THE STATE OF SOUTH CAROLINA

In The Court Of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

John D. McLeod, Administrative Law Judge

South Carolina Department Of Corrections.................Respondent,

V.

Julian Ford, Jr.,..Appellant.

RECORD ON APPEAL

Julian Ford, Jr., #155800
Hickory Unit D - 140
Kershaw Corr. Inst.
4848 Goldmine Hwy.
Kershaw, S.C. 29067
Appellant Pro, Se

Christopher D. Florian, Esq.
P.O. Box 21787
Columbia, S.C. 29221-1787

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SC Court of Appeals

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STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Julian Ford, Jr., #155800, Appellant, v. South Carolina Department of Corrections, Respondent.	)))))))))	Docket No. 12-ALJ-04-0201-AP Grievance No. KRCI 1570-11 **ORDER**

STATEMENT OF THE CASE

In the above-captioned matter, Appellant Julian Ford, Jr. appeals the decision of Respondent South Carolina Department of Corrections (Department) to deny his grievance concerning the Department's calculation of his applicable sentence-related credits. Appellant essentially contends that the Department has failed to properly credit his sentence with earned work credits from July 24, 1995, to April 11, 1996. Based upon the record on appeal, the parties' briefs, and the applicable law, the Department's decision to deny Appellant's grievance must be affirmed.

BACKGROUND

Appellant submitted his Step One Inmate Grievance Form to the Department on September 16, 2011, and alleged that the Department erred in calculating his sentence by failing to properly credit his sentence with all applicable earned work credits. In response, the Department denied Appellant's grievance as it concluded that all applicable credits had been credited to Appellant's sentence. Appellant filed his Step Two Inmate Grievance Form with the Department on November 9, 2011, and again challenged the Department's decision. On March 20, 2012, the Department issued its final decision and informed Appellant that the calculation of his sentence is correct. Based upon this final decision of the Department, Appellant filed a notice of appeal with the Administrative Law Court (ALC or Court) on April 9, 2012 to challenge the Department's determination.

DISCUSSION

This appeal is before this Court pursuant to Al-Shabazz v. State, 338 S.C. 354, 527 S.E.2d 742 (2000), Sullivan v. S.C. Department of Corrections, 355 S.C. 437, 586 S.E.2d 124 (2003), Slezak v. S.C. Department of Corrections, 361 S.C. 327, 605 S.E.2d 506 (2004), and Furtick v. S.C.

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Department of Corrections, 649 S.E.2d 35 (S.C. 2007). Pursuant to Al-Shabazz, an inmate is permitted to seek judicial review with the ALC of Department decisions concerning non-collateral or administrative matters, and the ALC sits in an appellate capacity when reviewing such Department decisions. Al-Shabazz, 338 S.C. at 376, 527 S.E.2d at 754.

Appellant contends that he is entitled to earned work credits from July 24, 1995, to April 11, 1996. Appellant acknowledges in his brief that he did not have a job assignment during that time period, but he was "assigned to school instead of a job"; thus, Appellant asserts that he should be entitled to earned work credits. When appealing a decision by the Department, "the burden rests squarely on the appellant to prove that substantive rights were prejudiced based on one of the six statutory criteria listed [in section 1-23-380]." S.C. Dep't of Corrections v. Mitchell, 377 S.C. 256, 260, 659 S.E.2d 233, 235 (Ct. App. 2008). Further, "[t]he burden is on appellants to prove convincingly that the agency's decision is unsupported by the evidence." Id. Here, Appellant has not provided any evidence that he is entitled to work credits during the time period at issue. In fact, documentation submitted by Appellant indicates that he was terminated from a job assignment on July 24, 1995, and he did not begin another job assignment until April 11, 1996.

Appellant is also not entitled to earned work credits because, as he asserts, he was assigned to school rather than given a job assignment: Appellant is not entitled to receive educational credits in the first instance. S.C. Code Ann. § 24-13-230(F)(2) provides that an inmate is not eligible to receive educational credit if he/she has been "convicted of a violent crime as defined in Section 16-1-60." Appellant is currently serving a sentence for first-degree criminal sexual conduct. At all times relevant to this case, first-degree criminal sexual conduct was and remains defined as a violent crime. See S.C. Code Ann. § 16-1-60 ("For purposes of definition under South Carolina law, a violent crime includes the offenses of . . . criminal sexual conduct in the first and second degree . . . ."). Thus, Appellant is not entitled to earn education credits during his current incarceration period.

