THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM FLORENCE COUNTY
COURT OF GENERAL SESSIONS
Michael G. Nettles, Circuit court Judge
case No. 2018-CP-2100107
ADMINISTRATIVE LAW COURT

THE STATE OF SOUTH CAROLINA . . . . Respondent

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SEP 27 2018
SC Court of Appeals

vs.

James A. Edwards, ... Appellant

NOTICE OF APPEAL

James A. Edwards, appeal his post conviction relief application that was dismissed on August 30, 2018, the applicant have been advise by the Florence county clerk of court that he have thrity (30) days to file a Notice of intent to appeal to the order to secure appellate review. See Rule 203, SCACR, applicant's attention is directed to Rule 227, SCACR., for the procedures following the filing and service of the Notice of Appeal.

This day of Sept. 25, 2018

S/ James A. Edwards
James A. Edwards,84148
Broad River Corr. Inst.
4460 Broad River Rd.
Columbia, SC 29210

Sworn to and subscribed before me
this 25th day of September 2018
Jennifer Wright
Notary Public For South Carolina
My Commission Expires: March 8, 2028

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S.C. SUPREME COURT

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THE STATE OF SOUTH CAROLINA . . . . Respondent

VS.

James A. Edwards . . . . .Appelant

PROOF OF SERVICE

I hereby certify that a true copy of the Notice of intent to appeal in the above referenced case has been served upon the Florence county clerk of court office. The Twelfth Judicial circuit court. I have subscribed to the foregoing Notice to intent to appeal that I know the contents thereof, I do hereby under oath and penalt of perjury certify that I have served copies of the documents upon the below parties upon this exact date.

Doris Poulos O'Hara
Clerk Of Court
Judicial Center
181 Trby Street ,Suite 1100
Florence, South Carolina 29501

The Honorable Jenny A. Kitchings
Clerk S.C. Court Of Appeals
1220 Senate St.
Columbia, SC 29201

Sworn to and subscribed before me
This 25th day of September 2018
[signature]
Notary Public For South Carolina
My Commission Expires: March 8, 2028

S/ [signature]
James A. Edwards, 84148

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THE STATE OF SOUTH CAROLINA
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APPEAL FROM FLORENCE COUNTY
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Michael G. Nettles, Circuit Court Judge
Case No. 2018-CP-2100107

James A. Edwards, # 84148)
Appellant,)
)
-VS-)
)
South Carolina Dep't of)
Probation, Parole, and)
Pardon services.)
Respondent.)
)

NOTICE OF APPEAL

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SC Court of Appeals

James A. Edwards, # 84148, appeals the decision of the Honorable Michael G. Nettles, dated August 30, 2018, appellant received a copy of the decision on Setember 6, 2018, here at the Broad River Correctional Institution mailroom. Appellant seek review of the Administrative Law judge by filing and serving Notice of appeal. On this date Sept, 25, of 2018, to the below parties.

Doris Poulos O'Hara
Clerk Of Court
Judicial Center
181 Trby Street, Suite 1100
Florence, South Carolina 29501

The Honorable Jenny A. Kitchings
Clerk S.C. Court of Appeals
1220 Senate St.
Columbia, SC 29201

Sworn to and subscribed before me
This 25th day of September 2018
Jennifer Woolf
Notary Public For South Carolina
My Commission Expires: March 8, 2028

S/ James A. Edwards
James A. Edwards, 84148

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STATEMENT OF THE CASE

On November 17, 1976, petitioner pled guilty to common Law Burglary and two assault charges and was sentenced to life with parole Eligibility after service of 10 years, on April 28, 1995, the S.C. parole Board notified petitioner he was no longer parole eligible because of S.C. code Annotated section 16-1-60 (1986).

Questions presented

Did the South Carolina Department of Probation, Parole, and Pardon services have jurisdiction to change the term of the contracted plea agreement?

Did the South Carolina Department of Probation, Parole, and Pardon services have jurisdiction to change a common Law Burglary to the statutory offense of first degree Burglary?

Did the South Carolina Department of Probation, Parole, and Pardon services have jurisdiction to change the term of the contracted plea agreement?

In 1996, Appellant inter into a contract with the State of South Carolina to plead guilty to common Law Burglary, Indictment No. 76-GS-21-1026, in exchange for sentence of life imprisonment with Eligibility for parole after a service of ten (10) years.

