

Jenny Abbott-Kitchings, Clerk
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Albarr - Ali Abdullah, #191449
Kershaw Correctional Institution, OB-36
4848 Goldmine Highway
Kershaw, South Carolina 29067
2/7/2014

Re: Albarr - Ali Abdullah, #191449 v. SCDPPPS
Appellate Case No.: 2014-000185

Dear Ms. Kitchings:

I'm in receipt of your letter dated February 3, 2014 informing me of certain deficiencies in my case of appeal from the order dated: 1-16-2014 of Administrative Law Judge, Deborah Brooks-Durden.

Please be advised that I have cured the deficiencies you pointed out to the best of my abilities. Enclosed is a copy of the order I'm appealing from, and a proof of service showing that a copy has been served on the Administrative Law Court as is required by Rule 203(e), SCACR. However, I'm unable to pay the cost of filing my appeal in the Court of Appeals due to my indigency. Please allow me to proceed with the appeal with pre-payment of the one hundred dollars filing fee because I'm indigent and unable to pay the filing fee.

Thank you for any time and attention you give this case.

Sincerely,

P.S.: Please return a clocked-in copy of the enclosed to me. I've enclosed a self-addressed stamped envelope for your convenience.

Thank you for your cooperation. File the original and return the Notice of Appeal and the Order to me after you've processed it.

C.C.: Judge Brooks-Durden
J. A. Kitchings, Clerk Ct. of Appeals
N.T. Wetherington, Esquire
Personal Files

Albarr - Ali Abdullah

Albarr - Ali Abdullah, #191449
Appellant, Pro se
Kershaw Correctional Institution OB-36
4848 Goldmine Highway
Kershaw, South Carolina 29067
Date 2-7-2014

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FEB 20 2014

SC Court of Appeals

LEGAL

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE
LAW COURT

Deborah Brooks - Durden, Administrative Law Judge

Case No. 12-ALJ-15-0042-AP

South Carolina Department of Probation, Parole
and Pardon Services. Respondent,

v.

Albarr - Ali Abdullah, #191449. Appellant

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the
Honorable Deborah Brooks - Durden, Administrative Law Judge
by depositing a copy of it in the United States mail,
postage prepaid on: 1/23/2014 addressed to:
The Honorable Deborah Brooks - Durden, South Carolina Admini-
strative Law Court, 1205 Pendleton Street, Columbia, South
Carolina 29201.

Respectfully submitted,

Ali Abdullah

Albarr - Ali Abdullah, #191449
Appellant, Pro se
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, South Carolina 29067
Date 2/7/2014

Sworn to and subscribed before
me this 7 day of Feb, 2014

Catherine C. Orrera
(NOTARY PUBLIC OF SOUTH CAROLINA)

My commission expires: December 22, 2015

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FEB 20 2014

SC Court of Appeals

LEGAL

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Albarr Abdullah, #191449,

Docket No. 12-ALJ-15-0042-AP

Appellant,

vs.

ORDER

South Carolina Department of Probation
Parole and Pardon Services,

Respondent.

This matter is before the Administrative Law Court (ALC) pursuant to the appeal of Albarr Abdullah (Appellant) an inmate incarcerated with the South Carolina Department of Corrections filed on December 10, 2012. On December 18, 2012, the South Carolina Department of Probation, Parole and Pardon Services (Department) notified Appellant that his next Parole Board hearing would be held on January 30, 2013. Appellant alleges that the Department's failure to hold a parole review hearing two (2) years from the date of his previous parole review hearing pursuant to S.C. Code Ann. § 24-21-645 (Supp. 2012) is an Ex Post Facto violation.

The Department's brief fails to address the issue presented in the case that the failure to conduct the parole hearing within two years of the previous parole hearing is a violation of § 24-21-645(D).

ORDER

IT IS THEREFORE ORDERED that the Department shall submit a supplemental brief within 60 days of the date of this Order addressing whether the failure to hold a parole hearing prior to October 21, 2012 was a violation of § 24-21-645(D). The brief should also address what remedy is appropriate if a violation is found.

IT IS ALSO ORDERED that Inmate shall be allowed to file a responsive brief within 30 days of the date the Respondent's brief is filed.

AND IT IS SO ORDERED.

January 16, 2014
Columbia, South Carolina

Deborah Brooks Durden
Deborah Brooks Durden, Judge
S.C. Administrative Law Court

FILED

JAN 16 2014

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FEB 20 2014
SC Court of Appeals

SC ADMIN. LAW COURT

CERTIFICATE OF SERVICE
This is to certify that the undersigned has this date
invited the order in the above entitled action upon all
parties to this cause by depositing a copy herof,
the United States mail, postage paid, or in the interagency
all Service addressed to the party(ies) or their attorney(s).
is 16th day of January 2014
R. E. G.
Judicial Law Clerk

Albarr- Ali Abdullah, #191449
Kershaw Correctional Institution, OB-36
4848 Goldmine Highway
Kershaw, South Carolina 29067

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FEB 20 2014

SC Court of Appeals

Jenny Abbott-Kitchings, Clerk
South Carolina Court of Appeals
1015 Sumter Street

Columbia, South Carolina 29201

LEGAL

FEB 11 2014

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MAILROOM

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COMMUNICATIONS SECTION
FEB 11 2014
FORT MONMOUTH

NEW JERSEY DEPARTMENT OF CORRECTIONS