Appellant next argues that he is entitled to receive earned work credits in lieu of educational credits for performance in an educational program. In support of this position, Appellant cites to SCDC Policy/Procedure OP-21.07:

> **2.2** Earned Work Credits will be used to compensate inmates for labor performed or for their enrollment and active participation in academic or vocational programs according to the inmate's custody designation.

SCDC Policy/Procedure OP-21.07, "Earned Work Credits," § 2.2, (revised July 1, 2008).

Generally, "[p]olicy or guidance issued by an agency other than in a regulation does not have the force or effect of law." S.C. Code Ann. § 1-23-10(4). However, this general prohibition does not apply to an "administrative agency of a penal . . . institution, in respect to the institutional supervision, custody, control, care, ore treatment of inmates [or] prisoners . . . ." Id. Thus, the Department's policy is similar to a regulation, and "[r]egulations are construed using the same canons of construction as statutes." S.C. Dep't of Revenue v. Blue Moon of Newberry, Inc., 397 S.C. 256, 261, 725 S.E.2d 480, 483 (2012). "When interpreting a regulation, we look for the plain and ordinary meaning of the words of the regulation, without resort to subtle or forced construction to limit or expand the regulation's operation." Converse Power Corp. v. S.C. Dep't of Health and Envtl. Control, 350 S.C. 39, 47, 564 S.E.2d 341, 346 (Ct. App. 2002). Regulations "must be construed as a whole rather than read in its component parts in isolation." Blue Moon, 397 S.C. at 261, 725 S.E.2d at 483. Importantly, "if applying the regulation's plain language would lead to an absurd result, we will interpret the regulation in a manner which avoids the absurdity." Id.

In enacting S.C. Code Ann. § 24-13-230, it is clear that the General Assembly did not intend to provide to inmates, convicted of a violent crime as defined in Section 16-1-60, any education credit to be applied in reducing the inmate's term of sentence. And the Department has maintained that pursuant to this statute, Appellant is not entitled to receive earned work credits for participation in an education program. Earned work credits and educational credits are separate and distinct: one does not imply entitlement to another. See e.g., S.C. Code Ann. § 24-13-230(A) (stating that "[a] maximum annual credit for both work credit and education credit is limited to one hundred eighty days" for inmates sentenced to the custody of the Department, except those inmates serving a term for conviction of a "no parole offense") (emphasis added); § 24-13-230(B) (stating that "[a] maximum annual credit for both work credit and education credit is limited to seventy-two days" for inmates serving a term for a conviction of a "no parole offense") (emphasis added). Moreover, Department Policy OP-21.07 applies to "Earned Work Credits" and specifically references that Earned Educational Credits "are outlined in SCDC policies/procedures pertaining to education credits." Policy OP-21.07 further reiterates that Section 24-13-230(F)(2) does not allow inmates, convicted of a violent offense, to receive Earned Educational Credits "unless they were convicted of a crime committed on or after January 1, 1996, and were sentenced to one of the "No Parole" offenses. Department Policy OP-21.07, § 1.5. See also §§ 1.6 and 1.7.

Accordingly, in consideration of the General Assembly's intent as provided for under Section

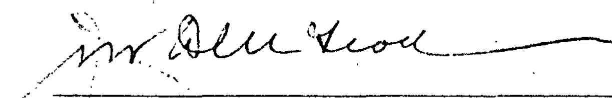
24-13-230 and the Department's interpretation of that statute, it is clear that interpreting Department Policy Op-21.07, § 2.2 as urged by Appellant, would lead to an absurd result. It is unlikely the General Assembly would have enacted a statute, clearly providing for the prohibition against allowing violent offenders to earn education credit against time served, to be superseded by a Department policy taken out of context. Denene, Inc. v. City of Charleston, 352 S.C. 208, 212, 574 S.E.2d 196, 198 (2002) ("The Court must presume the legislature did not intend a futile act, but rather intended its statutes to accomplish something."). Appellant has acknowledged, and the record evidences, that he did not have a job assignment during the timeframe he alleges he is entitled to earned work credit. Although Appellant did participate in an educational program during that timeframe, he is barred by statute from receiving earned educational credit to be applied in reducing his sentence. Further, Appellant is not permitted to receive earned work credit for participation in the educational program.

Accordingly, there is substantial evidence in the record to support the Department's decision in this matter. Further, there is nothing in the record to indicate the Department erred or abused its discretion regarding the calculation of any applicable credits to Appellant's sentence.

