

IN THE STATE OF SOUTH CAROLINA
COURT OF APPEALS

RECEIVED

SEP 08 2026

APPEAL ORDER OF DISMISSAL
RALPH K. ANDERSON III

SC Court of Appeals

CHARLES MITCHELL # 00189424 APPELLANT

VS.

SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE
AND PARDON SERVICES RESPONDENT

RECORD ON APPEAL

Charles Mitchell

CHARLES M. MITCHELL
ALLENDALE CORRECTIONAL
INSTITUTION
P.O. BOX 1151 HWY 47
FAIRFAX S.C. 29827

CONVICTED JUVENILE OFFENDER GUILTY PLEA SENTENCE
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 COMMITMENT ORDER SHEET..... DOCUMENT B.
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 1333 SECTION A AND B INITIAL INTERVIEW OR
 WAIVER..... DOCUMENT F.
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 THE OCTOBER - 10 - 2018 PAROLE DENIAL.....
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 FOR REHEARING..... DOCUMENT H.
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OF APPELLANT FATHER CRIMINALS THAT S.C. PAROLE
AUTHORITIES IN ERROR WAS USING AGAINST
APPELLANT SINCE HIS FIRST INITIAL PAROLE
HEARING OF 2012 IN MISIDENTIFICATIONS OF CRIMINAL
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..... DOCUMENT O.

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2025 DENIAL OF REHEARING DOCUMENT Q.
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DATED JANUARY - 23 - 2026 DOCUMENT S.

DOCUMENT

A.

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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DOCUMENT

B.

SENTENCE

murder

STATE OF SOUTH CAROLINA

CASE NO. 92-GS-2260

Richland COUNTY

The defendant Charles Michael Mitchell is committed to the State Department of Corrections/County for a term of Life months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____ **

Other conditions _____

Date 8/4/92

R. Henry McKella
Presiding Judge

*Costs and Assessments

Non-waivable \$ _____

Not waived \$ _____

Total \$ _____

Pauline A. Scott
Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

DOCUMENT

C.

Certificate of Participation

This certificate has been awarded to:

Michael Mitchell

For active participation in

"The Art Display"

Year October 2007

Lieba Conectivial

Cooper Unit

A. D. J.

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 20 10

Bruce Castulin
Vocational Instructor
Pete Kelt
Principal/Lead Teacher

Weylan Burns
Vocational Director
R. Heag
Superintendent

Certificate of Completion

This is to certify that

Charles Mike Mitchell

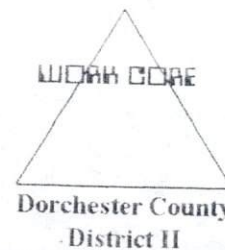
has successfully completed the

Work Smart

with Dorchester County Adult Education Workcore Program

This 27th day of October in the year of 2011

C. Bryant
C. Bryant
Instructor





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

Psalm 116:16,18

Each day, one day at a time, will be dedicated to God and to the fulfillment of God's will for the individual, the His Way community and the Kingdom of God ... through the answer of Christ's call to complete His work here on earth ... with the belief and knowledge that His Holy Spirit resides in each of us individually and in all of us as community.

HIS WAY Ministry <> EXODUS X <> Lieber Correctional Institution <> June 7 through 9, 2013

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

Lieber Correctional Institution

Character Living Unit

A Program of Integrity, Character, Dignity & Truth

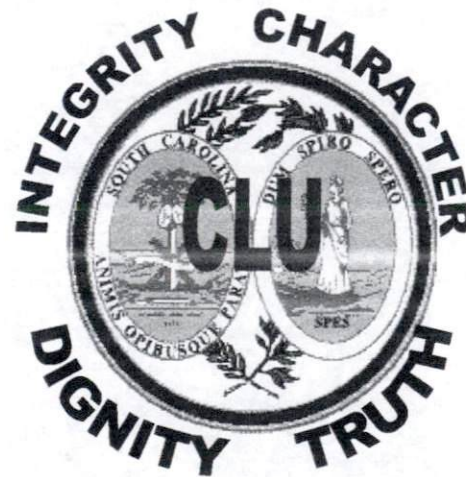
Hereby respectfully acknowledges:

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

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-SEC

Victim Impact



James Blackwell

James Blackwell, Associate Warden

11-02-2013

Date

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
Richard Allen
Min. Kathy Anderson
Anthony Atkins
Alphonso Bamberg
Hartford Best
Cole Black
Joey Brinson
Antoine Brown
Donnell Brown
Edmonds Brown
Johnny Brown
Tom Bullock
Johnny Burton
Mark Caddell
Norma Callen
Willie Campbell
Scott Carr
Alvin Cavanaugh
Roderick Cherry
Antoine Chestnut

Octavious Collins
Anthony Cook
Silas Cooper
Arnold Culbreath
Shellie Damon
Quinton Daniels
Robert Doby
Jerome Durham
Anthony Enriquez
James Epps
Henry Felder
Roosevelt Ford
Wayne Gary
Ricky George
Arthur Graddick
Leonard Greene
Tito Harris
Kevin Herriott
James K. Hartman
Luther Jackson
Robert Jeridore

Randolph Johnson
Eric Jones
Jeffrey Kennedy
Virgil Legare
Loretta Leonard
Earl Mack
Jack McGovern
Phillip McIntire
Rodney McLeod
Harry F. Miller III
Lester Miller
Charles Mitchell
Robbie Mitchell
Harry Moore
Johnny Morgan
Charles Nickerson
Chauncy Orr
Belvin Page
Omar Patterson
Matthew Pickens
Roy Price

