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JAN 29 2015

SC Court of Appeals

STATE OF SOUTH CAROLINA

In the COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
S. Phillip Lenski, Administrative Law Judge

74903

DOCKET NO: 14-ALJ-15-0028-AP

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

- VS -

James Douglas Tinsley; Appellant.

NOTICE OF APPEAL

James Tinsley hereby Appeals the decision of the Honorable S. Phillip Lenski dated January 14, 2015 and Received by Appellant on January 20, 2015. Appellant seeks this appeal inasmuch as he believes the decision was affected by an error of law and was clearly erroneous in view of the whole record.

Judge Lenski Failed to Realize that he had authority to Review any contested case where a parties Constitutional Rights have been violated,

- +

especially when those Rights were violated on some basis outside the scope of S.C. Code, § 24-21-620. Judge Lenski's Reliance upon Furtick and Cooper are misplaced because they do not stand for the proposition that Judicial Review is improper or unavailable in cases where the prisoner claims his Rights were violated on some basis other than the "denial of Parole" - such as a claim that his Rights have been violated by an agencies "Retention and use of False information". Prisoners have a due process Right to "Judicial Review" to determine if an agencies actions are "otherwise violative of the constitution." In non-collateral matters this is properly brought with the ALC and the ALC's decision therefore deprives Appellant and similar type claims from "Judicial Review." For this reason, Appellant seeks an appeal.

Respectfully submitted,

January 23, 2015

s/ James Douglas Tinsley, Jr.

JAMES D. Tinsley, #171943-F286

Allendale Correctional Institution

P.O. Box 1151

Fairfax, S.C. 29827

CERTIFICATE OF SERVICE

I, James Douglas Tinsley, SR, hereby certify that I did cause the foregoing "notice of Appeal" to be served upon counsel of record this 27th day of JANUARY, 2015, by placing a true and correct copy in the U.S. mail, with proper postage affixed thereto, and addressed as follows:

South Carolina Dept. of Probation, Parole and Pardon Services, and


Tommy Evans, JR.

Assistant General Counsel for SCOPPPS

P.O. Box 50666

Columbia, S.C. 29250

(803) 734-9220


James Douglas Tinsley, SR.

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SC Court of Appeals

Dear Clerk,

Please find enclosed Postal Money Order
in the amount of \$100.00 to cover filing fee
for the appeal enclosed.

Thank You
Doug Justice

864-269-2890

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SC Court of Appeals

James Tinsley
1004 S Welcome Rd.
Greenville, SC 29611-5535

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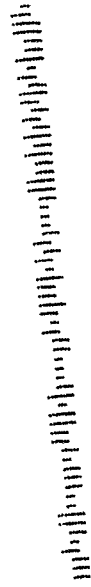
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Clerk
South Carolina Court of Appeals
1015 Sumpter Street
Columbia S.C. 29201

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