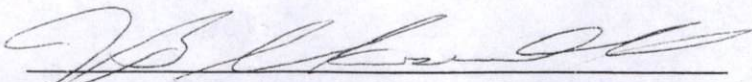
A Program of Integrity, Character, Dignity & Truth

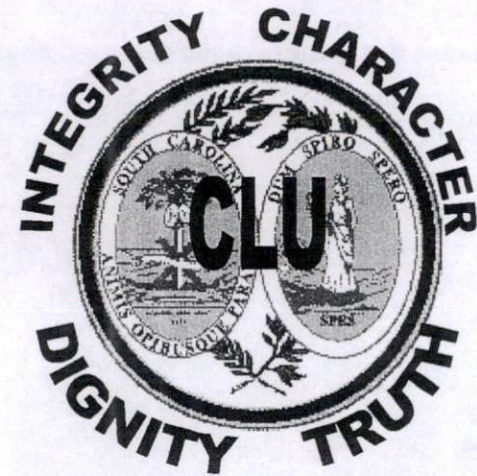
Hereby respectfully acknowledges:

Charles Mitchell

As a Participant of the below pro-social character development programs during the May-July 2013 Quarter:

Spanish I
Character Recovery
Substance abuse


James Blackwell, Associate Warden



this 14th day of July 2013

HIS WAY MINISTRY

Lieber Correctional Institution

June 7 - 9, 2013

EXODUS X

Joseph McFadden, Warden
James Blackwell, Associate Warden
Chaplain James Cuttino

PILGRIMS

Eddie Alewine	Octavious Collins	Randolph Johnson	Paul Rhoads
Richard Allen	Anthony Cook	Eric Jones	Randolph Ringstad
Min. Kathy Anderson	Silas Cooper	Jeffrey Kennedy	Kenneth Robinson
Anthony Atkins	Arnold Culbreath	Virgil Legare	Richard Sampson
Alphonso Bamberg	Shellie Damon	Loretta Leonard	J. C. Simmons
Hartford Best	Quinton Daniels	Earl Mack	Keith Simpson
Cole Black	Robert Doby	Jack McGovern	Michael Simpson
Joey Brinson	Jerome Durham	Phillip McIntire	Arthur Smith
Antoine Brown	Anthony Enriquez	Rodney McLeod	Dantler Smith
Donnell Brown	James Epps	Harry F. Miller III	Eric Smith
Edmonds Brown	Henry Felder	Lester Miller	Monty Smith
Johnny Brown	Roosevelt Ford	Charles Mitchell	Corey Sparkman
Tom Bullock	Wayne Gary	Robbie Mitchell	Jeffrey Timpson
Johnny Burton	Ricky George	Harry Moore	Otis Tyler
Mark Caddell	Arthur Graddick	Johnny Morgan	Elbert Wallace
Norma Callen	Leonard Greene	Charles Nickerson	Jeffrey Weston
Willie Campbell	Tito Harris	Chauncy Orr	Ralph Williams
Scott Carr	Kevin Herriott	Belvin Page	Henry Williams
Alvin Cavanaugh	James K. Hartman	Omar Patterson	Travis Williams
Roderick Cherry	Luther Jackson	Matthew Pickens	Vaughn Williams
Antoine Chestnut	Robert Jeridore	Roy Price	Gary Woodside

"I am Your servant, Lord... I will give You what I have promised..."

Psalms 116: 16, 18

PALMETTO UNIFIED SCHOOL DISTRICT

P R E S E N T S

T H I S V O C A T I O N A L A W A R D

T O

Charles Mitchell

**IN RECOGNITION OF THE SATISFACTORY
COMPLETION OF ³⁶⁰ HOURS OF**

Short Order Cook

ON-THE-JOB TRAINING

Given on this 9 day of June, 2014

Supervisor/Instructor

Division Director/School Leader

Vocational Director

Superintendent

Lieber Correctional Institution

Character Living Unit

A Program of Integrity, Character, Dignity & Truth

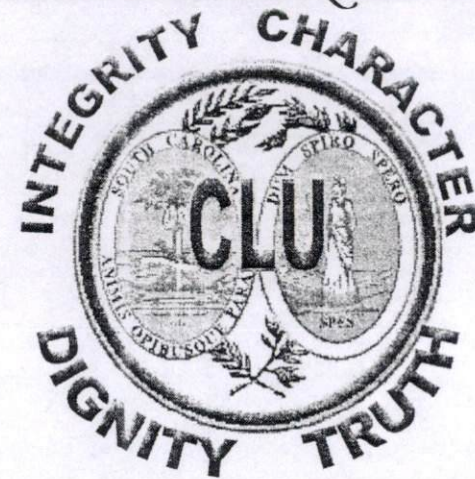
Hereby respectfully acknowledges:

Charles Mitchell

As a Participant of the below pro-social character development program(s) during the September – November 2014 Quarter:

Victim Impact

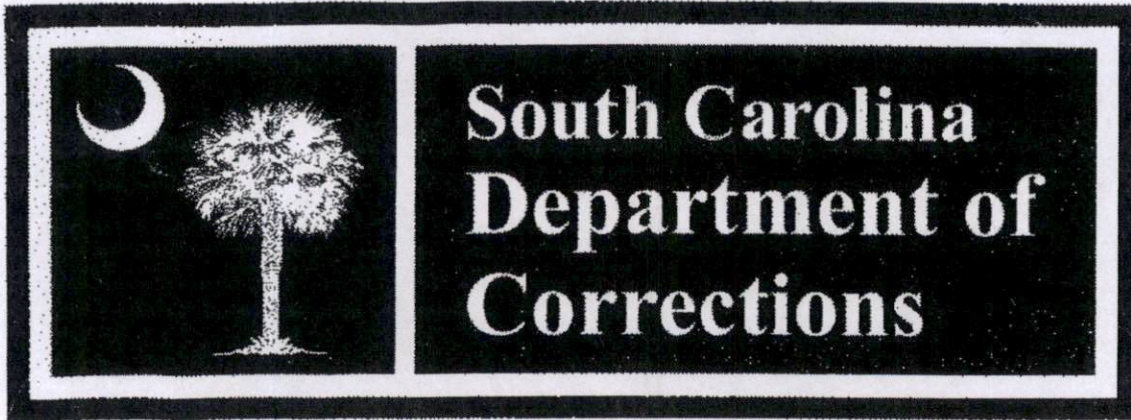
Narcotics Anonymous



this 30th day of November 2014

James R. Blackwell

James R. Blackwell, Associate Warden



**DIVISION OF BEHAVIORAL/MENTAL HEALTH
&
SUBSTANCE ABUSE SERVICES**

**THIS CERTIFICATE OF PARTICIPATION
IS AWARDED TO**

CHARLES MITCHILL 189424

10.

FOR PARTICIPATING IN

THE OZ PRINCIPLE

THIS 2ND **DAY OF** DECEMBER, 2014.

Chris Fupp, CCCIV
INSTRUCTOR

LIEBER
INSTITUTION

(Updated: 10/14/2013)

Lieber Correctional Institution

Character Living Unit

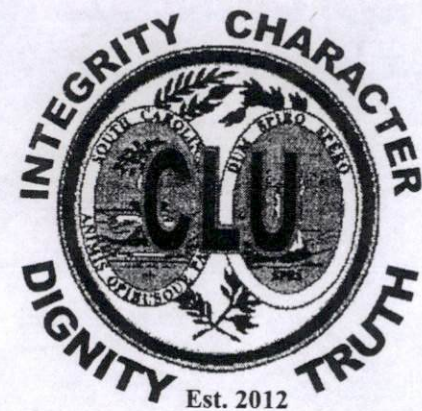
A Program of Integrity, Character, Dignity & Truth

Hereby respectfully acknowledges:

Charles Mitchell

*As a **Facilitator** of the below pro-social character development program(s) during the January – April 2015 Quarter:*

Victim Impact



James R. Blackwell

James R. Blackwell, Associate Warden

this 6th day of April 2015

Lieber Correctional Institution

Character Living Unit

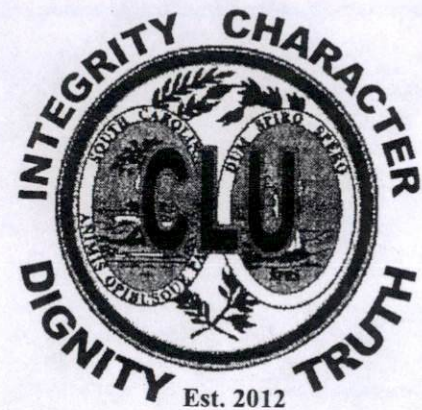
A Program of Integrity, Character, Dignity & Truth