Paul Rhoads
Randolph Ringstad
Kenneth Robinson
Richard Sampson
J. C. Simmons
Keith Simpson
Michael Simpson
Arthur Smith
Dantler Smith
Eric Smith
Monty Smith
Corey Sparkman
Jeffrey Timpson
Otis Tyler
Elbert Wallace
Jeffrey Weston
Ralph Williams
Henry Williams
Travis Williams
Vaughn Williams
Gary Woodside

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

Psalms 116: 16, 18

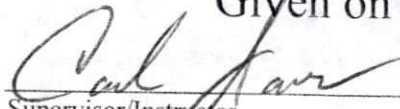
PALMETTO UNIFIED SCHOOL DISTRICT
P R E S E N T S
THIS VOCATIONAL AWARD
TO
Charles Mitchell

IN RECOGNITION OF THE SATISFACTORY
COMPLETION OF ³⁶⁰ HOURS OF

Short Order Cook

ON-THE-JOB TRAINING

Given on this ⁹ day of ^{June}, ¹⁴ 20



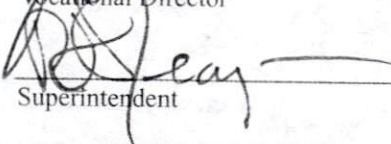
Supervisor/Instructor



Division Director/School Leader



Vocational Director



Superintendent

Short Order Cook
Validation of Award

Technical Skills Demonstrated: The award recipient has been exposed to the following technical skills.

1. Safety procedures in the work place
2. Kitchen equipment and operating procedures
3. Hazardous materials information
4. Cooking skills
5. Cooking methods
6. Measurement skills
7. Temperature control
8. Budgets
9. Breakfast, lunch, dinner preparation
10. Soups, pastas, vegetables, and cold food preparation
11. Hygiene factors
12. Food service hygiene
13. Utensil usage and control
14. Culinary material usage

Character Traits: The following skills have been demonstrated by the recipient over the duration of this award.

1. Teamwork
2. Punctuality
3. Attendance
4. Dependability
5. Listening skills
6. Adaptability
7. Ability to accept criticism
8. Effective/efficient work performance

Lieber Correctional Institution

Character Living Unit

A Program of Integrity, Character, Dignity & Truth

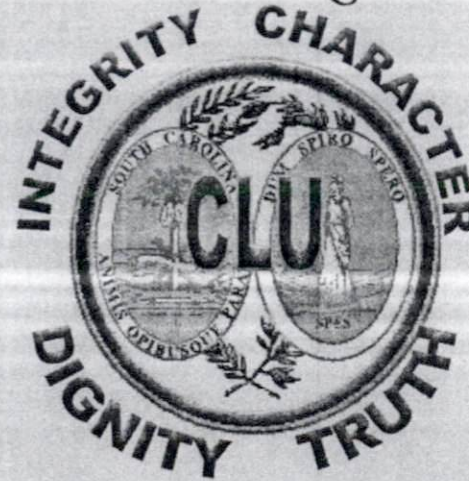
Hereby respectfully acknowledges:

Charles Mitchell

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

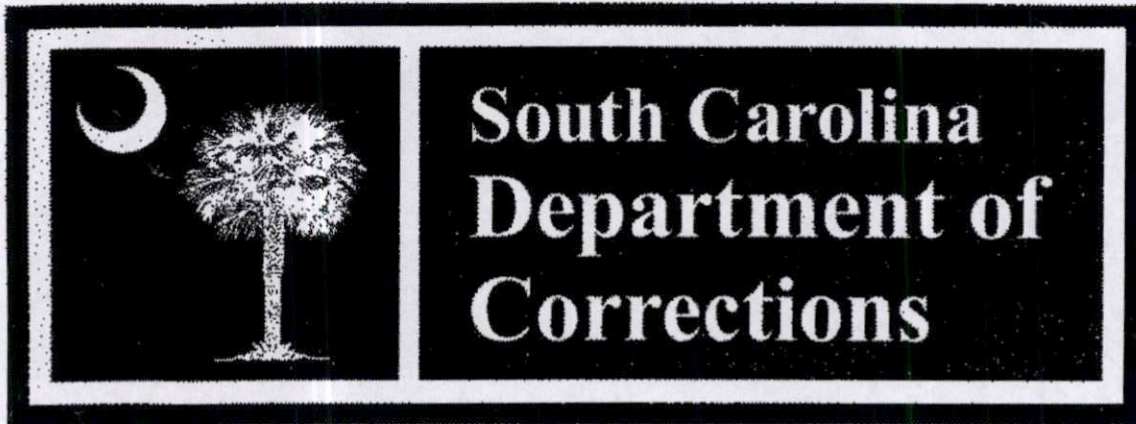
Victim Impact

Narcotics Anonymous



James R. Blackwell
James R. Blackwell, Associate Warden

this 30th day of November 2014



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

**THIS CERTIFICATE OF PARTICIPATION
IS AWARDED TO**

CHARLES MITCHILL 189424

FOR PARTICIPATING IN

THE OZ PRINCIPLE

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

Mrs 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:

