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STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW  
COURT, RALPH K. ANDERSON, III, ADMINISTRATIVE  
LAW JUDGE, DOCKET NO. 17-ALW-15-0006-AP

APPELLATE CASE NO: 2017-001701

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SC Court of Appeals

MARQUIS EDWARDS #328235

Appellant

V

South Carolina Department of Probation, Parole  
and Pardon Services,

Respondent

Final Brief of Appellant

MARQUIS EDWARDS #328235  
GOODMAN CORE, INST. 5-B-42B  
4556 BROAD RIVER RD.  
COLUMBIA, S.C. 29210  
Appellant

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## Statement of issue on Appeal

1. Is Appellant entitled to be notified on Notice of Appeal that he has (30) days to file Notice?
2. Is Appellant entitled to a copy of Motion from all parties?

## Statement of the Case

On August 7, 2017, The Honorable Ralph K. Anderson, III Administrative Law Judge, signed an "Order" dismissing case stating he has no jurisdiction over case do to Appellant exceeding the (30) day time limit to file Notice of Appeal from final decision of SCAPPAS. SEE (R.P.1)

This Appeal timely follows

## Statement of facts

On September 20, 2016, General Counsel for SCDPPPS informed Appellant that he was ineligible for parole consideration due to a prior April 28, 2008, conviction for Trafficking in Cocaine. Appellant received final decision of SCDPPPS from Waterlee Corr. mailroom on September 21, 2016. SEE (R. p. 6) and (R. p. 21-23)

## Argument

1. Is Appellant entitled to be notified on Notice of Appeal that he had (30) days to file Notice?
2. Is Appellant entitled to a copy of Motions from all parties?

On March 27, 2017, Appellant filed Notice of Appeal that was enclosed with final decision of SCDPPPs. SEE (R.p. 5) and (R.p. 6) The Notice of Assignment was filed and served March 29, 2017. The Honorable Ralph K. Anderson, III, stated in his "Order" the SCDPPPs filed a Motion to dismiss Appeal on March 30, 2017, stating Appellant failed to timely file Notice of Appeal. SEE (R.p. 1 line 10) Appellant would please like to state for the Record.

Appellant never seen, nor received any document or Motion to Dismiss from the SCDPPPs, nor the Honorable Judge Ralph K. Anderson, III, dated March 30, 2017. On April 7, 2017, Appellant filed Initial Brief on the "ALL" and SCDPPPs. On May 17, 2017 the SCDPPPs filed the Record on Appeal. SEE (R.p. 6-23). On May 27, 2017, Appellant filed another Brief on the SCDPPPs and "ALL". On July 17, 2017, SCDPPPs filed Brief of Respondent dated July 14, 2017. SEE (R.p. 1 line 1-15)

Appellant received Brief of Respondent from "GCI" mailroom on July 18, 2017. On July 24, 2017, Appellant filed a response entitled "Objections." In the response, Appellant stated when SCDPPD mailed its decision, it sent a form Notice of Appeal that was "Out of Compliance" and "Did not state on back" Appellant had to file in (30) days of final decision. SEE (R.p. 1 line 10-12) (SEE R.p. 5-p. 6)

Conclusion

BASED ON THE FOREGOING REASONS APPELLANT RESPECTFULLY  
REQUESTS THE FINAL DECISION OF THE ADMINISTRATIVE LAW COURT  
AND THE SCOPPS BE REVERSED AND VACATED

Columbia, S.C.

Sept 29, 2017

Respectfully submitted

1st Marquis Edwards  
MARQUIS EDWARDS #328235  
GOODMAN CORR. INST. 5-B-42B  
4556 BROAD RIVER RD  
COLUMBIA, S.C. 29210  
Appellant

STATE OF SOUTH CAROLINA  
In The Court of Appeals

Appeal from the Administrative Law  
Court, Ralph K. Anderson, III, Administrative  
Law Judge

Appellate Case No. 2017-001701

Marquis Edwards #328235

Appellant

v

S.C. Department of Probation, Parole  
and Pardon Services

Respondent

Certificate of Appellant

The undersigned certifies that this Final Brief complies  
with Rule 211(b), SCACR.

October 9, 2017

151 Marquis Edwards  
MARQUIS Edwards #328235  
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4556 Broad River Rd.  
Columbia, S.C. 29210  
Appellant

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STATE OF SOUTH CAROLINA  
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APPEAL FROM THE ADMINISTRATIVE LAW  
COURT, RALPH K. ANDERSON, III, ADMINISTRATIVE  
LAW JUDGE, DOCKET NO: 17-ALJ-15-0006-AP

APPELLATE CASE NO: 2017-001701

MARQUIS EDWARDS #328235

Appellant

V

S.C. DEPARTMENT OF PROBATION, PAROLE  
AND PARDON SERVICES

Respondent

PROOF OF SERVICE

I certify that I served the Final Brief and the Record on Appeal on Respondent, Tommy Evans, Jr. Esquire, SCPPPS, P.O. Box 50666, Columbia, S.C. 29250, and the Honorable Clerk, Jenny A. Kitchings, S.C. Court of Appeals, P.O. Box 11629, Columbia, S.C. 29211 by depositing 2 copies in the United States Mail, postage prepaid, on Sept 29, 2017, addressed to:

Tommy Evans, Jr. Esquire  
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Honorable Clerk, Jenny A. Kitchings  
S.C. Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

cc: Inmate file  
1 U.S.C. §1  
28 U.S.C. §1746

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