

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable Carolyn Matthews, Administrative Law Judge
13-ALJ-15-0042

Case No.: 14-00773

KENNETH GREEN, #116020 APPELLANT,

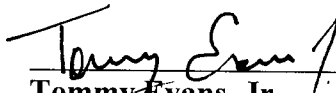
v.

S.C. DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES, RESPONDENT.

MOTION TO DISMISS APPELLANT'S RECORD ON APPEAL AS PREMATURE

Comes now, Tommy Evans, Jr., Assistant General Counsel for the South Carolina Department of Probation, Parole and Pardon Services (the Department), respectfully requests this Court to Dismiss Appellant's filing of the Record on Appeal as premature. Today, Respondent received the Final Brief of Appellant and Record on Appeal in the above referenced matter, however, this Court has not yet ruled on Respondent's Motion to Deny Appellant's Designation of Matter filed on August 7, 2012. Therefore, this Record on Appeal is premature and should be dismissed.

Respectfully submitted,



Tommy Evans, Jr,
Assistant General Counsel
South Carolina Department of Probation,
Parole and Pardon Services
P. O. Box 50666
Columbia, South Carolina 29250

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SEP 10 2014

SC Court of Appeals

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v.

S.C. DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES,RESPONDENT.

CERTIFICATE OF SERVICE

I, Dawn Nichols, Executive Administrative Assistant, hereby certify that a copy of the within Motion to Dismiss Record on Appeal as Premature has been served upon the Appellant this 9th day of September, 2014, by U. S. Mail, postage prepaid as follows:

Kenneth Green, #116020
Lieber Correctional Institution
PO Box 205
Ridgeville, South Carolina 29472



Dawn Nichols,
Executive Administrative Assistant
South Carolina Department of Probation,
Parole, and Pardon Services
P. O. Box 50666
Columbia, SC 29250
(803) 734-9220

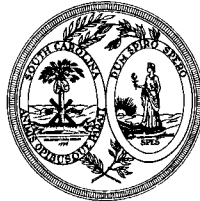
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SC Court of Appeals

State of South Carolina
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY
Governor



KELA E. THOMAS
Director

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September 9, 2014

The Honorable Jenny Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

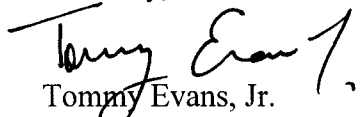
RE: Kenneth Green v. SC Department of Probation, Parole and Pardon Services

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of Respondent's Motion to Dismiss Record on Appeal as Premature in the above referenced case. By copy of this letter we are serving Appellant with this motion today.

Thank you.

Sincerely,


Tommy Evans, Jr.
Assistant General Counsel

TE:dn

Enclosures
cc: Kenneth William Green

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SC Court of Appeals