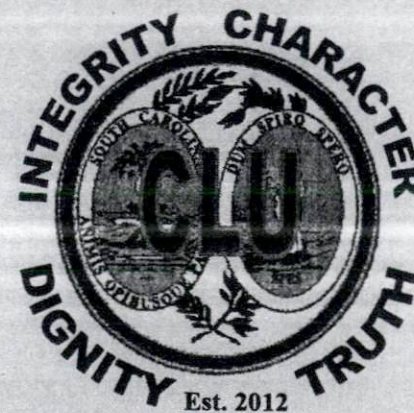
Charles Mitchell

*As a 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

Lieber Correctional Institution

Character Living Unit

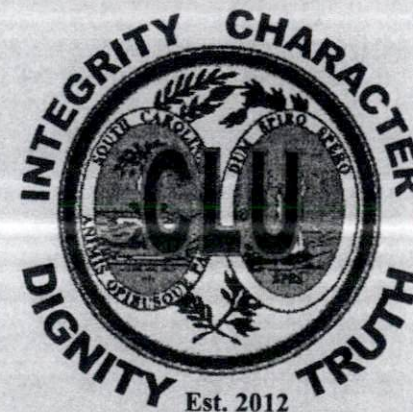
A Program of Integrity, Character, Dignity & Truth

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

13.

Allendale Character Institution's Colleton Unit

presents this

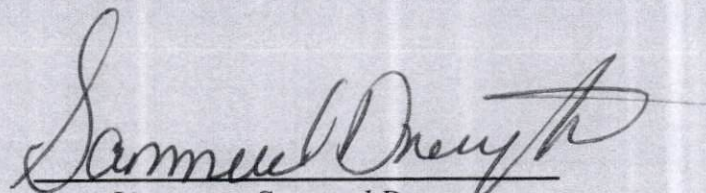
Certificate of Achievement

to

Charles Mitchell

*This Certificate Verifies the Successful Completion of
Islamic Studies*

Awarded this 10th day of October, 2025


Lieutenant Samuel Drayton

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



15.

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

[Signature]

Jennifer Livingston
Nicole Loner

16.

Allendale Character Institution's Colleton Unit

presents this

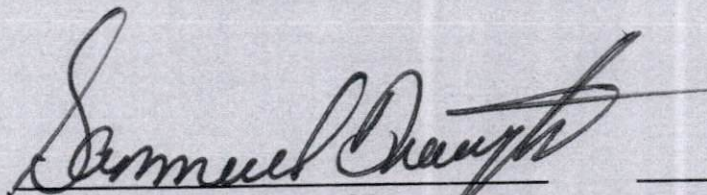
Certificate of Completion

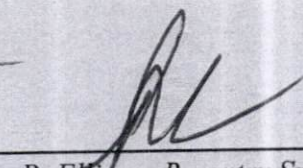
to

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

17.

Attendale Character Institution's Completion Unit

presenting

Certificate of Completion

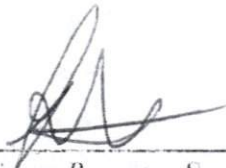
to

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

Allendale Character Institution

presents this

Certificate of Completion

to

Charles Mitchell

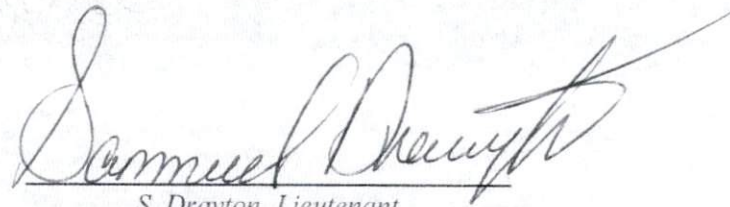
This Certificate is Presented for the Completion of Character Course

Mentor Resolution

Awarded this 13th day of March, 2026



P. Ellison, Re-entry Specialist



S. Drayton, Lieutenant

Smart Recovery
RECOVERY EDUCATION

CERTIFICATE OF COMPLETION

WE ARE PLEASED
TO BE ABLE TO AWARD THIS CERTIFICATE TO

Charles Mitchell

UPON THE SUCCESSFUL COMPLETION OF THE PEER LED GROUP: SMART RECOVERY

JUNE 20, 2026



Yvette E. Robinson
Debra Wallace
Samuel Dwyer
Nicholas

20.

PRGI200D

SCDC OFFENDER MANAGEMENT SYSTEM
PROGRAM SERVICES

02/21/26
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:
CREATED BY: LOWDER

DATE:
DATE: 02/21/26

RESPONSE>

PFKEY

CLEAR:SUMMARY

PF8:NEXTREC

21.

15:25:02 Friday, June 26, 2026

PRGI200D

SCDC OFFENDER MANAGEMENT SYSTEM

06/26/26

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 ..: 04/13/26

TERMINATION DATE ...: 06/20/26

TERMINATION STATUS : SRC SERV RENDERED & COMPLETED

CASEWORKER LST NME.: SMART RECOVERY

PROG/SER LOCATION ..: 0411 ALLENDALE

PROGRAM INDICATOR...:

UPDATED BY:

DATE:

CREATED BY: LOWDER

DATE: 06/26/26

RESPONSE>

PFKEY

CLEAR:SUMMARY

PF8:NEXTREC

22

DOCUMENT

D.