Hereby respectfully acknowledges:

Charles Mitchell

As a Participant of the below pro-social character development program during the January – April 2015 Quarter:

- *Afrikan Studies*
- *Military History III*
- *Perfect Program Attendance*



James R. Blackwell

James R. Blackwell, Associate Warden

this 6th day of April 2015

The South Carolina Work Ready Credential

ACHIEVEMENT LEVEL 2

has been earned by

Charles Mitchell

for demonstrating mastery of academic and employability skills.



11/4/2025

Date

A handwritten signature in black ink, appearing to read "Henry McMaster".

Henry McMaster, Governor



Endorsed by the National Work Readiness Council

13.

South Carolina Department of Corrections
RECOVERY EDUCATION

CERTIFICATE OF COMPLETION

WE ARE PLEASED
TO BE ABLE TO AWARD THIS CERTIFICATE TO

Charles Mitchell

UPON THE SUCCESSFUL COMPLETION OF PEER SUPPORT GROUPS: ROAD TO RECOVERY

AUGUST 27, 2025

Date awarded

CPSS

14.

[Signature]

Jennifer Livingston
Nichelle Lewis

Allendale Character Institution's Colleton Unit

presents this

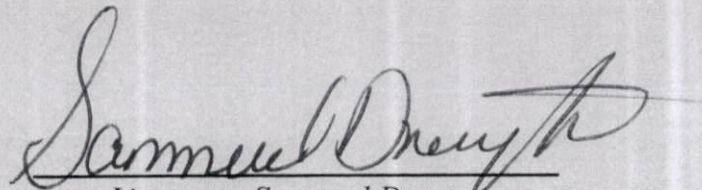
Certificate of Achievement

to

Charles Mitchell

*This Certificate Verifies the Successful Completion of
Islamic Studies*

Awarded this 10th day of October, 2025


Lieutenant Samuel Drayton

Allendale Character Institution's Colleton Unit

presents this

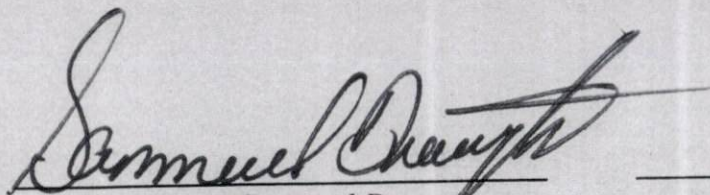
Certificate of Completion


to

Charles Mitchell

*This Certificate Recognizes Completion of Character Course
Influencer*

Awarded this 16th day of January, 2026


Lieutenant Samuel Drayton


P. Ellison, Re-entry Specialist

Allendale Character Institution's Colleton Unit

presents this

Certificate of Completion

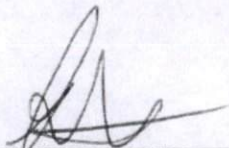
to

Charles Mitchell

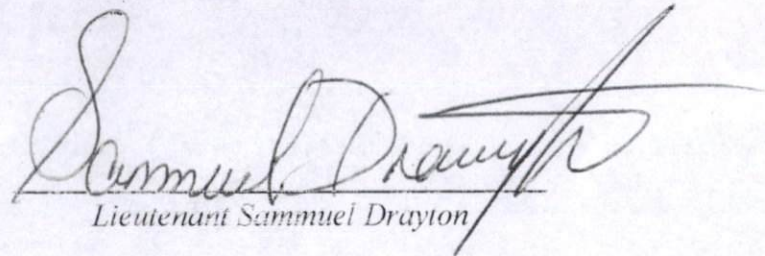
This Certificate Recognizes the Completion of Character Course

