



create a liberty interest in the granting of parole itself. Furtick, 352 S.C. at 598, 576 S.E.2d at 149 n. 4. Therefore, the ALC may summarily dismiss claims arising from the Board's decision denying parole. The ALC will review claims that the Board failed to consider the appropriate criteria so as to be tantamount to an abrogation of parole eligibility. Cooper v. S.C. Dep't of Prob., Parole and Pardon Servs., 377 S.C. 489, 661 S.E.2d 106 (2008). Appellant makes a claim that he should be eligible for parole.

S.C. Code Ann. § 24-21-640 (Supp. 2014) states:

The board must not grant parole nor is parole authorized to any prisoner serving a sentence for a second or subsequent conviction, following a separate sentencing for a prior conviction, for violent crimes as defined in Section 16-1-60.

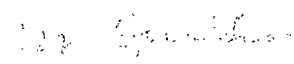
S.C. Code Ann. § 16-1-60 classifies burglary in the second degree as a violent crime. Appellant was convicted of second degree burglary on June 20, 2011. Appellant was convicted of second degree burglary on March 13, 2013. As Appellant is serving a sentence for a second conviction, following a prior conviction, for violent crimes as defined in Section 16-1-60, Appellant is not eligible for parole. Therefore, the decision of PPS denying parole eligibility was lawful.

#### ORDER

**IT IS THEREFORE ORDERED** that PPS's decision denying Appellant parole eligibility is **AFFIRMED**.

**AND IT IS SO ORDERED.**

Columbia, S.C.  
February 2, 2016

  
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John D. McLeod, Judge  
South Carolina Administrative Law Court