

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

**RECEIVED**  
FEB 20 2014  
SC Court of Appeals

SC ADMIN. LAW COURT

NOTICE OF SERVICE  
This is to certify that the undersigned has this date served this 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 Interegency all Service addressed to the party(ies) or their attorney(s).  
is 16th day of January 2014

*R. E. Co.*  
Judicial Law Clerk