ORDER

IT IS HEREBY ORDERED that the Department's calculation of Appellant's sentence in this matter is **AFFIRMED.**[1]

AND IT IS SO ORDERED.



John D. McLeod, Judge
S.C. Administrative Law Court

July 20, 2012
Columbia, SC

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party(ies) or their attorney(s).

This 20 day of July, 2012

By: Anthony R. Dillman
Judicial Law Clerk

[1] In filings with the Court, Appellant also appears to challenge the Department's calculation of his sentence by asserting that under a "Grand-Father Clause," he is only required to serve 51% of time sentenced on any violent offense and 41% on any non-violent offense. It is well-settled in South Carolina that "[i]ssues and arguments are preserved for appellate review only when they are raised to and ruled on by the lower court." Elam v. S.C. Dep't of Trans., 361 S.C. 9, 23, 602 S.E.2d 772, 779-80 (2004); Wilder Corp. v. Wilke, 330 S.C. 71, 76, 497 S.E.2d 731, 733 (1998) ("It is axiomatic that an issue cannot be raised for the first time one appeal, but must have been raised to and ruled upon by the trial judge to be preserved for appellate review."). Appellant did not raise this issue to the Department in his grievance, and thus, it cannot be addressed by this Court.

STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW JUDGE DIVISION

Julian Ford,Jr. Appellant,	) IN THE ADMINISTRATIVE LAW COURT
VS.	) Case No.12C0201
S.C. Department Of Corrections,	) APPELLANT"S BRIEF
Respondent.	)
	)

The Appellant was informed by SCDC Classification on August 3,2011 that he did not work from July 24,1995 to April 11,1996, Appellant then requested of the SCDC Classification to review the record and that they would see that he assigned to the education department at that time as a student in the GED Class, the SCDC said that they could not find any documented proof that the Appellant was assigned to school at that time, or to any job aasignment from July 1995 to April 1996 because their was a "Glitch," in the Computer System at that time.

The Appellant filed a Step 1 Grievance on September 13,2011, the step 1 was denied on November 2,2011 and received by the Appellant on November 7,2011, On November 7,2011 Appellant filed a Step 2 Grievance requesting that his Work Credits and Good Time Calculations be corrected because he was assigned to school in place of a job at that time, the step 2 was denied on March 12,2012 and was received by the Appellant on March 29,2012. On April 10,2012 the Appellant filed a Notice of Appeal to this Court.

Statement Of Issues On Appeal

1. Did the SCDC fail to give Appellant Work Credits and Good Time Credits from July 24,1995 to April 11,1996.

2. Did Appellant serve Ten (10) Months or more over the time he was sentenced to serve on the Consecutive Ten (10) Year Non-Violent Term of his sentences.

ARGUMENTS

1. The SCDC did fail to give the Appellant Good Time Credits and Work Credits from July 24,1995 to April 11,1996 because the Appellant was enrolled in GED Classes at that time, the SCDC stated to Attorney Tommy Thomas in a letter dated March 12,2012 that there was a "Glitch," in the system at that time, and that just because the Appellant was receiving inmate pay at that time does not mean he was working, the letter also states Mr. Thomas spoke to several other departments, as well as the Legal Department, and that no one could find documentation that I was receiving work credits at that time.

The Appellant was there after able to retrieve Documented Proof of being assigned to school at that time, the Appellant provided Attorney Tommy Thomas with two copies of Disposition of Classification Review Sheets showing that the Appellant was assigned to education as a student, the Appellant also provided a Document showing the Appellant's Earned Work Credits Assignment that clearly show that some how his credits for being in school were not included, apparently this was due to the glitch in the system at that time, regardless, the classification sheets of the Appellant's six month reviews are proof that the Appellant was assigned to school.

The Appellant would refer this Court to SCDC Policy OP-21.07, Sub-Section 2.2, which states "Earned Work Credits will be used to compensate inmates for labor performed or for their enrollment and active participation in academic or vocational programs according to the inmate's custody," and the Appellant contends that he was receiving a rate of Level 3 for 5 Work Credits at that time, and that he is owed 10 months of good time and work credits to be deducted from his sentence.

2. The Appellant contends that he has served Ten (10) Months or more over the time he was sentenced to serve on a Non-Violent Ten (10) Year Sentence, whereby the Appellant clearly did not receive Good Time and Work Credits from July 24,1995 to April 11,1996 while he was enrolled in the Education Department as a Student, the Appellant is serving consecutive terms of 10 years consecutive 20 years concurrent to 30 years, which is a total of 40 years, but which also require different percentages of time to be served on each sentence.

