

The South Carolina Court of Appeals,

William Allen #128666, Appellant

4-3-17

v.

South Carolina Dept. of Correct., Respondent

Appellant Case No: 2017-000596
amendment in support of
motion/brief dated 3-20-17.

Statement of the Case,

Appellant is being held unlawfully by SCDC.
this agency has no legal valid sentencing sheet/
commitment order signed by a judge and filed by the Clerk of Court.

Discussion

I am not challenging the validity of my sentence.
What I am challenging is SCDC authority of law to hold
my person without a legal valid and proper sentencing sheet
and Commitment Order and therefore contending that my incarceration
is illegal - against the statutory law of South Carolina - not
my sentence that was imposed upon my person by a General
session judge.

Agency policy and state law clearly says SCDC, must have
a valid sentencing sheet and/or commitment order for such
agency to legally received my person into said DOC. Otherwise,
the agency is holding appellant against the statutory provisions
they abide by according to their own agency policy.

RECEIVED

APR 05 2017

SC Court of Appeals

Page 1 of 2

Appellant would furthermore, contend also, that the Court had a Judicial Duty, some 26 years ago, to fill-out a legal valid approved by the Attorney General's office. Standardized sentencing sheet/commitment order and file it with the Clerk of Court at that time. In order for a sentencing sheet/commitment order to be a legal valid binding document.

The Court made a Judicial Duty ERROR and fell short of its Judicial Duty. Therefore there is no legal valid sentencing sheet/commitment order signed by a judge filed with the Clerk of Court. That would give this state agency the authority of law to hold Appellant legally in their confinement.

Conclusion

For the above stated reasons Appellant's Appeal grievance is not a PCR matter, but instead an Appellate issue ripe for review and decision by the the Honorable Court of Appeals.

cc. Hand written to:
D.C.D.C. General Counsel

DATE 4-3-12

Respectfully submitted,
W. Allen

WILLIAM ALLEN
4460 Broad River Rd.
Columbia, S.C. 29210

State of South Carolina
South Carolina Court of Appeals

4-3-17

Appellate Case No: 2017-000596

Amendment in support of
motion/brief dated 3-20-17

RECEIVED

APR 05 2017

SC Court of Appeals

William Allen #128666

Appellant

v.

South Carolina Dept. of Corrections

Respondent

Certificate of Service

I, William Allen, inmate #128666 for Appellant, do certify that, I have served the within Amendment dated 4-3-17, on Respondent by depositing a copy of the same in the United States mail postage, interdepartmental mail SCDC, dated 3 day of April 2017, addressed to:

General Counsel SCDC
4444 Broad River Rd.
Columbia, SC. 29221-1289

I further certify that all parties required to be served have been served.

/s/ William Allen

William Allen

DATE APRIL 3, 2017

#128666 - mont. A-148

4460 Broad River Rd.

Columbia, SC 29210

William Allen
#128666-MONT.A-148
Broad River Corp, INST,
4460 Broad River Rd,
Columbia, S.C. 29210

RECEIVED
APR 05 2017
SC Court of Appeals

29211-162929

COLUMBIA
SC 290
04 APR '17
PM 4.1

UNITED STATES POSTAGE

PITNEY BOWES
02 1P \$ 000.46⁰
0000879467 APR 03 2017
MAILED FROM ZIP CODE 29210

South Carolina Court of Appeals
Jenny Abbott Kitchens, Clerk
Post Office Box 11629
Columbia, S.C. 29211

LEGAL MAIL