In 1992, the S.C. D.P.P.P.S. invoked a 1986 Law to make null and void Appellant's eligibility. I did not consent to modification of the contract and the contract can not be modified without appellant consent. The State of South Carolina has violated the terms of the contract. The State may with draw from a plea bargain arrangement at any time prior to but not after the actual entry of the guilty plea. State v. Thrift, 440 S.E. 2d 341. Each party should receive the benefit of the plea bargain, once a defendant enters a guilty plea and the plea is accepted by the court due process requires the plea

bargain must be Honored U.S.C. Amend 14. State v. Miller, 652 S.E. 2d 444. Guilty plea that is based on plea bargain that is not fulfilled or is unfulfilled cannot stand. State v. Thrift, 440 S.E. 2d 341, State v. Rhinehart, 430 S.E. 2d 536.

A plea bargain agreement is governed by contract principles. All plea agreements must be on the record and must recite scope, offense and individuals involved in the agreement supreme court will linit its review of the plea agreement only to those terms which are fully set forth in the record and neither the State nor the defendant may enforce the plea agreement terms which do not appear on the record before the trial judge who accepts the plea. Rollinger v. State, [illegible]. Prosecutors are obligated to fulfill the promises they make to defendants when those promises they make to defendants when those pomises serev as inducement to defendanta to plead guilty. Sprouse v. State 585 S.E. 2d 278.

In 1976 when appellant entered into a plea agreement with the State to plead guilty to common Law Burglary, South Carolina Law provided for parole eligibility after the service of 10 years. It was these terms that induced appellant to take the plea agreement. Appellant have fulfilled his part of the agreement, however, the State is not fulfilling its part. A plea agreement rests on contractual principles, and each party should receive benefit of their bargain. The State received its benefit when appellant entered the plea. When the State 's Attorney has given his word in the form of a plea bargain and that bargain is accepted by the trial court, it behooves the State's Attorney to make every reasonable effort to correct any deviation from the bargain when the deviation is called to his attention. Alston v. State, 38 MD App. 611, 379 A. 2d 754.

Parole eligibility is part of the Law annexed to the crime at the time of the person's offense. "Schwartz v. Muney, 834 F. 2d 396 (4rg Cir. 1987). Because parole eligibility is a part of the sentence at petitioner's plea bargain it is a part of that contract.

Did the South Carolina Department of probation, Parole, and Pardon services have the jurisdiction to change a common Law Burglary to the statutory offense of first degree Burglary?

S.C. code Ann. 14-1-50, which continues the full force and effect of the common Law of England unless specifically altered. Common Law burglary still exists under State Law and has not been repealed as was house breaking with the enactment of the statutory burglary scheme in 1985, William Shepard McAninch and W. Gaston Farirey, the criminal Law of South Carolina, 304 (3rd ed. 1996 and Supp. 2000). Because common Law burglary had never been legislatively classified as a violent offense, the issue becomes whether the parole board which is part of the Executive Branch, may equate a conviction for common Law burglary to a violent offense the face of S.C. code Ann. 14-1-50, which continues the full force and effect of the common Law of England unless specifically altered.

During the pending litigation in this case the Law controlling the designation of violent offenders was changed effective January 1, 1994, as a result of the addition of 16-1-60 (b). The application of this Law to the applicant's 1976 conviction and sentencing for burglary as changed in indictment no. 76-GS-21-1026 results in the applicant no longer being considered to have committed a violent crime of burglary. As a matter of Law applicant is no longer considered to be a subsequent violent offender based upon his 1976 conviction. statutory interpretation is a question of Law subject to de novo review. Town of Summerville v. City of N. Charleston, 662 S.E. 2d 40. The cardinal Rule of statutory construction is to ascertain and effectuate the intent of the legislature. Media Gen Commc'ns Inc. v. S.C. Dept. of Revenue, 694 S.E. 2d 525. Where the statute's language is plain, unambiguous, and conveys a clear definite meaning, the Rules of statutory interpretation are not needed and the court has no right to impose another meaning.

Gay v. Ariail, 673 S.E. 2d 418 S.C. code 14-1-50 language and meaning are very clear, expressing the intent of the legislature, common Law Burglary cannot be a violent 1st degree Burglary.

An individual has a right to ALC review of a final decision of the Department only when that decision affects a liberty interest for which due process is required. See Furtick v. S.C. Dep't of probation, Parole and Pardon services, 352 S.C. 594, 598-600, 576 S.E. 2d 146, 149-50 (2003); see also Sullivan v. S.C. Dep't pf Corr., 355 S.C. 437, 586 S.E. 2d 124 (2003) (explaining the nature of the right to ALC review). In Furtick, the South Carolina supreme court held that although an inmate has a liberty interest in parole eligibility pursuant to S.C. code Ann. § 24-21-620.