The Appellant contends that he was sentenced under the Old Laws and Classification System, whereby he was sentenced on March 31,1993, prior to the sentencing guide lines of the current 65% and 85% Sentencing Laws, and that he was to only serve about 41% of any Non-Violent Offense, but due to the "Glitch," in the system he served 5.8 years on a non-violent sentence, which when calculated is at a rate of 58%, and can be accounted for the time the Appellant did not receive credits for 10 months, and once that time is properly calculated based upon good time and work credits will reduce the Appellant's Max-Out and Supervised Furlough Dates 10 Months or more, whereby the Appellant in 2004 was calculated to be serving 52.58% on the 30 year portion of his sentence, and should also be reduced once this matter is resolved.

conclusion

Wherefore the Appellant contends that the SCDC owes him not less than Ten (10) Months of Actual Time that he served over the Ten (10) Year Consecutive Non-Violent Sentence, to be credited to the 30 year portion of his 40 Year Sentence, and the Appellant would refer this Court to the Letter from Attorney Tommy Thomas dated March 12,2012, Disposition Of Reclassification Review dated April 2,1996, Disposition Of Inmate Request/Six Month Review, and SCDC Offender Management System Earned Work Credit Assignment/History Of EWC Assignments which the Appellant provided to this Court and the Respondent when the Notice Of Appeal was filed on April 10,2012, also please review SCDC Policy OP-21.07,Sect.(2.2) and grant the Appellant the 10 months owed to him.

STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW JUDGE DIVISION

Julian Ford,Jr. Appellant,	) IN THE ADMINISTRATIVE LAW COURT
VS.	) Case No.12C0201
S.C. Department Of Corrections,	) APPELLANT"S BRIEF
Respondent.	)
	) CERTIFICATE OF SERVICE

The above named Appellant Swears under the Laws of Perjury that he Mailed the above captioned Appellant's Brief to the Administrative Law Judge Division, Edgar A. Brown Bld., 1205 Pendleton Street, Suite 224, Columbia, S.C. 29201, and One Copy to the S.C. Dept. Of General Counsel, P.O. Box 21787, Columbia, S.C. 29221 by depositing the same in the a stamp addressed envelope at the Institution Mail Room on May 1,2012.

Date:May 1,2012

RESPECTFULLY SUBMITTED,

S/ [signature]

Julian Ford,Jr.,155800

Hickory Unit D - 140

Kershaw C.I.

4848 Goldmine Hwy.

Kershaw, S.C. 29067

Appellant Pro,Se

CC:File

STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW JUDGE DIVISION

Julian Ford,Jr. Appellant,	) IN THE ADMINISTRATIVE LAW COURT
VS.	) Docket No#12-ALJ-04-0201-AP
South Carolina Department Of Corr.,	) APPELLANT"S REPLY BRIEF
Respondent.	)
	)

The above named Appellant now comes before this Court in the above stated matter to Reply to the Respondent's Brief in accordance with the Rules of this Court.

The Appellant would first state to this court that he did not plead guilty to the offenses for which he is incarcerated for, that he had a Jury Trial on March 29-31, 1993, Judge Costa M. Pleconis presided, and that the Appellant has been on appeal since the time of his convictions to date, and is currently preparing a writ of certorari to the U.S. Supreme Court, I know that this is not an issue but I felt compelled to respond to the miss-stated information stated by the Respondent.

1) The Appellant contends that he is entitled to work credits and good time credits for the months of July 24,1995 to April 11,1996, which is 10 Months and not 7 Months, whereby the Appellant had been told that it was seven months prior to finding out that it is actually ten months, the stated dates by the SCDC shows the actual time frame, and just as importantly, SCDC Policy OP-21.07,Sect.(2.2) does apply to inmates sentenced to violent terms of incarceration, SCDC State Classification will confirm these facts to this court.

The Appellant is not incorrectly applying credits received for participation in educational programs with earned work credits, nor do you have to complete the program in order to receive work credits, the policy does not stipulate that if you are a violent offender that you cannot get earned work credits for attending school.

The Respondent states in their brief on page 3, that some inmates may receive credits for successful completion of an academic, technical, or vocational program, and then it goes to cite S.C. Code § 24-13-230 (F)(1), but fails to see that sections (a), (c), and (d) allows a violent offender a reduction, and that reduction is with earned work credits, not the "Educational Credits," that the Respondent is trying to apply to me under S.C. Code 24-13-230 (f) (3), otherwise, why does the SCDC allow "Earned Work Credits," to inmates who are Enrolled in an Academic Program. I request of this Court to request the Respondent to supply the Court with SCDC Policy OP-21.07,Sect.(2.2), and request SCDC State Classification to explain that Policy to this Court.