21 Laws of Leadership

Awarded this 16th day of January, 2026



P. Ellison, Re-entry Specialist



Lieutenant Samuel Drayton

PRGI200D

SCDC OFFENDER MANAGEMENT SYSTEM

02/21/26

PROGRAM SERVICES

C066287

SCDC # 189424

DETAIL INQUIRY

MITCHELL, CHARLES MICHAEL

CURR LOC: ALLENDALE

OFFENDER TYPE: ADULT-STRAIGHT SENTE

PROGRAM SERVICE ...: 533 PEER SUPPORT

ENROLL/START DATE ..: 07/14/25

TERMINATION DATE ..: 08/27/25

TERMINATION STATUS : CMR COMPLETE-MET REQUIRE

CASEWORKER LST NME.: WALLACE R2R

PROG/SER LOCATION ..: 0411 ALLENDALE

PROGRAM INDICATOR...:

UPDATED BY:

DATE:

CREATED BY: LOWDER

DATE: 02/21/26

RESPONSE>

PFKEY

CLEAR:SUMMARY

PF8:NEXTREC

18.

document
J

STATE OF SOUTH CAROLINA
In the Administrative Law Court
Docket Number 25-ALJ-15-0032

APPEAL OF AGENCY DECISION
Department of Probation, Parole and Pardon Services

CHARLES MITCHELL, #189424,.....APPELLANT

v.

S.C. DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES,.....RESPONDENT

RESPONDENT'S MOTION TO DISMISS APPEAL

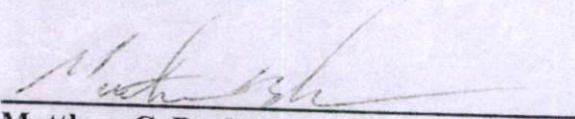
Comes now, Matthew C. Buchanan, General Counsel for the South Carolina Department of Probation, Parole and Pardon Services (the Department), on behalf of Respondent, and respectfully moves pursuant to Rule 61 of the South Carolina Administrative Law Court to dismiss the instant appeal due to failure to file the appeal in a timely fashion.

Appellant desires to appeal a final agency decision that was issued via a notice of a parole denial dated March 26, 2025. Appellant's Notice of Appeal is dated November 20, 2025, which is far outside the thirty-day requirement in Rule 59, SCALC.

Furthermore, the same issue Appellant raises has been litigated in his previous appeal found in Docket No. 24-ALJ-15-0045, and is therefore precluded in any subsequent action. *Richburg v. Baughman*, 290 S.C. 431, 434, 351 S.E.2d 164, 166 (1986). "Under the doctrine of collateral estoppel, once a final judgment on the merits has been reached in a prior claim, the relitigation of those issues actually and necessarily litigated and determined in the first suit are precluded as to the parties and their privies in any subsequent action based upon a different claim." (See attached order dated May 2, 2025).

Therefore, Respondent respectfully requests that this matter be dismissed.