The Department's decision that appellant is ineligible for parole implicates a liberty interest for which due process is required. As such, this court has jurisdiction over his appeal. See Furtick, 352 S.C. at 599, 576 S.E. 2d at 149 ("Following D,P,P,P,S's determination that respondent was ineligible for parole under section 24-21-640, respondent then had the same right to review as the inmate in Al-Shabazz.)

Theprovisions Act ("APA") govern an appeal from a decision of the Department that an inmate is not eligible for parole. Id. at 597-98, 576 S.E. 2d at 148-49. The ALC sits in an appellate capacity under the APA rather than as an independent finder of fact. Al-Shabazz v. State, 338 S.C. 354, 377, 527 S.E. 2d 742, 754 (2000); see also S.C. code Ann. § 1-23-600 (E) (supp. 2016). Consequently, this court's review is limited to the record presented. The standard used by appellate bodies to review agency decisions is provided by S.C. code Ann. § 1-23-380 (5) (supp. 2016) section 1-23-380 (5) reads:

The court may not substitute its judgment for the judment of the agency as to the weight of the evidence on questions of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the Administrative findings, inferences conclusions, or decisions are:

(a) In violation of constitutional or statutory provisions;

(b) In excess of the statutory authority of the agency;

(c) Made upon unlawful procedure;

(d) Affected by other error of Law;

(e) Clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or

(f) Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

" Substantial evidence" is that evidence which in considering the record as a whole, would allow reasonable minds to reach the conclusion that the Administrative agency reached. Jennings v. Chanbers Dev. Co., 335 S.C. 249, 259, 516 S.E. 2d 453, 458 (Ct. App. 1999).

It is "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. Midlands util., Inc. v. S.C. Dep't of Health & Envtl. control, 298 S.C. 66, 69, 378 S.E. 2d 256, 258 (1989). The possibility of drawing two inconsistent conclusions from the evidence will not mean the agency's conclusion was unsupported by subatantial evidence. Palmetto Alliance Inc. v. S.C. Pub. Serv. Comm'n, 282 S.C. 430, 319 S.E. 2d 695, 696 (1984).

An abuse of discretion occurs when an Administrative agency's ruling is based upon; an error of Law, such as application of the wrong legal principle; or when based upon factual conclusion, the ruling is without evidentiary support; or when the trial court is rested with discretion, but the ruling reveals no discretion was exercised; or when the ruling does not fall within the range of permissible decisions applicable in a particular case, such that it may be deened arbitrary and capricious.

State v. Allen, 370 S.C. 88, 94 634 S.E. 2d 653, 656 (2006); see converse power Corp. v. S.C. Dep't of Health & Envtl. control 350 S.C. 39, 47, 564 S.E. 2d 341, 345 (Ct. App. 2002) quoting Deese v. State Bd. of Dentistry, 286 S.C. 182, 184-85, 332 S.E. 2d 539, 541 (Ct. App. 1985) ("A decision is arbitrary if it is without a rational basis, is based alone on one's will and not upon any course of reasoning and exercise of judgment, is made pleasure, without adequate determining principles, or is governed by no fixed rules or standards.

Whether appellant's convictions for the offenses of two counts of aggravated assault and battery and one count of common Law burglary. He was sentenced to life imprisonment for burglary and ten years imprisonment for each assault and battery charge, the sentences to run concurrently. Petitioner filed a PCR application, which was denied in 1979. While on work release in 1990, petitioner was charged with first-degree criminal sexual conduct (CSC) and two counts of committing a lewd act on a child.

Petitioner's argument arose out of his guilty plea in 1991 and the Amendment of section 16-1-60, it could not have been raised in the 1979 application.

However, the court limited the PCR court to considereration of the ex post facto allegation. The court affirmed as modified. The court held that the limitation to ex post facto allegation was unduly restrictive because it barred petitioner from raising any other claims relating to his 1991 convictions therefore, the court held that in addition to the ex post facto allegation, petitioner could raise any other issue that was not related

to the 1976 convictions and was not barred by the Law of the case.

At the PCR hearing, PCR counsel stated that the issues before the court were limited to the ex post facto allegation regarding the retroactive application of section 16-1-60 to petitioner's convictions, and the allegation that the parole board was improperly classifying petitioner's common Law burglary conviction as a violent crime. When asked if there were any other issues upon which petitioner was seeking relief, PCR counsel responded, [n]o, and I have questioned him about it. Petitioner did not testify at the hearing.