PREFACE

The Parole System In South Carolina

Parole is a form of early release from prison based on the prisoner's agreement to abide by certain conditions of supervision during the balance of the sentence. The South Carolina Board of Pardons and Paroles (hereinafter "Board") is a gubernatorial appointed, independent decision making body vested with sole authority in making discretionary parole decisions in the State of South Carolina. Upon release on parole, the parolee continues to serve the sentence outside the prison walls and remains under the legal jurisdiction of the Board, and must comply with the terms and conditions of release as set by the Board.

The South Carolina Department of Probation, Parole, and Pardon Services (hereinafter "Department") is a cabinet agency of the Governor, and through its Director (hereinafter "Department Director") is vested with supervision responsibilities for adult parolees.

While on parole, the parolee should show reasonable promise of being able to function in society as a responsible, self-reliant person. Subject to the conditions of parole, the parolee can be gainfully employed. The parolee can enter into contracts and go to court without a guardian ad litem. The parolee is free to be with family and friends and to form other attachments of normal life. Within the limits defined by the conditions of parole, the parolee is free to come and go as he/she pleases, to travel anywhere in the state that is supervising parole, on occasion, to travel out of that state, and even to reside in another state with proper authorization. The parolee's liberty is regarded as a "privilege." The United States Supreme Court has said it is valuable enough to deserve the protection of certain minimal requirements of procedural due process under the Constitution.

Any expectation or desire that a convicted prisoner may have to be released on parole, however, is not a constitutional right. In South Carolina, paroles are granted as a privilege. The Board retains absolute and exclusive discretion to grant or deny parole in all cases, except community supervision, once a prisoner has become eligible to be considered. Community supervision release is not reviewed by the Board. (Certain offenders, it must be noted, are disqualified by statute from eligibility for parole.) The parole release decisions of the Board are final. They are not reviewable in the courts of South Carolina.

The purpose of parole is universally recognized to be reformatory or rehabilitative. Parole is intended as a means of rehabilitating then restoring the offender to society as a law-abiding and productive member. Under the structured supervision that parole sets up, the parolee has the opportunity to participate in a wide array of health and human services programs designed to help him/her. As an

PART IV

PARDONS, REPRIEVES, AND COMMUTATIONS

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DOCUMENT

E.



South Carolina Department of Probation, Parole and Pardon Services

Criteria for Parole Consideration

Inmate Name
MITCHELL, CHARLES M.

SCDC#
00189424

SC Board of Probation, Parole and Pardon Services
P.O. Box 207
Columbia, SC 29202

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 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. The 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 errors 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 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 his/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. The actuarial risk and needs assessment outlined in section 24-21-10 (F)(1) of the S.C. Code of Laws; which evaluates based on Criminal Involvement, Relationships/Lifestyle, Personality/Attitudes, Family, Social Exclusion and Mental Health.
16. Other factors considered relevant in a particular case by the Board.

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 the 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 fail to complete any one of these conditions or 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 detainees 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:

Charles Mitchell

Date: 7/26/2024

Witness
Signature:

[Signature]

Date: 7/26/2024

DOCUMENT

F.

Instructions: If inmate wishes to be considered for parole, complete section A. If inmate wishes to waive parole consideration complete section B.

Inmate Name: Charles Mitchell SCDC #: 189424

A. INITIAL INTERVIEW INFORMATION

Residence Plan

Date: _____

Who will inmate live with? Name: Dorothy James Mitchell

Relationship: Mother

Address: 1174 Hawthornway

Pine Wood SC 29125

Phone Number: 803-465-3645

State/County: _____ Zip code: _____

Comments: Sample

Employment Plan

Who will inmate work for? Name of Business: Pass PEP

Address: _____

Phone Number: _____

Contact Person /Position: _____

Inmate Health Status (self report): Good

Comments: on School GED -

Interviewer's Signature: C. Smith Date: _____

B. WAIVER OF PAROLE CONSIDERATION

TO THE SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES: THIS IS TO CERTIFY THAT I DO NOT WISH TO BE CONSIDERED FOR PAROLE. I UNDERSTAND THAT MY PROJECTED PAROLE HEARING DATE IS _____ AND I UNDERSTAND THAT BY SIGNING THIS WAIVER I WILL BE REJECTED FOR PAROLE AT MY REQUEST:

- 1) I FULLY UNDERSTAND THAT IF I AM SERVING FOR A VIOLENT OFFENSE, AS DEFINED IN SECTION 16-1-60 SOUTH CAROLINA CODE OF LAWS, I MAY NOT BE ELIGIBLE FOR PAROLE CONSIDERATION UNTIL TWO YEARS FROM THE DATE OF MY PROJECTED PAROLE HEARING DATE, AND IF I AM SERVING FOR A NON-VIOLENT OFFENSE, AS DEFINED IN SECTION 16-1-70 SOUTH CAROLINA CODE OF LAWS, I MAY NOT BE ELIGIBLE FOR PAROLE CONSIDERATION UNTIL ONE YEAR FROM THE DATE OF MY PROJECTED PAROLE HEARING DATE.
- 2) I ALSO UNDERSTAND THAT ONCE THIS WAIVER IS SIGNED BY ME, AND IF I AM SERVING FOR A VIOLENT OFFENSE, IT MAY BE VALID FOR TWO YEARS AND CANNOT BE WITHDRAWN. IF I AM SERVING FOR A NON-VIOLENT OFFENSE IT IS VALID FOR ONE YEAR AND CANNOT BE WITHDRAWN.

Inmate Signature: _____

Witness Signature: _____ Date: _____

IF INMATE WAIVES PAROLE CONSIDERATION, FORWARD THE ORIGINAL COPY TO PAROLE SERVICES.