Respectfully submitted,

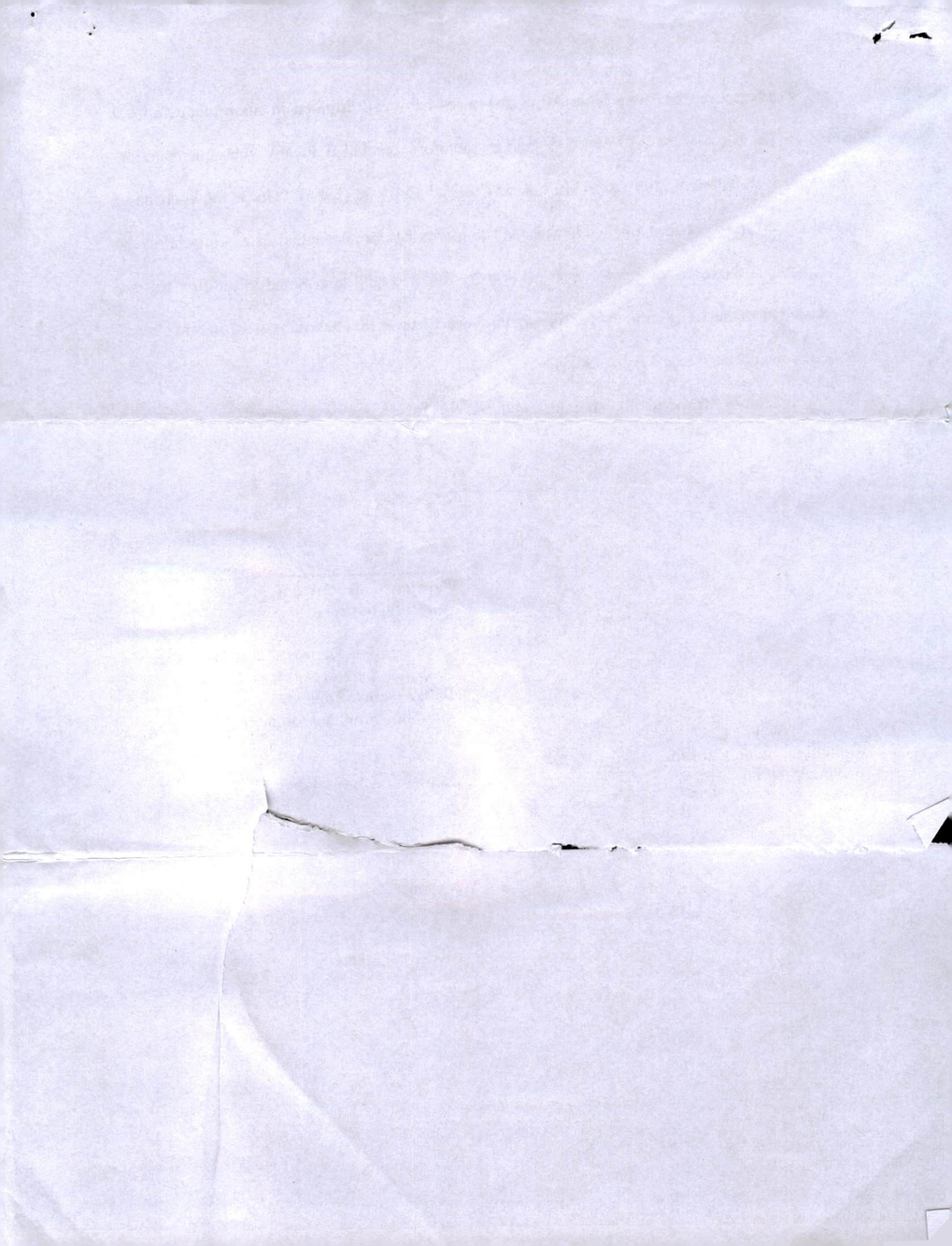


Matthew C. Buchanan
General Counsel

South Carolina Department of Probation,
Parole and Pardon Services
293 Greystone Boulevard
Columbia, South Carolina 29209

Columbia, South Carolina
January 8, 2026

Attorney for Respondent



STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Docket No. -ALJ-15- -AP

Appellant,

v.

NOTICE OF APPEAL

**DOCUMENT
K.**

South Carolina Department of Probation,
Parole and Pardon Services,

Respondent.

Notice is hereby given that CHARLES MICHAEL MITCHELL appeals the final decision of the South Carolina Department of Probation, Parole and Pardon Services dated and received on 4-11-2025, a copy of which is attached. In accordance with Rule 59(B) of the Rules of Procedure for the South Carolina Administrative Law Court (SCALC Rules) please provide a brief factual basis for each expressly and specifically asserted constitutional