The PCR judge held that prusuant to Al-Shabazz v. State and Jernigan v. State, petitioner's ex post facto claims were inappropriate for PCR and remanded the matter to the D.P.P.P.S. Petitioner first alleges that the PCR judge erred in failing to allow petitioner to address additional issues that were contained in his pro - se amended application and for failing to rule on a motion to relieve PCR counsel that was filed the evidentiary hearing. HOw ever, as stated above, PCR counsel clearly stated that petitioner did not wish to address any other issues at the PCR hearing. Further, the amended application was dated a week after the evidentiary hearing was held and petitioner was represented by counsel at the time the amended application was filed. SeeFoster v. State, 298 S.C. 306, 379 S.E. 2d 907 (1989) (petitioner is not entitled to hybrid representation which is partially through counsel and partically pro - se). Ever if the PCR judge erred failing to allow petitioner to address additional issues, the only issues contained in the amended application relate to the contention that the parole board improperly denied petitioner parole.

Finally, petitioner contends the PCR judge erred in holding that petitioner's argument regarding the parole board's calssification of him as a violent offense was an ex post facto claim. Contrary to this assertion, the PCR judge did not specifically rule on this issue nonetheless, although this issue is not appropriate for PCR we recently rejected a similar argument in Furtick v. South Carolina Department of Probation, Parole, and Pardon services. OP. No. 25581 (S.C. Sup. Ct. filed January 13, 2003) and find on the merits that petitioner as a violent offender, is not eligible for parole.

EX POST FACTO CLAUSE

Ex post facto clause forbide State to enact a Law which imposes punishment for act which was not punishable at time it was committed or imposes additional punishment to that then prescribed, U.S.C.A. const. Art 1, § 10, cl, 1.

Ex post facto clause precluded virginia from applying amended parole statute retractively so as to render petitioner permanently ineligible for parole. Va. code 1950, § 53, 1-151, subd, B, U.S.C.A. const. Art. 1, § 10, cl 1; amend. 14.

Statute enacted or amended after prisoner was sentenced cannot be applied to alter conditions of or revoke his preexisting parole eligibility notwithstanding that conduct purportedly triggering application of statute occurred after its enactment, U.S.C.A. const. Art. 1, § 10, cl.1.

Ray Mychel Fender appeals the dismissal of his pro - se petition for a writ of habeas corpus, wherein he cahllenged a formal order of the Virginia Department of Corrections (DOC or the Department) finding him permanently ineligible for parole. We reverse and remand for the issuance of a writ Fender's original habeas petition challenged the Virginia parole statute in general and the DOC's ineligibility determination in particlar directing that the Department rescind its inelifibility determination.

In 1973, a Virginia State court found Fender guilty of various offenses and sentenced him to life imprisonment. At that time, the Virginia code provided that fender would become eligible for parole after serving fifteen years of the sentence. See Va. code § 53-251 (3) (1970). In 1985, however, the Virginia General Assembly amended the State's parole eligibility statute to provide that "[a]ny person sentenced to life imprisonment who escapes from a Correctional facility or from any person in charge of his custody shall not be eligible for parole. Va. code § 53, 1-151 (B) (1988).

The ex post facto clause forbids the statute to enact any Law which imposes a punishment for an act which was not punishable at the time it was committed; or imposes additional punishment to that then prescribed. Weaver v. Graham, 450 U.S. 24, 28, 101 S.Ct. 960, 964, 67 L.Ed. 2d 17 (1981) (quoting Cummings v. Missouri, 4 wall, 277, 325 26, 18 L.Ed. 356 (1867)). "[T]wo critical elements must be present for a criminal or penal Law to be ex post facto; it must be retrospective, that is, it must apply to events occurring before its enactment, and it must disadvantage the offender affected by it." Id. 450 U.S. at 29, 101 S.Ct. at 964 (Footnotes omitted).

There is no question - indeed the respondent does not dispute that § 53.1-151 (B) of the Virginia code "disadvantages "Fender.

A timely Notice of appeal was filed on the applicant's behalf, and a petition for writ of certiorari was filed. By order dated August 6, 1980, the supreme court of South Carolina denied the petition. Edwards v. State, OP. No. 80-MO-231 (filed August 6, 1980).

