

State of South Carolina
Department of Probation, Parole and Pardon Services

HENRY McMASTER
Governor



JERRY B. ADGER
Director

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SC Court of Appeals

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May 9, 2019

The Honorable Jenny Kitchings
Clerk of the S.C. Court of Appeals
P. O. Box 11629
Columbia, South Carolina 29211

Re: Alieo Garga-Richardson v. SCDPPPS
Appellate Case No. 2019-000389

Dear Ms. Kitchings:

I received a deficiency notice dated May 7, 2019 stating that the Respondent's initial brief in the above-named matter had been filed without the signature required by Rule 267(b), SCACR.

Enclosed please find the signature page to be incorporated into the Respondent's initial brief.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas W. Nicholson".

Thomas W. Nicholson
Legal Counsel

TWN:dn

Enclosures

cc: Alieo Garga-Richardson, Pro Se
Frank Valenta, Esquire, DMV

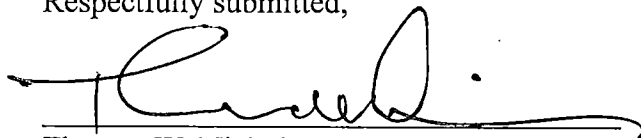
burden of proving convincingly that the agency's decision is unsupported by substantial evidence. Waters, 321 S.C. at 226.

Here the Appellant provided no evidence whatsoever that the point assessment detailed in the January 4, 2018 suspension notice was not supported by substantial evidence. He has not shown that the Department's decision was arbitrary, capricious, contrary to statutory provisions, in excess of the Department's authority or made upon unlawful procedure. The Court should therefore affirm the Administrative Law Court's order supporting the Respondent's suspension of the Appellant.

CONCLUSION

Based on the foregoing reasons the Respondent respectfully requests that the Court affirm the order of the Administrative Law Court.

Respectfully submitted,



Thomas W. Nicholson, Esq.
Legal Counsel

South Carolina Department of Probation,
Parole and Pardon Services
P.O. Box 50666
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Attorney for the Respondent

Columbia, South Carolina
April 30, 2019

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Appeal from the Administrative Law Court
The Honorable S. Phillip Lenski, Administrative Law Judge
Case No.: 18-ALJ-21-0201

SC Court of Appeals

Appellant Case No. 2019-000389

ALIEO GARGA-RICHARDSON.....RESPONDENT

v.

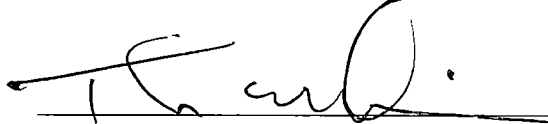
S.C. DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES,.....APPELLANT

CERTIFICATE OF SERVICE

I, legal counsel for the Department of Probation, Parole and Pardon Services, certify that I have served the within signature page for the Initial Brief on the Appellant this the 9th day of May, 2019, by depositing a copy of the same in the United States mail, postage prepaid, addressed to:

Alieo Garga-Richardson, Pro Se
1435 Ebinport Road
Rock Hill, S.C. 29732

I further certify that all parties required by Rule to be served have been served.

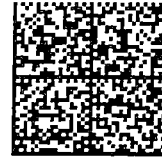


Thomas W. Nicholson
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State of South Carolina

Department of Probation, Parole, and Pardon Services

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