

IN THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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SC Court of Appeals

APPEALING PROBATION, PAROLE AND  
PARDONS FINAL DECISION

JUDGE ANDERSON

CASE NO. 15-0060

SHAWN GOLDSMITH \_\_\_\_\_ APPELLANT

v.

S.C. PROBATION, PAROLE  
AND PARDON SERVICES \_\_\_\_\_ RESPONDENT

\_\_\_\_\_  
NOTICE OF APPEAL AND BRIEF  
\_\_\_\_\_

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THE STATE OF SOUTH CAROLINA )  
IN THE COUNTY OF RICHLAND )

SHAWN GOLDSMITH )

CASE NO. 15-0060

APPELLANT )

APPEAL OF FINAL DECISION

v. )

S.C. PROBATION; PAROLE AND )  
PARDON )

RESPONDENT )

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Come now Shawn Goldsmith before this Honorable

Courts in a appeal of the denial of the Parole Board.  
Appellant is requesting the courts to reinstate the parole  
that was granted to him on Febuary 25, 2015.

Therefore Appellant Shawn Goldsmith bring forth  
to the courts a "NOTICE OF APPEAL" concerning the ruling  
of the Administrative Law Court and the S.C. Probation,Parole  
and Pardon Services Parole Board.

**LEGAL**

INDEX

CERTIFICATE OF COUNSEL \_\_\_\_\_ 1  
QUESTIONS PRESENTED \_\_\_\_\_ 1  
STATEMENT OF CASE \_\_\_\_\_ 2

ARGUMENTS

1. STATE GRANTED APPELLANT PAROLE, THEN REVOKED IT BEFORE APPELLANT COULD START.
  
2. APPELLANT WAS DENIED FOR THE SAME REASONS AS THE OTHER (10) TEN HEARINGS.

STATEMENT OF CASE

ON January 31, 1995 I was sentenced to 40 years in the South caroline Department of Corrections. Upon my incarceration I have been up for parole ten times and the eleventh one on Febuary 25th of 2015, I was granted parole with the conditions of: (1) INTENSIVE SUPERVISION NOT TO EXCEED SIX MONTHS, (2) MUST ATTEND MENTALHEALTH PROGRAM, (3) MUST HAVE NO CONTACT WITH VICTIM, (4) acceptable RESIDENCE PLAN, (5) PSYCHOLOGICAL EVALUATION, (6) SPICE PROGRAM, (7) MUST REIMBURST SCDPPPPS.

Thus after being granted, I signed my contract for the spice program on the same day of the parole hearing. Appellant startd program on April 15th 2015. I was then informed that my parole had been revoked due to " FAILURE TO COMPLETE A COMMUNITY SUPERVISION PLAN" and " POOR COMMUNITY ADJUSTMENT". Which is part of the assesment before rendering parole. Those are the critiria's they look at before granting or denying parole.

By them taking away my parole after granting it, takes away my "LIBERTY INTREST" and shows "GROSS NEGLIGENCE on the Boards part. Appellant wonders how you can grant a person parole and revoke it before he had a chance to prove himself.

By the Board revoking Appellants parole before he was able to give them a reason, breaches the contract signed between the Board and him and therefor have violated his CONSTITUTIONAL RIGHT of taking his "LIBERTY INTREST"

(s) *Shawn Goldsmith*

**LEGAL**

CONCLUSION

In conclusion these are the claims Appellant has put forth in this appeal of the Boards decision and ask the Honorable courts to rule in the Appellants favor and reinstate his parole with the conditions agreed upon in the contract.

CERTIFICATE OF COUNSEL

Appellant certifies that he was notified of his parole being revoked on April 15, 2015.

QUESTIONS PRESENTED

1. WHY WAS APPELLANTS PAROLE REVOKED FOR AN ISSUE THAT SHOULD HAVE BEEN CONSIDERED BEFORE IT WAS GRANTED
2. WHY WAS APPELLANTS PAROLE REVOKED FOR THE SAME REASONS AS THE OTHER TEN HEARINGS

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# S.P.I.C.E.

## SELF PACED IN-CLASS EDUCATION PROGRAM

### ( PARTICIPANT CONTRACT ) Institutional Component

The SPICE Program is a collaborative effort on the part of SCDC, Probation, Parole, and Pardon Services and Greenville, Piedmont, and Trident Technical Colleges. This program is uniquely designed to reintegrate the offender back into society.

I understand that this is a voluntary program and by participating in this program I will adhere to all the rules of this program. I acknowledge that this will be a strict and regimented educational program. It is mandated that I participate in transitional training in social/life skills, vocational, health and wellness education, and religious education.

I understand that by my participation in this program, SCDC, SCDPPPS, nor the SC Parole Board guarantees my parole.

If paroled, I agree to complete the second phase of the program which will provide hands-on vocational training through participating technical colleges. Wholesome mentoring or faith-based participation will be monitored to ensure success and accountability.

Inmate Name(print) Shawn Goldsmith SCDC #: 183746

Inmate SI X Shawn Goldsmith Date: 2-25-15

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CONDITIONS FOR PAROLE CASE # 29 REGION Levy DATE DEC 03 2015 9/25/15  
Name: Shawn Goldsmith SCDC # 183746  
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- 1. Must attend a substance abuse program for as long as they deem necessary and submit to screening.
- 2. Intensive supervision for an indeterminate period not to exceed 6 months, as determined by the Department.
- 3. Must Attend Mental Health program for as long as they deem necessary.
- 4. Must have no contact with the Victim and/or Victim's family for duration of parole.
- 5. Must attend and successfully complete the Addictions Treatment Unit Program and attend aftercare.
- 6. Parole Employment Program (PEP).
- 7. Electronic Monitoring (Home Detention) for an indeterminate period not to exceed 90 days as determined by the Department.
- 8. Home Detention, not to exceed 6 months, as determined by the Department.
- 9. (A) Must make restitution at the rate of \_\_\_\_\_ per month for the duration of parole.
- 9. (B) Make restitution in the amount of \_\_\_\_\_, and at a rate of \_\_\_\_\_ per month as determined by the SCDPPPS.
- 11. Employment/Residence.
- 12. Acceptable Residence Plan.
- 13. Favorable Psychological Evaluation (Psychological Fee if released on Parole, see #17).
- 14. Parole to \_\_\_\_\_ detainer only.
- 15. SPICE Program (In-house Program for 19 weeks).
- 17. Must Reimburse SCDPPPS for the cost of the Psychological.
- 18. Exempt supervision fee.
- 19. Restitution Center-recommend 90 days, however, may be extended to 6 months.
- 20. Public Service Employment (100 hours maximum).
- 23. Other
- 24. Parole on or after Parole Eligibility date of \_\_\_\_\_
- 25. DNA blood test as determined by SCDPPPS.
- 26. Complete Sexual Predator Review.

Offender Signature Shawn Goldsmith

Date 2-25-15

Society

SHAWN Goldsmith #183746  
4848 Goldmine Hwy PB7  
Kefshaw, S.C. 29067

*am*

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