Form 1333 (Stock)

Distribution: White Copy - Agent; Canary Copy - Inmate

DOCUMENT

G.

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 MRS 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

DOCUMENT

H.

11-9-2018
(3) something

DEAR Lola.

I Love You & Pray You ARE doing Fine
From Head to Toe. Well I Done WHAT
I STATED, I WROTE my Appeal BACK
TO THE PAROLE BOARD, & KEPT it
Simple SO HERES A Copy of it.... DISCREPANCY
THE BACK of THE Same page (its) THE
Same Copy BUT THE Original don't HAVE NO
BACK Copy.

(NOTE) THE (9-10-2018) mention on Appeal
IS THE EXACT Same Copy of Letter
Laura Young, Sent TO THE PAROLE BOARD DIRECTOR
OF WHAT (YOU) Sent me A Copy of BACK TO... OK

(NOTE) THE (page 1.) page 7 of 7 - COURT
ORDER mention DEANDREA G. Benjamin
Chief Administrative Judge Fifth Circuit is
A Copy of my ORDER For Resentencing OK!

END

OK, LOOK I did Sent Yolanda
(2) Visitation Forms off (1) For HER

Con...

And (1) For Aunt Ruth, So Tell HER TO
Fill out AS needed. (Now,) WHAT I
Need (Yolanda) OR (You) TO do is CONTACT
THE S.C. PAROLE BOARD OFFICE, SUPPORT
SERVICES OR CLERK # 803-734-9220 I
PREFER TO GO TO THEM NO CALLING TO me
SURE THEY GO my Appeal RE HEARING REQUE
SO THAT THEY KNOW THAT MATTER IS
BEING APPEAL (SO) TO KEEP ANYONE FROM
ATTEMPTING TO BLOCK ME UNDERSTAND!

I, HAVE NOT HEARD FROM LAURA YOUNG YET
JUST TO LET (YOU) KNOW MATTER AND EITHER
MR. BASILY my LAWYER, BUT I DID WRITE
HIM A LETTER AS WELL, CONCERNING THE MEE
OF GETTING ME A JUDGE ASSIGN TO my CASE
FOR RE-HEARING OK!

I, SOME MONEY SHOW UP ON my ACCOUNT &
TRYING TO BUY ME A T.V. I DON'T HAVE
NONE, IT'S my way of staying out of HARM
way meaning my Room. Am \$150 SHORT &
LET my SISTER CAMMIE & TASHA KNOW &
I NEED & TO PLEASE ASSIST ME ON MATTER

P.S. LOVE YOU MOMMA, STAY ON PULMET PROTECT
YOUR SELF & my Aunt 24-7. SEE YOU SOON LOVE

DOCUMENT

I.

Very truly yours,

Jasmine D. Smith, Deputy
CLERK

cc: Matthew C. Buchanan, Esquire
Mrs. Dorothy James
dorthymitchell@FTC-i.net

DOCUMENT

J.

South Carolina Department of Probation, Parole and Pardon Services
Acknowledgement of Parole File Review

SC Department of Probation, Parole and Pardon Services
P.O. Box 207 Columbia, SC 29202

Inmate Name Mitchell, Charles	SCDC# 189421
---	------------------------

The "Parole File" is defined as information compiled by the Agency for review by the SC Board of Pardons and Paroles in the course of their duty to consider cases for parole.

Information received from the inmate or third parties is not a part of the Agency's presentation and for the purpose of sharing parole files for review will not be reproduced.

All Victim information is redacted.

Regarding the hearing scheduled for (Hearing Date) 10/23/2024, the above-identified inmate and/or his attorney are permitted to review the parole file as prepared by the SC Department of Probation, Parole and Pardon Services.

The undersigned parties acknowledge the Agency's definition of parole file and understand that any alleged discrepancies identified within the parole file will be documented and may be addressed during the active hearing with the Board. The Agency is not obligated to alter facts or details which are unsubstantiated by official records. The Board maintains full discretion to grant or deny parole, based on their established criteria.

I certify that the above has been explained to me, and upon acknowledgement I have been granted access to review the Parole File.

Inmate's Signature x Charles L. Mitchell	Date 10/23/2024
--	---------------------------

Attorney Signature	Date
--------------------	------

SCDPPPS Witness Signature Charles E. Pearson	Date 10/23/2024
--	---------------------------

Other Witness Signature (Optional)	Date
------------------------------------	------

☒ The inmate requests a review and corrections of the file.

☐ The inmate declined to review the parole file.

Inmate's Signature	Date
--------------------	------

Attorney Signature	Date
--------------------	------

SCDPPPS Witness Signature	Date
---------------------------	------

Other Witness Signature (Optional)	Date
------------------------------------	------

DOCUMENT

K.

TO: MR. Jodi D. GALLMAN / ACTING DIRECTOR
DEPARTMENT OF PROBATION, PAROLE AND PARDON
SERVICES 293 GREYSTONE BOULEVARD POST
OFFICE BOX 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 ATTEMPT
TO RESOLVE 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
ANOTHER 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 DETERMINING 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, Pardon 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 CHARGES STATE OR 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 FILES 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 FALLS 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, FORTH 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 FACT:
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 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. 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 FACT:
1. 01 NATURE AND SERIOUSNESS OF CURRENT OFFENSE
 2. VOTE COUNT: UNANIMOUS TO REJECT

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Paroles, Pardons and Release Services

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 INDICMEN # 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 RECORDED 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 KESEY 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 704

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Paroles, Pardons and Release Service

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 ERRORS 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 COLDMINE 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. GAILMAN / ACTING DIRECTOR
DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES, 293 CRESTONE BOULEVARD
POST OFFICE BOX 207 COLUMBIA,
SOUTH CAROLINA 29202

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



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DOCUMENT

L.