LEXINGTON COUNTY CONVICTION
(90-GS-32-1433)

Applicant become eligible for parole on October 15, 1986, Although applicant was never paroled, he was granted extended work release. During this release, applicant sexually assaulted two minor girls, and subsequently pleaded guilty to one count of criminal sexual conduct - second degree and one count of

lewd act with a minor in Lexington county. On February 6, 1991, the Honorable Julius H. Baggett, sentenced applicant to ten years on each count, to be served concurrently to each other, but consecutively to his sentences from the 1976 conviction. Applicant did not appeal his conviction or sentences. Applicant's ex post facto claim was ripe when applicant's Lexington county sentences became final upon the expiration of time to file a Notice of appeal pursuant to Rule 203 (b) (2), SCACR, on Monday, February 18, 1991.

Applicant alleged he was being improperly denied consideration of parole in violation of the constitutional prohibition against ex post facto legislation, specifically by application of S.C. § code 24-21-640, as amended by S.C. § code 16-1-60, which became Law on June 3, 1986. While that application was under advisement on February 9, 1994, applicant filed motions to reopen the case, to reconsider based on a change in the Law, to consolidate this PCR action with a new PCR action filed in 1993, and for a new hearing. Judge Cooper denied applicant's motions and dismissed the applicant via order dated March 22, 1994. Applicant did not appeal.

On May 9, 2001, the Department of Probation, Parole, and Pardon services (the Department) received a copy of the May 4, 2001, order of the Honorable James E. Brogdon, Jr., remanding appellant case to the Department to allow it to make a final determination regarding your parole eligibility claim.

Please accept this letter as the Department's final decision that you are not eligible for parole on your February 6, 1991, conviction for criminal sexual conduct (CSC) 2nd degree (Indictment No. 90-GS-32-1433). As original explained in the attached letter dated August 12, 1992, and April 28, 1995, from the previous Directors of the Department, you are not eligible for parole because you are a subsequent violent offender. (S.C. code Ann. § 24-21-640).

You were indicted at the November 15, 1976, term of the grand jury from Florence county for burglary, the indictment alleged that: James A. Edwards did in Florence county on or about the 16th day of October. 1976, in the nighttime, break and enter the dwelling house of another, to wit Gloria Jean Duncan, with intent to commit a felony therein. (Indictment No. 76-GS-21-1026). On November 17, 1976, you pled guilty as charged and were sentenced to life in prison. On June 3, 1986, section 16-1-60 of the South Carolina code was enacted which defined burglary - 1st degree and CSC first and second degree as violent crimes. While participating in an extended work release program. you were subsequently indicted at the August 27, 1990, term of the grand jury of Lexington county for CSC with a minor - 1st degree and two counts of lewd act upon a child under the age of fourteen. (Indictment No. 90-GS-32-1433). On February 6, 1991, you pled guilty to CSC with a minor - 2nd degree and one count of lewd act upon a child under the age of fourteen. You were sentenced to ten (10) years imprisonment for CSC - 2nd degree consecutive to your earlies sentence for burglary and ten (10) years concurrent for lewd act upon a child under the age of fourteen.

At the time of your 1991 conviction, sestion 24-21-640 stated. 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. § 24-21-640 (supp. 1991). Section 16-1-60 provided that.

For purposes of definition under South Carolina Law a violent crime includes the offenses of ... criminal sexual conduct in the first and second degree ... [and] burglary in the first degree .... S.C. code Ann. § 16-1-60 (supp. 1991). Finally section 16-3-655, the statute which defines criminal sexual conduct with minors provided that a person is guilty of criminal sexual conduct in the second degree if the actor engages in sexual battery with a victim who is fourteen years of age of less but who is at least eleven years of age. S.C. code Ann. § 16-3-655 (1985).

Since burglary was defined as a violent crime prior to your 1991 conviction and since a person convicted under an indictment for CSC with a minor - 2nd degree is guilty of criminal sexual conduct in the second degree both your 1996 burglary conviction and your 1991 CSC -2nd degree convictions are considered violent for purposes of a subsequent violent offender analysis. The South Carolina supreme court has held that this is an appropriate application of section 24-21-640 and that it does not violate the ex post facto clause. Phillips v. State, 331 S.C. 482, 504 S.E. 2d 111 (1998); Sullivan v. State, 331 S.C. 479, 504 S.E. 2d 110 (1989). Therefore, as its final decision, the Department re - asserts its 1995 determination that you are not eligible for parole on your 1991 conviction for CSC - 2nd degree.