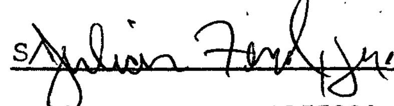
2) The Appellant contends that he is owed a total reduction of 10 Months from his current sentence because he is serving two seperate terms of sentence, and that the ten months in question were lost due to no fault of his, but by the SCDC due to a "glitch," in their computer system in the 1990's, which caused the Appellant to serve ten months over the time he should have served, therefore there is an "Inmate Liberty Interest," involved in this case, because if the Appellant is denied the work credits and good time credits that he served over on the 10 Year Non-Violent Sentence, then other inmates will be forced to serve more time than they are required to serve by Law.

The Appellant has provided this court with a sentence calculation done by the SCDC in 2004, that document shows that the Appellant started his ten year sentence first, and that that sentence was completed 9/8/98, which is ten months more than the Appellant was suppose to serve, but due to the Appellant not getting credit from July 24,1995 to April 11,1996, he has served more time than he should have, clearly the Appellant was not in school for nothing, the SCDC Records will show that the Appellant has had a GED since 1992, so if he was not going to get credits for being in school, why would he attend, again the Appellant would refer this Court to SCDC Policy OP-21.07,sect.(2.2) Earned Work Credits, Which the Appellant was compensated with work credits for attending school.

The Appellant would further state that, technically, he was a Non-Violent Offender when he first started his sentences, that because he was serving a Consecutive Ten Year Non-Violent Sentence on July 24,1995 to April 11,1996, that he should have received "Earned Work Credits," because then he was not serving a violent sentence, so either way he is entitled to the ten months that he served over on that ten year sentence.

Wherefore, based on the fact that the Appellant and all other inmates in the SCDC who do not receive Educational Credits for being enrolled in an academic program, but are instead compensated with Earned Work Credits, the Appellant must receive the time owed to him, whereby as a result the Appellant would be serving more time than he was sentenced to serve by Law, and the Appellant would request of this Court with a Copy of SCDC Policy OP-21.07,Sect.(2.2) Earned Work Credits, and to provide this Court with clarification as to whether it applies to me and other inmates sentenced alike, and the Appellant prays that this Court will review these facts and documents before this Court and grant the Appellant the relief that he seeks, or any other relief that this Court deems necessary.

RESPECTFULLY SUBMITTED,



Julian Ford,Jr.,#155800

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CC:File

STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW JUDGE DIVISION

Julian Ford,Jr. Appellant,	) IN THE ADMINISTRATIVE LAW COURT
VS.	) Docket No#12-ALJ-04-0201-AP
South Carolina Department Of Corr.,	) APPELLANT"S REPLY BRIEF
Respondent.	)
	) CERTIFICATE OF SERVICE

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Date:July 9,2012

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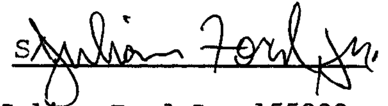

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STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW JUDGE DIVISION

Julian Ford,Jr., Appellant	) IN THE ADMINISTRATIVE LAW COURT
VS.	) Docket No# 12-ALJ-04-0201-AP
South Carolina Department Of Corr.,	) RULE 59 (E) MOTION TO ALTER
Respondent.	) OR AMEND JUDGMENT
	)

Motions for Reconsideration are Prohibited. See ALC Rule 53.

The above named Appellant now comes before this Court in the above captioned Rule 59 (E) Motion to Alter Or Amend Judgment of this Court's Order dated July 20, 2012 based upon the following reasons.

1. The Appellant contends that this Court did not make a "Specific Finding of Fact, and Conclusion of Law," as to the Appellant being a "Non-Violent Offender," when this matter occurred on July 24, 1995 to April 11, 1996, the Appellant's Sentence and Commitment Order and the SCDC Records clearly show that the Appellant's Sentence Start Date is December 17,1992 to September 8,1998 on a 10 Year Non-Violent Consecutive Sentence for "Strong Armed Robbery," not for a "Violent Offense".

The Appellant did not began to serve his consecutive violent offense until September 9,1998, therefore he was not a violent offender while he was assigned to the G.E.D. Program from July 24,1995 to April 11,1996, and that this Court has failed to include these facts in its current Order, whereby this Court has wrongfully applied S.C. Code Ann.§ 24-13-230(F)(2) to the Appellant because the Appellant was not serving a violent sentence at that time.