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

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COLUMBIA, SOUTH CAROLINA 29201
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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.

DOCUMENT

M.

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

HENRY McMASTER
Governor



CHADWICK A. GAMBRELL
Acting Director

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COLUMBIA, SOUTH CAROLINA 29210
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www.dpps.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,

Valerie Suber

Associate Deputy Director of Paroles, Pardons and Release Services
SC Department of Probation, Parole and Pardon Services



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



DOCUMENT

N.

SLED CATCH

Citizens Access to Criminal Histories

Results

Name CHARLES MITCHELL
DOB ~~1955-08-09~~
Gender Male
Maiden Name
SSN ~~002-200-004~~
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
EPC-POPMWPM15DI12CIDI18 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 SCAFS

ADDITIONAL IDENTIFIERS	BIRTH			
NAME	DATES	MARKS	SOC SEC	MI: 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
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SC0400000 RICHLAND CNTY SO	01/06/1972
CASE-50597A	
CIT-SC16-11-320	

ARREST CHARGE -HB & GL 2
COUNTS

CIT-SC16-11-320

SC040055C R & E CENTER COLA
CASE-72126

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

SC0400000 RICHLAND CNTY SO 04/04/1979
CASE-95370
CIT-SC16-11-320

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 CONFINEMENT; 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 08/05/1982
CASE-82684
WARR-A693155
CIT-SC16-11-310

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 CONFINEMENT
COURT DATE-09/15/1982

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

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

MITCHELL, CHARLES MICHAEL 04/02/1984
SC0120000 CHESTER CNTY SO

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 CONFI
NE; 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 CONFI
NE; 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 CONFI
NE; EACH COUNT CONCURRENT
COURT CHARGE 02-HOUSEBREAKING
COURT DISP-CONVICTED;7Y CONFI
NE; CONCURRENT
CUSTODY STATUS-RECEIVED
START DATE-05/22/1984

SC0400550 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 ASSAUL
T
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

SC040083J WAVERLY MAGISTRATE
DOC-90014680137
WARR-C591703

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

DOC-92GS4006079
WARR-C591701

COURT DATE-01/30/1990
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 MICHAEL
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

SC040093J DENTSVILLE MAGISTRAT
DOC-92064660001
WARR-C937657

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

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

WARR-03248WK

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

MITCHELL, CHARLES MICHAEL
SC0400000 RICHLAND CNTY SO
WARR-E156192

08/01/1994

WARR-E156185

ARREST CHARGE -FAIL TO STOP
FOR BLUE LIGHT
PHOTOGRAPH AVAILABLE

WARR-E156194

ARREST CHARGE -OPERATING
UNINSURED VEHICLE, 2ND

WARR-E156183

ARREST CHARGE -DRIVING UNDER
SUSPENSION

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

ARREST CHARGE -UNLAWFUL USE
OF PLATE

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

COURT CHARGE 02-OPERATING
UNINSURED MOTOR VEHICLE -
3RD OR SUB

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

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

COURT CHARGE 03-COURT CHARGE
NOT SUBMITTED

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

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

COURT CHARGE 04-DRIVING UNDER
SUSPENSION, NOT FOR DUI-1
ST OFF

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

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

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

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

09/04/1994

ARREST CHARGE -DRIVING UNDER
SUSPENSION
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

WARR-S870279

COURT CHARGE 01-DRIVING UNDER
SUSPENSION
COURT DISP-CONVICTED; SENTENCE
UNKNOWN

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

12/13/1994

ARREST CHARGE -DISREGARDING
STOP SIGN
PHOTOGRAPH AVAILABLE

WARR-06261ZK

ARREST CHARGE -DRIVING UNDER
SUSPENSION

WARR-06262ZK

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 SLED 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

O.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

CHARLES M. MITCHELL #00189424

Docket No. -ALJ-15- -AP

Appellant,

v.

NOTICE OF APPEAL

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 10-29-2024, 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:

ABOVE CONVICTED JUVENILE DEFENDANT OF AUG-4-1992, NOW (50) YRS OLD, DN 10-23-2024 AGREED

TO REVIEW HIS PAROLE FILE AND FALSE CRIMINAL COURT CHARGES OF CRIMINAL DOMESTIC VIOLENCE DATED 6-5-1998
AG. STATE COURT CHARGES AND HISTORY OF A HABITUAL CRIMINAL RECORD FROM 1977 TO 1988 AS A CRIMINAL
HISTORY OF ABOVE APPELLANT WHERE "THESE FALSE RECORDS ON APPELLANT VIOLATES THE 8TH AMEND. AND EQUAL
PROTECTION RIGHTS OF JUVENILE OFFENDER ONLY OPPORTUNITY TO OBTAIN A SECOND CHANCE AT LIFE IN
PRISON THAT RESULTED IN (7) REJECTED PAROLE OPPORTUNITY TO A GRANT OF A ABUSE OF ABSOLUTE
DISCRETION OF A CONTINUE RELIANCE OF A UNCHANGING FACTOR CLAIM OF THE "NATURE AND SERIOUSNESS OF
CURRENT OFFENSE THAT RUNS CONTRARY TO A MEANINGFUL OPPORTUNITY TO OBTAIN RELEASE ON DEMONSTRATED
REPRODUCTIVITY AND REHABILITATION, UNDER THE S.C. CONST AND UNITED STATES CONST PAROLE SYSTEMS.