violation: NEWLY DISCOVERED EVIDENCE IN VIOLATION OF NAPUE V. ILLINOIS, 79 S.C.T. 1173 OF PRISONER 5TH AND 8TH AND 14TH AMENDMENT TO THE UNITED STATES CONST. HISTORY: ON 10-10-2018 PAROLE AUTHORITIES INTRODUCED A CRIMINAL DOMESTIC VIOLENCE RECORD THAT PRISONER THINK BELONG TO HIS FATHER WHERE FORM 1212 CRITERIA FOR PAROLE CONSIDERATION INSTRUCT PRISONER TO NOTIFY THE BOARD VERIFYING THE BOARD WILL INVESTIGATE AND NOTIFY THE PRISONER AFTER THE INVESTIGATION. NOTE: FORM 1212 DID NOT STATE HOW LONG THE INVESTIGATION WILL TAKE SEE DOCUMENT C. ON 10-28-2018 PRISONER REQUESTED FOR HEARING HOWEVER NO RESPONSE SEE DOCUMENT E. ON 10-23-2024 PRISONER DISCOVERED PRIOR NOTIFY RECORD OF CRIMINAL DOMESTIC VIOLENCE WENT UNCORRECTED IN HIS FILE DATED 6-5-1992, PRISONER ALSO DISCOVERED FALSE RECORDS NOT PRIOR AWARE RANGING FROM 1977 TO 1988 AS CHARLES MICHAEL MITCHELL #00189424 CRIMINAL HISTORY. ON 11-18-2024 PRISONER WROTE HIS SECOND REQUEST TO PAROLE AUTHORITIES REQUESTING PAROLE RECONSIDERATION FOR THE WRONGFUL PAROLE DENIED ON 1-23-2024 AND TO OVERTURN ALL PRIOR PAROLE HEARINGS THAT WERE EFFECTED AND PREJUDICE BY THE USAGE OF FALSE RECORDS SEE DOCUMENT G. ON 12-9-2024 PRISONER FILE AN APPEAL WITH THE S.C. ADMINISTRATIVE LAW COURT. ON JAN-13-2025 PAROLE AUTHORITIES CONFIRMED AFTER AN INVESTIGATION INTO THE CRIMINAL HISTORY THERE PRIOR FILES WERE INCORRECT. SEE DOCUMENT A SEE DOCUMENT B PRIOR FILES WERE PRISONER FATHER RECORDS. PRISONER CLAIM DESPITE PAROLE AUTHORITIES RESCHEDULE PAROLE HEARING NEWLY DISCOVERED EVIDENCE CONFIRM IT WAS ON JAN-13-2025 THE 10-10-2018 INVESTIGATION BECAME FINALIZED AND WHEN PRISONER WAS NOTIFIED THAT ENTITLE PRISONER TO APPEAL AND OVERTURN THE 10-10-2018 AND 2020 AND 2022 PAROLE HEARINGS. DO TO PAROLE AUTHORITIES ALLOWED NOTIFIED FALSE RECORDS TO GO UNCORRECTED WHEN APPEARED TO THEIR ATTENTION ON 10-10-2018 USED AGAINST PRISONER NOT SHOWING INFORMATION WAS TRUE REJECTING PRIOR OPPORTUNITIES TO MEANINGFUL RELEASE SEE GLOSSIP V. OKLAHOMA 145 S.C.T. 612 IF NOT FOR USE OF FALSE RECORDS.

CHARLES MICHAEL MITCHELL
Appellant's Name

Charles Michael Mitchell #189424
Signed

ALLENDALE CORRECTIONAL INSTITUTION
Mailing Address

11-20-2025
Dated

FAIRFAX, SOUTH CAROLINA 29827
City, State, Zip Code

CERTIFICATE OF SERVICE

I hereby certify that I, CHARLES M. MITCHELL (your name), on the 11 day of 20, 2025 in FAIRFAX (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: ADMINISTRATIVE LAW COURT, EDGAR A. BROWN BUILDING

Address: 1205 PENDLETON STREET SUITE 224

City, State, Zip Code: COLUMBIA, SOUTH CAROLINA 29201

CHARLES MICHAEL MITCHELL

Charles Michael Mitchell #189424
Sign your name

Print your name
(See reverse side for instructions)

Allendale Character Institution

DOCUMENT

presents this

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Certificate of Completion

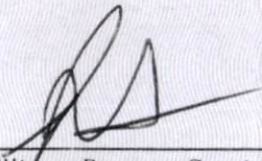
to

Charles Mitchell

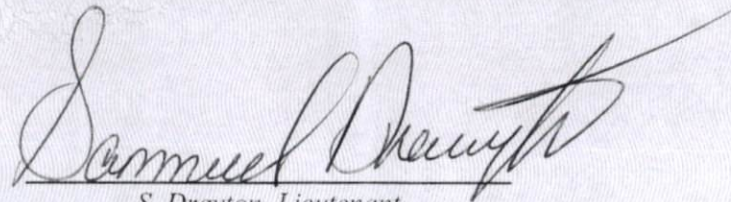
This Certificate is Presented for the Completion of Character Course

Mentor Resolution

Awarded this 13th day of March, 2026



P. Ellison, Re-entry Specialist



S. Drayton, Lieutenant

CHARLES M. MITCHELL # 00189424
ALLENDALE CORRECTIONAL INSTITUTION
P.O. BOX 1151, HWY 47
FAIRFAX SC 29827



RECEIVED

APR 21 2026

SC Court of Appeals



TO: SOUTH CAROLINA COURT OF APPEALS
CLERK, MS JENNY ABBOTT KITCHINGS
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

LEGAL MAIL

97-1

DOCUMENT
L.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Charles Mitchell, #189424,)
)
 Appellant,)
)
 v.)
)
 South Carolina Department of Probation,)
 Parole and Pardon Services,)
)
 Respondent.)

