



The South Carolina Court of Appeals

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April 10, 2018

Torrey Deaund Manning, 364781
Kirkland Correctional Institution
4344 Broad River Rd.
Columbia SC 29210

Re: Torrey Deaund Manning #364781 v. SCDC
Appellate Case No. 2018-000548

Dear Mr. Manning:

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or this appeal will be dismissed:

- The required filing fee has not been submitted. The correct filing fee is \$100.00.
- Please be advised at this time, the argument you have presented in your notice of appeal is not needed until you file your appellant's initial brief. Therefore, the material presented in your notice of appeal will not be considered at this time and is being returned to you.

Very truly yours,

V. Claire Allen, Deputy

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cc: Christina Catoe Bigelow, Esquire

The Agency/ALC contends that the statutes 24-13-100 and 24-13-150(A) are in harmony with the codes of laws of South Carolina and the U.S.C.A Cont. Amend. 14. Appellant contends that the agency/ALC is in violation of constitutional and statutory provisions. For 24-13-100 and 24-13-150(A) are unconstitutional for the sentences not carrying the mandatory minimum of not less than 25 years. Resulting the Agency/ALC to be arbitrary with the appellant's sentence. For statutes 44-53-370 and 44-53-375 have offences that carry a maximum term of imprisonment of twenty years or more, that are eligible for parole. Which makes 24-13-100 and 24-13-150(A) unconstitutional to the other sentences within the two statutes 44-53-370 & 44-53-375 that do not carry the mandatory minimum of not less than 25 years. The petitioner is asking that the courts repeal the statutes 24-13-100 & 24-13-150(A) because they violate offenders Due Process of the 14th amendment where the state statute gives liberty Interest to offenders not carrying the mandatory 25 year minimum to the provisions of parole eligibility, work release, and supervised furlough in 44-53-370 and 375. For it is the duty of the courts to uphold the law, and enforce the correct law when a error of the law is present. Abuse if discretion occurs when the court ruling is based on error of the law. Because the courts have granted parole eligibility and the other listed provisions to inmates sentenced under 44-53-375 B)1) & 44-53-375(B) (2) which carries a maximum term of 25 years and 30 years. The state is being arbitrary and capricious and does not rightfully have merits to enforce statute 24-13-100 and 24-13-150(A) on offender without the mandatory minimum of not less than 25 years language. For their language is the same as 44-53-375B)1) & 44-53-375B)2) which the courts have already changed. If only the Agency/ALC sought to frame statutes 24-13-100 and 24-13-150(A) in a constitutional light, they would see how they abridges and privileges or immunities of the citizens of the United States. For it deprives them of Liberty Interest which is established with in the state statute. Because the codes of law of South Carolina is the controlling factor. Statutes 44-53-370 & 375 when read as a whole, not in part establishing who should and should not receive the provisions. The appellant is entitled to parole eligibility, work release, supervised furlough by Due Process, by violating their constitutional and statutory provisions the higher court can reverse the decision of the ALC/Agency

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