The Appellant continually presented these facts to this Court in the Appellant's Brief Page 3, and in the Appellant's Reply Brief Pages 2-3, and the Appellant contends that he made every effort to present these facts to this Court, but that this Court did not include these facts in its Order and the Appellant request of this Court to please Alter or Amend its Order to include a Ruling on these facts and Matters.

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SC ADMIN LAW COURT

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2. The Appellant contends that this Court has incorrectly interpreted SCDC Policy OP-21.07, Sect.2.2, whereby he was told by classification case workers in the past and present that he received "Work Credits," for attending school full time, and the Appellant contends that it has always been understood that inmates would get work credits for attending school full time, whereby SCDC Policy Op-21.07 requires that inmates will work 40 hour work weeks, and the Appellant contends that the SCDC has always assigned inmates to school in place of a job when there were no jobs available, and that is why the inmates are compensated with work credits, at least that's what inmates are told by SCDC Classification Case Workers, and if this is somehow in violation of S.C. Code §24-13-230, than the Appellant contends that the SCDC has violated that statue and not the inmate, and that if inmates have been mislead as to the policy, that the inmate would still have to be given credit for his/her participation in such programs.

The Appellant contends that he would again state that this Court has incorrectly applied the Violent Offender Statue to him as it applies to inmates receiving credits for attending an academic program, whereby he was serving a non-violent sentence at the time of these matters, and that this Court is incorrectly interpreting the SCDC Policy OP-21.07, Sect.2.2 as it applies to compensating inmates with work credits, but that most importantly, the Appellant contends that the Court's interpretation does not apply to him because he was not a violent offender at the time he was assigned to school.

Wherefore, the Appellant contends that based upon the fact that he was not serving a violent offense at the time he did not receive credits for being assigned to school full time from July 24,1995 to April 11,1996 that this Court did not include these facts in its Order dated July 20,2012, by making Specific Findings of Fact and Conclusions of Law as to the Appellant Serving a Consecutive Non-Violent Sentence for Strong Armed Robbery at the time the SCDC failed to give him Credits for being Assigned to an Academic Program, and the Appellant request of this Court to Alter or Amend it Order dated July 20,2012 to include a Ruling on these facts and matters.

STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW JUDGE DIVISION

Julian Ford,Jr., Appellant	) IN THE ADMINISTRATIVE LAW COURT
VS.	) Docket No# 12-ALJ-04-0201-AP
South Carolina Department Of Corr.,	) RULE 59 (E) MOTION TO ALTER
Respondent.	) OR AMEND JUDGMENT
	) CERTIFICATE OF SERVICE

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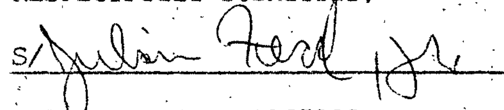
RESPECTFULLY SUBMITTED,

S/

Date:July 25, 2012

Julian Ford,Jr.#155800
Hickory Unit D - 140
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4848 Goldmine Hwy.
Kershaw, S.C. 29067
Appellant Pro,Se

CC:File

CERTIFICATE OF APPELLANT

The undersigned Appellant hereby certifies that this Record On Appeal contains all material proposed to be included by any of the parties and not any other material.

Date: August 31,2012

S/ Julian Ford, Jr.

Julian Ford,Jr.,#155800
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Appellant Pro,Se

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THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From The Administrative Law Court

The Honorable John D. McLeod, Administrative Law Judge

Case No.2012-212645

S.C.D.C. Department Of Corrections..............................Respondent,

v.

Julian Ford, Jr.,...Appellant.

PROOF OF SERVICE

The Above named Appellant Swears under the Laws of Perjury that he Served the Original Record On Appeal to the S.C. Court of Appeals, Ms. Jenny A. Kitchings, Chief Clerk, at P.O. Box 11629, Columbia, S.C. 29201, and One Copy to the S.C. Department of Corrections, Department of General Counsel, Mr. Christopher D. Florian, Deputy General Counsel, at P.O. Box 21787, Columbia, S.C. 29221-1787, by depositin the same in a stamp addressed envelope in the Institution U.S. Mail Box on August 31,2012.

Date: August 31,2012

RESPECTFULLY SUBMITTED,

S/Julian Ford, Jr.

Julian Ford,Jr.,#155800
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Appellant Pro,Se

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