Docket No. 25-ALJ-15-0032-AP

ORDER OF DISMISSAL

RECEIVED
MAR 02 2026
SC Court of Appeals

This matter is before the Administrative Law Court (ALC or Court) pursuant to an appeal filed by Charles Mitchell (Appellant), an inmate incarcerated with the South Carolina Department of Corrections. By letter dated March 26, 2025, the South Carolina Department of Probation, Parole and Pardon Services (Department) notified Appellant that the South Carolina Parole Board (Board) had denied him parole. On November 20, 2025, Appellant's Notice of Appeal was filed with the Court. Thereafter, on January 8, 2026, the Department filed a Motion to Dismiss arguing this appeal is untimely pursuant to Rule 59 of the Rules of Procedure for the Administrative Law Court (SCALC Rules).

This Court's limited jurisdiction to hear appeals from parole-denial decisions of the Department is derived from the Supreme Court of South Carolina's opinion in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000).¹ Pursuant to *Al-Shabazz*, an inmate seeking to appeal must file and serve a notice of appeal upon specified parties within thirty days of written notice of the Department's final decision. *Id.* at 377, 527 S.E.2d at 754; *see also* Rule 59, SCALCR (requiring filing and service upon each party within thirty days of receipt of the Department decision).² Appeal deadlines are jurisdictional in nature, and thus this Court has no authority to consider an

¹ See, e.g., *Furtick v. S.C. Dep't of Prob., Parole & Pardon Servs.*, 352 S.C. 594, 576 S.E.2d 146 (2003); *James v. S.C. Dep't of Prob., Parole, & Pardon Servs.*, 377 S.C. 564, 660 S.E.2d 288 (Ct. App. 2008).

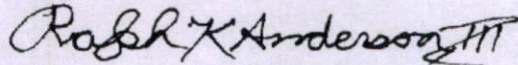
² See also S.C. Code Ann. § 1-23-600(E) (Supp. 2025) (providing that ALC appellate review "must be in the same manner as prescribed in Section 1-23-380 for judicial review of final agency decisions with the presiding administrative law judge exercising the same authority as the court of appeals"); S.C. Code Ann. § 1-23-380(1) (Supp. 2025) ("Proceedings for review are instituted by serving and filing notice of appeal as provided in the South Carolina Appellate Court Rules within thirty days after the final decision of the agency or, if a rehearing is requested, within thirty days after the decision is rendered.")



untimely appeal. *Hill v. S.C. Dep't of Health & Env't Control*, 389 S.C. 1, 21, 698 S.E.2d 612, 623 (2010).

Here, Appellant received the Department's final decision on April 11, 2025. Accordingly, Appellant was required to file Notice and Appeal upon the Department and this Court no later than May 11, 2025. Nonetheless, Appellant did not file his Notice of Appeal to this Court until November 20, 2025, months after the deadline. Since Appellant failed to meet the requirements to file and serve the Notice of Appeal, the Court has no jurisdiction to hear this appeal. *Allen v. S.C. Dep't of Corr.*, 439 S.C. 164, 886 S.E.2d 671 (2023) (ALC has jurisdiction over properly perfected appeals).

IT IS THEREFORE ORDERED that this matter is **DISMISSED WITH PREJUDICE**.
AND IT IS SO ORDERED.

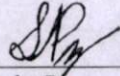


Ralph K. Anderson, III
Chief Administrative Law Judge

January 23, 2026
Columbia, South Carolina

CERTIFICATE OF SERVICE

I, Stephanie Perez, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof in the United States mail, postage paid, or by electronic mail, to the address provided by the party(ies) and/or their attorney(s).



Stephanie Perez
Judicial Law Clerk

January 23, 2026
Columbia, South Carolina