

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

Albarr-Ali Abdullah #191449
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, South Carolina 29067
2-26-2014

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

Dear Ms. Abbott-Kitchings:

I'm in receipt of your letter dated February 24, 2014 wherein you instructed me to cure certain deficiencies in a document I submitted to your office for filing in the above referenced case.

Please find enclosed the original of the corrected document and a copy of same. Please file the original and return a clocked-in copy to me for my records. For your convenience I've enclosed a self-addressed stamped envelope.

I apologise for any inconvenience I may have caused you by submitting a deficient document in this case, please forgive this unintended oversight by myself.

Again, thank you for your continued time and attention you give this case.

I remain sincerely,
Yours,

Albarr A. Abdullah

Albarr-Ali Abdullah #191449,
Appellant, Pro se
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, South Carolina 29067
Date 2/26/14

C. C. The Honorable Deborah Brooks-Durden
J. A. Kitchings, Clerk of Ct., S.C. Ct. of Appeals
N. T. Wetherston, Esquire, SCDPPPS Legal Counsel
Personal Files

RECEIVED

MAR 06 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

RECEIVED

Case No.: 12-ALT-15-0042-AP

MAR 06 2014

South Carolina Department of Probation, Parole and Pardon Services Respondent

SC Court of Appeals

vs.
Albarr - Ali Abdullah, #191449 Appellant

PROOF OF SERVICE

I, Albarr - Ali Abdullah, #191449, Appellant in the above captioned action certify that I have served the Notice of Appeal on the Honorable Deborah Brooks-Durden, Administrative Law Judge and Nicole T. Wetherton, Esquire Legal Counsel South Carolina Department of Probation, Parole and Pardon Services by depositing a copy of it in the United States mail, postage prepaid on: 2-27-2014 addressed to: The Honorable Deborah Brooks-Durden Judge, South Carolina Administrative Law Court, 1205 Pendleton Street, Suite 200 Columbia, South Carolina 29201, and one addressed to: Nicole T. Wetherton, Esquire, Legal Counsel, South Carolina Department of Probation, Parole and Pardon Services, Post Office Box 50666, Columbia, South Carolina 29250.

Respectfully submitted,

si Albarr Ali Abdullah

Albarr - Ali Abdullah #191449
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, South Carolina 29067
Appellant, Pro se
Date 2-27-2014

Sworn to and subscribed
before me this 27 day of
Feb., 2014

Catharine A. Amos
(NOTARY PUBLIC OF SOUTH CAROLINA)

My commission expires: _____

My Commission Expires December 22, 2018

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,

si/ 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 R. Overton
(NOTARY PUBLIC OF SOUTH CAROLINA)

My commission expires: December 22, 2013

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

Re: Albarr-Ali Abdullah, #191449 v. SCDPPPS
Appellate Case No.: 2014-00018.5

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,

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

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

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.

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

January 16, 2014
Columbia, South Carolina

FILED

JAN 16 2014

SC ADMIN. LAW COURT

CERTIFICATE OF SERVICE
I am certifying that the undersigned has this date
invited this order in the above entitled action upon all
parties to this cause by depositing a copy hereof,
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,
Appellant,

v.

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

IN THE ADMINISTRATIVE LAW COURT
STATE OF SOUTH CAROLINA
Docket No.: 12-ALJ-15-0043-AP

AFFIDAVIT OF
INDIGENCY

TO: THE HONORABLE: JENNY ABBOTT-KITCHINGS:

I, Albarr-Ali Abdullah, #191449, Appellant in the above captioned action, who first being duly sworn deposes and says:

1. I am the Appellant in the above captioned action;
2. That I am unable to pay the filing fees and/or court costs required by Rule 203(e), SCACR due to my indigency;
3. I am incarcerated in the South Carolina Department of Corrections and I have no funds in my inmate trust account available to pay the filing fees and/or court costs in the case of: Albarr-Ali Abdullah, #191449 v. SCOPPPS, S. C. Ct. of Appeals, Appellate Case No.: 2014-000185.

Respectfully submitted,
Dated: 2-10-2014

si Albarr Ali Abdullah

Albarr-Ali Abdullah, #191449
Appellant, Pro se
Kershaw Correctional Institution, DB-36
4848 Goldmine Highway
Kershaw, South Carolina 29067
Date 2-10-2014

Sworn to and subscribed before
me this 10 day of February, 2014.

Cathie A. Overton
(Notary Public of South Carolina)
My commission expires: December 23 2018

c.c.: Judge Brooks-Durden
J.A. Kitchings, Clerk Ct. of Appeals
N.T. Weatherston, Esquire
Personal files

Albarr-Alì Abdullah, #191449
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, South Carolina 29067

RECEIVED

MAR 06 2014

SC Court of Appeals

The Honorable Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
Post Office Box 11629/1015 Sumter Street
Columbia, South Carolina 29201

LEGAL

THE DEPARTMENT OF CHILDREN HAS NOT
ENDORSED THE CONTENTS OF THIS PAMPHLET
AND DOES NOT ASSUME RESPONSIBILITY FOR THE
CONTENTS

RECEIVED
DEPARTMENT OF CHILDREN
AND YOUTH SERVICES
WASHINGTON, D.C.

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