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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW
JUDGE: HONORABLE J. PHILLIP LENSKI; ADMIN
INISTRATIVE LAW JUDGE.

APPELLATE CASE NO. 2024-000093

SOUTH CAROLINA DEPT. OF PROBATION, PAROLE AND
PARDON SERVICES. RESPONDENTS

V.

ROBERT F. SPIGNER, PRO SE
APPELLANT

THE APPELLANT ROBERT F. SPIGNER PURSUANT TO
RULE 221, SCACR MOVES THIS COURT TO
RECONSIDER ITS 2/SEPTEMBER/2026 OPINION.
IN SUPPORT OF THE MOTION THE APPELLANT
SHOWS THE FOLLOWING TO THE COURT:

This Court Over-Look A Material Fact. This Appeal is Concerning A Parole Violation Criteria that was in effect in 1970 when this offense happened, that Controls by Law, the Appellants Appearances before the S.C. Parole Board. And the failure by the Board to use the Criteria.

A. The Administrative Law Court Never cited the Law, when it was raised by the Appellant. The Law that was in effect at the time of the Offense Governs this Appeal.

B. This Court in their Opinion never mentioned the S.C. Parole Board Policy Although it is Clearly Raised in the Final Brief and

A copy of the Policy is in the Record on Appeal Pages 24-27.

2. As a matter of law failure of the S.C. Senate Board refusal to use the Correct Criteria violates Appellant's right to due Process and failure by the Court's to acknowledge this violation is unlawful.

3 This is a basic right that is upheld by All the Court's. This decision by Law should be rendered for Robert F. Spigner, Appellant

Wherefore the Appellant respectfully request the Court to Reconsider it's 2 September 2026 OPINION and Rule in favor of the Appellant.

September 4, 2026

CC: File

Robert F. Spigner
Allendale Corr. Inst
1057 Revolutionary Trail
Fairfax, S.C. 29827

State Of South Carolina

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Case No. 2024-000093

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Certificate of Service

Robert F. Spigner 065500 – Appellant

v

South Carolina Dept. of Probation, Parole and Pardon Services. – Respondent

Appellant Robert F. Spigner, declares under the penalty of perjury that he mailed a copy of his Motion for Reconsideration to the parties listed below by placing them in the U.S Mail clearly addressed.

S/ Robert F. Spigner
Robert F. Spigner

Ms. Jenny A. Kitchings, Clerk
S.C. Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

cc: File

Date 9/14/26

General Counsel
S.C. Dept. Probation, Parole and Pardon Ser.
293 Greystone Boulevard
Columbia, S.C. 29202

ROBERT F. SPIGNER 065500
ALLENDALE CORR. INST
1057 REVOLUNTARY TRAIL
FAIRFAX, S.C. 29827

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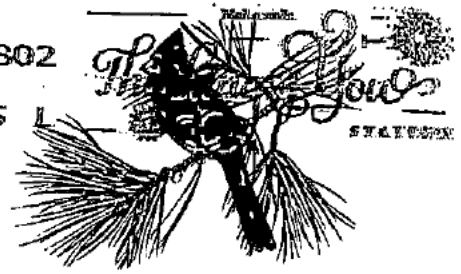

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