APPELLANT WAS ABUSED BY ADMINISTRATIVE LAW COURT TO FILL OUT FORM HERE. MATTER WAS ORIGINALLY SENT OUT 11-25-24

CHARLES M. MITCHELL

Appellant's Name

Charles M. Mitchell

Signed

KERSHAW CORR. INST. 4040 BUILDING HWY

Mailing Address

DEC-9-2024

Dated

KERSHAW, SOUTH CAROLINA 29067

City, State, Zip Code

CERTIFICATE OF SERVICE

I hereby certify that I, Charles M. Mitchell (your name), on the 12 day of 9, 2024 in KERSHAW (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, EDEAR A. BROWN BUILDING

Address: 1205 PENDLETON STREET, SUITE 224

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

CHARLES MICHAEL MITCHELL

Print your name

(See reverse side for instructions)

Charles Michael Mitchell

Sign your name

DOCUMENT

P.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
OFFENDER SUMMARY

REPORT 1

INMATE NO: 107424

NAME: MITCHELL, CHARLES MICHAEL

***** PERSONAL/IDENTIFICATION DATA *****

RACE -----: BLACK	FBI NUMBER -----: NONE
SEX -----: MALE	BIRTH DATE -----: 10/12/74
HEIGHT -----: 5 FT 4 IN	RELIGION -----: BAPTIST GENERAL
WEIGHT -----: 130	U.S. CITIZEN -----: CITIZEN NATIVE B
EYE COLOR -----: BROWN	MARITAL STATUS -----: SINGLE
HAIR COLOR -----: BLACK	MEDICAL STATUS -----: NONE ON FILE
SKIN TONE -----: LIGHT BROWN	SOCIAL SECURITY # -----: (1247397910)
BODY BUILD -----: SMALL	DRIVER LIC # & ST -----: NOT ON FILE
MARKS/SCARS -----: SEE REPORT 5	AIMS GRP ASSIGNMENT -----: ALPHA I

***** DATA CURRENT AS OF: 04/15/94 *****

CURR STATUS -----: INCARCERATED	TOTAL SENTENCE -----: 999 YRS 0 MOS 0 D
CURR INST. -----: BROAD RIV	CURR SENT SERVING -----: 999 YRS 0 MOS 0 D
CURR CUST LVL -----: CL5	CURR SENT START -----: 12/07/91
CURR ASSIGN. -----: INSIDE GRDS-MAINT DE	EWC JOB LEVEL -----: 07040
ESCAPE/ATTEMPT: SEE ESCAPE HISTORY	CURRENT LOCK -----: MU0274A
HEB/WNT DETAIN: NONE ON FILE	CCDC ADMIT DTE -----: 08/06/92
VICTIM/WITNESS: XXX V/W XXX	PROJ EWC-MAX-OUT -----: 199/99/9999
PRIOR CONV OVER 90 DYS -----: 0	PROJ EWC PAR-ELIG -----: 12/09/2011
PRIOR CONV 90 DYS OR LESS -----: 0	WORK RELEASE ELIG -----: 12/09/2009

***** COMMITMENT INFORMATION *****

SEQ#	INCARC	SENT VIOL COND CUST
STATUS CURRENT OFFENSE	SENTENCE CHAR ONTO TYPE IND IND YRS	
	YRS MO DYS	
000001 MURDER	999 0 0 F 1 ST TIM V N	RI
AC NO PROBATION		

knowing decision to plead guilty. (Tr., p. 3, l. 16 - p. 11, l. 13). This Court finds that the Applicant's allegations of an unintelligent and involuntary plea lack credibility, are without merit, and are denied and dismissed.

As to any and all allegations raised in the Application and at the hearing, not specifically addressed in this Order, this Court finds them to be waived by the Applicant as Applicant has failed to meet his burden of proof regarding any other allegations. All other allegations are hereby denied and dismissed.

^{was} THE COURT FINDS THAT THE DELAY IN CONDUCTING THE BLAIR HEARING DID NOT TAINT THE PLEA OR WARRANT GRANTING POST-CONVICTION RELIEF. (SEE ORDER 11/13)

#6 Based on the foregoing, this Court finds that Applicant has not established any constitutional violations or deprivations before or during his guilty plea proceeding. Therefore, this Application for Post-Conviction Relief must be denied and dismissed.

IT IS THEREFORE ORDERED:

1. That the Application for Post-Conviction Relief in this matter be dismissed with prejudice.
2. That the Applicant be remanded to the custody of Respondent.

AND, IT IS SO ORDERED this 14 day of January, 1997.

William P. Keesley
WILLIAM P. KEESLEY
Presiding Judge
Fifth Judicial Circuit

LEXINGTON, South Carolina

DOCUMENT

Q.

