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JUN 26 2014

SC Court of Appeals

THE SOUTH CAROLINA COURT OF APPEALS

Bernard Bagley, #175851

Appellant,

v.

South Carolina Department of Probation,  
Parole and Pardon Services,

Respondent.

APPELLATE CASE No.: 2013-000042

APPELLANT'S MEMORANDUM ADDENDUM

1. WHETHER AT THE TIME OF THE APPELLANT'S HEARING DID SECTION 24-21-10(F)(1) REQUIRE THE PAROLE BOARD TO EVALUATE AN INMATE USING THE DEPARTMENT'S ADOPTED RISK ASSESSMENT TOOL AND CONSIDER THE RESULTS OF SUCH AN EVALUATION IN REACHING A PAROLE DECISION?
2. IF SO, WAS THE STATUTE COMPLIED WITH IN THE PAROLE PROCEEDING?

SHORT ANSWERS

1. YES.
2. NO.

INTRODUCTION

Bernard Bagley, (#175851), the Appellant submits this Memorandum Addendum to include within the record. FOR purposes of this Memorandum Addendum, Appellant incorporates into the record and repeat as if repeated verbatim herein, his Memorandum dated June 20, 2014, and his briefs, and all documents on file with this Court.

ADDITIONAL ARGUMENT

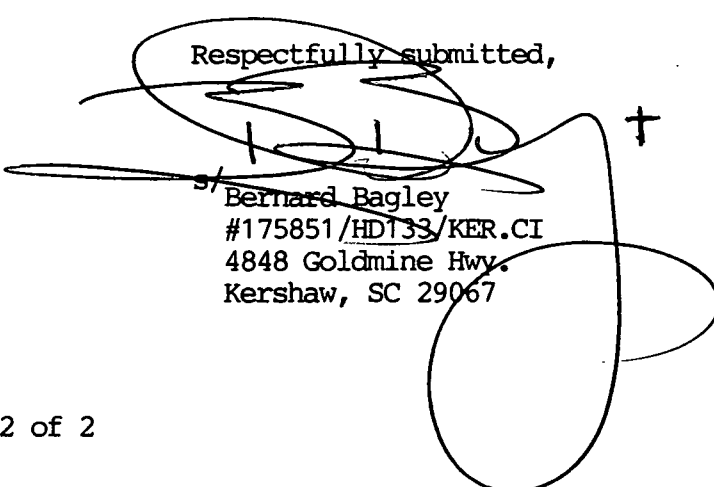
Appellant avers that the parole hearing on October October 12, 2012, was in error and should have been rescinded. The Parole examiner failed to adminisiter the COMPAS Risk Assessment Evaluation when she improperly interviewed Bagley in June 21, 2012. Wherefore, the October 12, 2012 parole hearing was in error, because the statute Section 24-21-10(F)(1) was not complied with in the parole proceeding. This was a mistake of the department, and pursuant to South Carolina Law, §24-21-10(F)(1), the scheduled October 12, 2012 parole hearing should have been rescinded until he was properly interviewed, and administered the COMPAS

Risk Assessment Evaluation.

CONCLUSION

The scheduled October 12, 2012 parole hearing was in error, and should have been rescinded. For the foregoing reasons, Appellant pray that the Court reverse and remand for a new parole hearing in thirty (30) days.

Respectfully submitted,



s/ Bernard Bagley  
#175851/HD133/KER.CI  
4848 Goldmine Hwy.  
Kershaw, SC 29067

June 26, 2014

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FOR THE ADMINISTRATIVE LAW COURT  
Ralph King Anderson, III, Administrative Law Judge  
Appellate Case No.: 2013-000042

Bernard Bagley, 175851,

Appellant,

v.

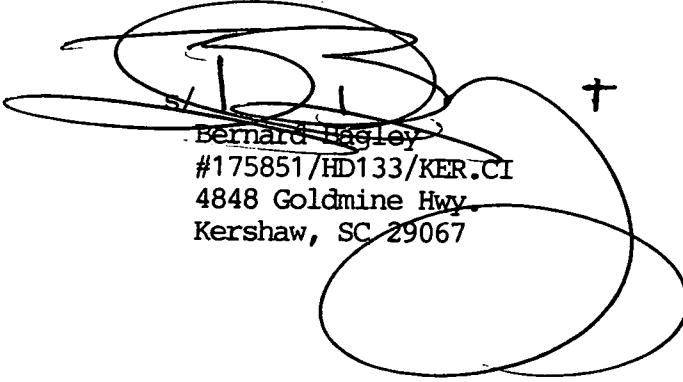
S.C. Department of Probation, Parole  
and Pardon Services,

Respondent.

CERTIFICATE OF COUNSEL  
PRO SE

The undersigned certifies that the Appellant's Memorandum Addendum contains  
all material proposed to be included by the parties.

June 26, 2014

  
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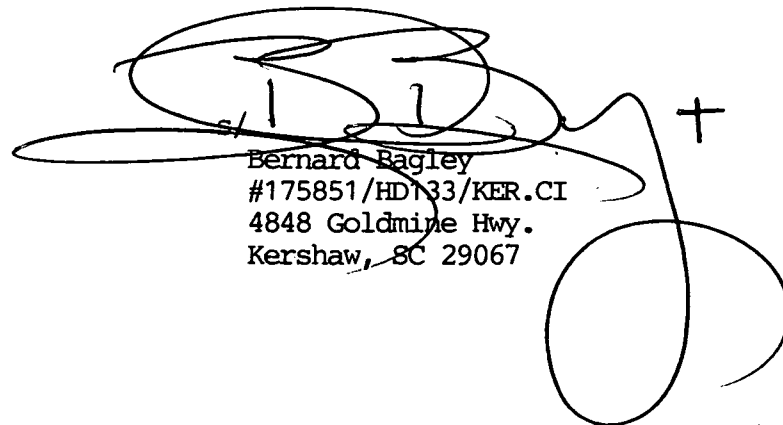
v.

S.C. Department of Probation, Parole  
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Respondent.

PROOF OF SERVICE

I, Bernard Bagley, the Appellant certify that I have served the Appellant's Memorandum Addendum, and the Certificate of Counsel dated June 26, 2014, on the respondent this 26th day of June 2014, by depositing a copy of the same in the U.S. Mail, postage prepaid, addressed to: Tommy Evans, Jr.,  
SCDPPPS General Counsel  
P.O. Box 50666  
Columbia, SC 29250

  
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