

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
JAMES R. BARDER, III, CIRCUIT COURT JUDGE

Appellate Case No. 2016-000146
(Filed 6-10-2016)
Trial Court No. 2005CPH002795

ISIAH JAMES, JR., Petitioner,

v.

SOUTH CAROLINA DEPARTMENT OF
PROBATION, PAROLE AND PARDON
SERVICES (SCDPPPS), Respondent.

A P P E N D I X

Isiah JAMES, Jr., 096883
WCI, IC 6T, 4340 Broad River Road
Columbia, SC 29210

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SC SUPREME COURT

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The South Carolina Court of Appeals

Isiah James, Jr., Appellant,

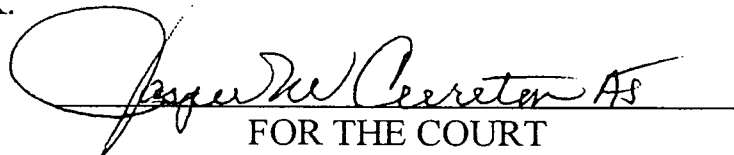
v.

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

Appellate Case No. 2016-000146

ORDER

Appellant is attempting to appeal the circuit court's order, which held that the Parole Board failed to consider the appropriate criteria for parole determinations and remanded the case to the Parole Board for a new determination regarding Appellant's parole. Because Appellant is not aggrieved by the circuit court's order, this appeal is dismissed. *See* Rule 201(b), SCACR ("Only a party aggrieved by an order, judgment, sentence, or decision may appeal."). The remittitur will be sent as provided in Rule 221, SCACR.

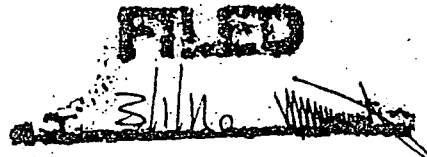

FOR THE COURT

Columbia, South Carolina

cc:

Isiah James, Jr., #96883

Tommy Evans, Jr., Esquire

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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
JAMES R. BARBER, III, CIRCUIT COURT JUDGE

2005CP4002795
Appellate Case No. 2016-000146

Isiah James, Jr., Appellant

VS.

South Carolina Department of Probation,
Parole and Pardon Services (SCDPPPS), Respondent.

PETITION FOR REHEARING WITH
SUGGESTION REHEARING EN BANC

Petitioner requests herein the Court to entertain a rehearing in the appeal according to Rules 240 (G) & (J), 221 (a) & (c) and 219 of South Carolina Appellate Court Rules (SCACR):

1. James filed a timely notice of appeal thereto the 12-5-14 Order which was received by appellant on or about 1-12-2016;
2. The Order contained language, "The Parole Board's stated reasons are based on fixed factors that can never

be remedied by Appellant" (p.5) which is the basis for the appeal along with memos) and etc. before the lower court.

3. As the 12-5-14 Order set forth there was a prior appeal in this court decided on 9-5-2012, 2012 WL 10862739, App. Cas. No. 2011-199967 under no. 2012-UP-503 where he raised the jurisdictional question about the last sentence of 25 years that he is finally serving;

4. This is the last appeal which the circuit court has appellate jurisdiction therefrom the Administrative Law Court [ALC];

5. The 3-1-16 'Order' of the Court involves one justice who overlooks the prior appeal and he set forth a decision that a jurisdictional issue may not be raised on/in the appeal because James was successful after a decade and a-half in securing a favorable decision which respondent is not following the order of 12-5-14. The Order should be overruled.

Respectfully submitted this 6 day of March 2016.

Isiah James, Jr

Isiah JAMES, Jr. 96893
RCT, CA-52, POB 2039
Ridgeland, S.C 29936

The South Carolina Court of Appeals

Isiah James, Jr., Appellant,

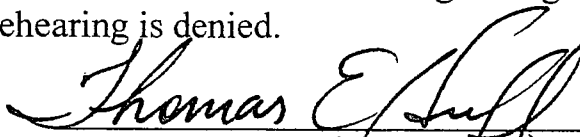
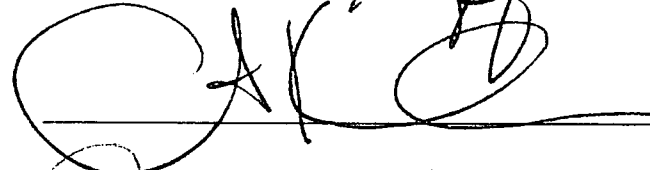
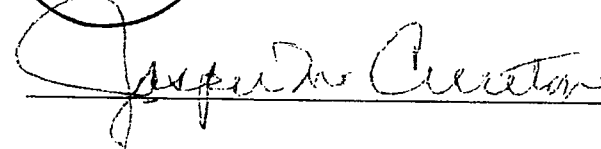
v.

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

Appellate Case No. 2016-000146

ORDER

This appeal was dismissed on March 1, 2016. Appellant has now filed a petition for rehearing. After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

 A.C.J.
 J.
 A.J.

Columbia, South Carolina

cc:

Tommy Evans, Jr., Esquire

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cc: Isiah James, Jr., 096883

FILED

6/10/2016