

The South Carolina Court of Appeals

Patrick L. Booker, Appellant,

v.

South Carolina Department of Juvenile Justice; South Carolina Juvenile Parole Board; South Carolina Department of Social Services; State of South Carolina; and Randall L. Chambers, Defendants,

Of whom South Carolina Department of Juvenile Justice; South Carolina Juvenile Parole Board; South Carolina Department of Social Services; and State of South Carolina are the Respondents.

Appellate Case No. 2014-000732

ORDER

On October 9, 2012, the Supreme Court of South Carolina issued an order referencing its April 7, 2010 order prohibiting Patrick Lee Booker (Appellant) from filing any further collateral actions challenging his 2003 convictions without first obtaining permission from the Supreme Court. The 2012 order further advised that the 2010 order "is applicable to any collateral challenge that is filed in the circuit court which is in any way related to [his] 2003 guilty pleas."

The present appeal is from an order of the circuit court dismissing Appellant's complaint against the South Carolina Department of Juvenile Justice, the South Carolina Juvenile Parole Board, the South Carolina Department of Social Services, and the State of South Carolina (collectively Respondents). In his complaint, Appellant alleged that Respondents were negligent in conditionally releasing him on parole without ensuring that he received "life and coping skills, discipline, structure, and a proper education," which would have significantly reduced his risk of committing a serious criminal offense. Appellant alleged that Respondents'

failure caused him to commit multiple armed robberies in June 2002 resulting in a guilty plea to armed robbery.

As noted in the circuit court's January 2, 2014 order dismissing Appellant's complaint against Respondents in the instant appeal, Appellant's allegations all relate to alleged events that occurred prior to his arrest on armed robbery charges and other crimes in June 2002. On November 5, 2003, Appellant pled guilty to numerous charges arising out of his June 2002 arrest, including four counts of armed robbery. These are the convictions referenced in the Supreme Court's 2010 and 2012 orders. We find the order on appeal is a collateral challenge filed in the circuit court that is related to Appellant's 2003 guilty pleas. Appellant has not indicated that he obtained permission from the Supreme Court before filing the present action in the circuit court. Accordingly, this appeal is dismissed because the underlying action violates the Supreme Court's orders prohibiting Appellant from filing any further collateral actions challenging his 2003 convictions. Remittitur shall be sent according to Rule 221(b) of the South Carolina Appellate Court Rules.


_____, J.
FOR THE COURT

Columbia, South Carolina

cc:
Patrick L. Booker, 00297590
Janet Brooks Holmes, Esquire
Russell W. Harter, Jr., Esquire
Kristin M. Simons, Esquire
Randall L. Chambers

FILED

May 19, 2014

E.C.

mailed +
uploaded