Applicant is presently confined in the South Carolina Department of Corrections pursuant to order of commitment of the Florence and Lexington county clerks of court. Applicant was indicted at the November 1976 term of the Florence county Grand jury for two counts of aggravated assault and battery (1976-GS-21-1024, - 1025) and one count of burglary (1976-GS-21-1026). Applicant was also charged with malicious injury to perosnal preperty (-1028) and rape. He was represented by Ernest B. Hinnant, Esquire, who is now deceased. On November 17, 1976, applicant pleaded guilty before the Honorable James A. Spruill to both counts of aggravated assault and battery and burglary. The remaining charges were dismissed in consideration for applicant's plea. Judge Spruill sentenced applicant to confinement for life for the burglary and ten years for each assault and battery, all to be served concurrently.

Applicant's Lexington county conviction is relevant to the allegation in his current Florence county PCR application, and the conviction is discussed in detail below. Due to the age of the conviction, some records are unavailable. Respondent has reconstructed the procedural history to the best of its ability.

In State v. Hilton, 406 S.C. 580, 586, 752 S.E. 2d 549, 552 (Ct. App. 2013), the South Carolina court of Appeals added "[re]appeal" to the quoted language from Brown.

The savings clause in 1993 Act No. 184 § 266 further provided that "[a]ll sentences pronounced on or after the effective date of this act [January 1, 1994] must comply with the classification system, <u>except</u> where a penalty greater than the one in effect on the date the offense was committed would be required.

Finally, some consideration must be given to the savings clause contained in 1995 Act No. 7 § 19. effective January 12, 1995, which repealed § 16-1-60 (B), the clause stating that crimes were violent only if defined as such at the time of commission:

All proceedings pending and all rights and liabilities, acquired, or incurred at the time this act takes effect are saved. The provisions of this act apply prospectively to crimes and offenses committed after the effective date of this act. The provisions of this act apply prospectively to all sentences pronounced on or after the effective date of this act except where a penalty greater than the one in effect on the date the offense was committed would be required notwithstanding the provisions of this section, section 16-1-60 applies retroacitively and prospectively.

emphasis added).

Despite the General Assembly's expressed intent to apply the 1995 version of 16-1-60 retroactively, a retroactive application in appellant's case would increase his punishment for Burglary, two counts assault and battery, two counts of criminal sexual conduct with a minor, beyond what was applicable at the time he committed this offense on November 17, 1976. See S.C. code ANN. § 16-1-60 (Supp. 1993); S.C. code ANN. § 24-21-640 (Supp. 1993). This ex post facto violation must be avoided.

RESPECTFULLY SUBMITTED,

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
ADMINISTRATIVE LAW COURT
APPEAL FROM FLORENCE COUNTY
CASE No. 2018-CP-2100107

James A. Edwards, #84148)
Appellant,)
) CERTIFICATE OF SERVICE
VS.)

South Carolina Dep't of Probation,)
Parole, and Pardon Services)
Respondent.)
______________________)

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SC Court of Appeals

I, James A. Edwards, # 84148, being duty sworn upon my oath, depose and say I have subscribed to the foregoing APPEAL. I do hereby under oath and penalt of perjury certify that I have served copies of the documents upon the below parties upon this exact date.

DORIS POULOS O'HARA
CLERK OF COURT
JUDICIAL CENTER
181 N. IRBY STREET, SUITE 1100
FLORENCE, SOUTH CAROLINA 29501

S/ James A. Edwards
James A. Edwards, # 84148

JENNY A. KITCHINGS, CLERK
SOUTH CAROLINA COURT OF APPEALS
1220 SENATE ST.
COLUMBIA, SC 29201

Sworn to and subscribed before me
This 24th day of September 2018
____
Notary Public For South Carolina
My Commission Expires: March 8, 2028

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S.C. SUPREME COURT

B.

THE STATE OF SOUTH CAROLINA
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James A. Edwards, # 84148)
Appellant,)
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VS.)
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South Carolina Dep't of
Probation, Parole and Pardon Services)
Respondent.)

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SC Court of Appeals

The Honorable Jenny A. Kitchings
Clerk of South Carolina Court of Appeals
1220 Senate St.
Columbia, SC 29201

Dear Ms. KItchings:
Enclosed please find for processing with your office a Notice of Appeal in the above case. Also enclosed are the following: (1) proof of service of the Notice of appeals.

Sincerely,

S/ James A. Edwards
James A. Edwards, # 84148

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Mr. James A. Edwards, # 84148
Broad River Correctional Institution
Marion Unit -145
4460 Broad River Rd.
Columbia, SC 29210

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MS. JENNY A. KITCHINGS, CLERK
SOUTH CAROLINA COURT OF APPEALS
1220 SENATE ST.
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