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

3/26/2025

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

HENRY McMASTER
Governor



JAKE GADSDEN, JR.
Director

293 GREYSTONE BOULEVARD
COLUMBIA, SOUTH CAROLINA 29210
Telephone: (803) 734-9220 / Facsimile: (803) 734-9440
ppp.sc.gov
MAILING ADDRESS: P.O. BOX 207
COLUMBIA, SOUTH CAROLINA 29202

April 14, 2025

MITCHELL, CHARLES M (SCDC ID: 00189424)
Kershaw Correctional Institution 4848 Gold Mine Highway Kershaw, SC 29067

This letter is in response to your request for a review of your parole file regarding the parole hearing conducted on 03/26/2025.

During your review, you disputed or questioned the Criminogenic Risk and Needs Summary. Be advised, these conclusions are derived from the COMPAS assessment, which is a tool designed to identify criminogenic needs of individuals possibly returning to society, in an effort to minimize future criminal involvement. The information stems from answers provided during the interview. You were given the opportunity to discuss this with the Board, during the hearing.

Please note, there is no rehearing/appeal process for the routine denial of parole.

Sincerely,

A handwritten signature in black ink, appearing to read "Valerie Suber".

Valerie Suber/ AW (Investigator III)

Associate Deputy Director of Paroles, Pardons and Release Services
SC Department of Probation, Parole and Pardon Services



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



DOCUMENT

R.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

CHARLES MICHAEL MITCHELL #00189424

Appellant,

vs.

South Carolina Department of Probation,
Parole and Pardon Services.

NOTICE OF APPEAL

DOCKET NO. -ALJ-15-

Notice is hereby given that CHARLES MICHAEL MITCHELL does hereby appeal the final decision of the South Carolina Department of Probation, Parole and Pardon Services dated 3-26-2025 and received on 4-11-25, a copy of which is attached. A general statement of the grounds for appeal is (See S.C. Code Ann. § 1-23-380(A)(6)):

PRISONER CONFIRM NEWLY DISCOVERED EVIDENCE, IN VIOLATION OF NAPE-V. ILLIONS 360 U.S. AT 269, 79 S. CT 1173, WHERE PAROLE AUTHORITIES VIOLATED HIS 5TH AND 8TH AND 14TH AMEND. TO THE U.S. CONST., WHERE PAROLE AUTHORITIES KNOWINGLY ALLOWED REPORTED FALSE RECORDS, ALLEGED NOTIFIED TO PAROLE BOARD ON 10-10-2018 TO GO UNCORRECTED TO BE USED AGAINST PRISONER PER PAROLE FILES AND THERE INDIVIDUAL PAROLE HEARINGS WITHOUT ACKNOWLEDGMENT CREATING WRONGFUL PAROLE DECISION MAKING TO REJECT POSSIBLE PAROLE GRANT UNDER AN ONGOING INVESTIGATION NOT FINALIZED TO DETERMINE THE REPORTED ALLEGED REPORT, WHERE PRISONER REDISCOVERED ON 10-23-2024 THAT PRIOR REPORT NOTIFIED TO PAROLE AUTHORITIES ON 10-10-2018 WENT UNCORRECTED AND WHERE PRISONER DISCOVER ADDITIONAL FALSE RECORDS UNDER PAROLE FILE REVIEW ON 11-18-2024 PRISONER REQUEST FOR REHEARING AND FILE APPEAL WITH THE ADMINISTRATIVE LAW ON DECEMBER -9-2024. ON JANUARY -13-2025 PAROLE AUTHORITIES FINALIZED THE MANDATED INVESTIGATION WHICH WAS DETERMINE PAROLE PRIOR FILES WERE INCORRECT, WHERE ON MARCH -26-2025 PAROLE AUTHORITIES REHEARD THE 10-23-2024 PAROLE FINAL AND REMOVED THE VALIDATE FALSE RECORDS VERIFIED BY THE PAROLE AUTHORITIES ON JANUARY -13-2025..... HOWEVER FAIL TO RESCHEDULE THE 10-10-2018 PAROLE HEARING WHERE THE REPORTED FALSE RECORDS ALLEGED APPEARED NOTIFIED TO THE PAROLE AUTHORITIES THAT CONTINUE UP TO JANUARY -13-2025 WHERE IT WAS DETERMINE PRISONER ALLEGATION WAS TRUE IDENTIFIED ERROR BY PAROLE AUTHORITIES WHERE THESE EARLY PAROLE HEARINGS GRANTS COULD HAVE BEEN POSSIBLE IF NOT FOR USE OF FALSE RECORDS VIOLATES NAPE-VS ILLIONS, WHERE PRISONER WAS NOTIFIED ON JAN-13-2025 AFTER THE INVESTIGATION

CHARLES MICHAEL MITCHELL
Appellant's Name

Charles Michael Mitchell
Signed

ALLENDALE Correctional INSTITUTION
Mailing Address

OCTOBER -22-2025
Dated

FAIRFAX, SOUTH CAROLINA 29827
City, State, Zip Code

CERTIFICATE OF SERVICE

I hereby certify that I, CHARLES M. MITCHELL (your name), on the 10 day of 22, 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
Print your name
(See reverse side for instructions)

Charles M. Mitchell
Sign your name

DOCUMENT

S.

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).

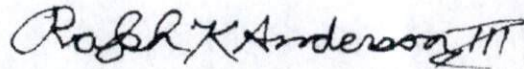
² See also S.C. Code Ann. § 1-23-600(E) (Supp. 2025) (providing that ALC appellate review "must be in the same manner as prescribed in Section 1-23-380 for judicial review of final agency decisions with the presiding administrative law judge exercising the same authority as the court of appeals"); S.C. 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