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APR 10 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Anthony Enriquez, #215961,

Appellant,

vs.

South Carolina Department of Probation,  
Parole and Pardon Services,

Respondent.

Docket No. 19-ALJ-15-0003-AP

**ORDER OF DISMISSAL**

**STATEMENT OF THE CASE**

This case is before the Administrative Law Court (ALC or Court) pursuant to the appeal of Anthony Enriquez (Appellant), an individual incarcerated with the South Carolina Department of Corrections. On January 24, 2019, the South Carolina Department of Probation, Parole and Pardon Services (Department) notified Appellant of its determination that he was denied parole. Appellant filed an appeal with the ALC on February 25, 2019. Appellant argues in his appeal that the Department's Board has unconstitutionally imposed a life without parole sentence on him when it has consistently denied him parole for the past five years in spite of a highly favorable institutional record.

S.C. Code Ann. § 1-23-600(D) (Supp. 2018) provides, "An administrative law judge shall not hear...an appeal involving the denial of parole to a potentially eligible inmate by the Department of Probation, Parole and Pardon Services." Thus, this Court's authority to review a decision of the Board is limited to determining if the Board followed the proper procedure and considered the relevant factors. Compton v. S.C. Dept. of Probation Pardon and Parole Services, 385 S.C. 476, 685 S.E.2d 175 (2009). If that procedure was followed, any decision of the Board constitutes a routine denial of parole which this Court has no jurisdiction to hear.

The Notice of Rejection dated January 24, 2019, states that the parole board considered the relevant factors in reaching its decision. Thus, this is a routine denial of parole, and the ALC has no authority to consider this appeal. Cooper v. S.C. Dept. of Probation Pardon and Parole Services, 377 S.C. 489, 66 S.E.2d 106 (2008).

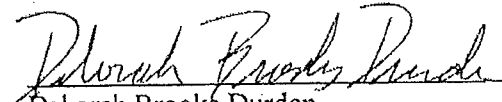
**FILED**

MAR 12 2019

SC ADMIN. LAW COURT

**ORDER**

**IT IS THEREFORE ORDERED** that this appeal is **DISMISSED**, with prejudice.  
**AND IT IS SO ORDERED.**

  
Deborah Brooks Dürden  
Administrative Law Judge

March 12, 2019  
Columbia, South Carolina

**CERTIFICATE OF SERVICE**

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 hereto, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party(ies) or their attorney(s).

This 12<sup>th</sup> day of March 2019  
By: R. E. Col  
Judicial Law Clerk