

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT  
The Honorable H.W. Funderburk, Jr.  
Administrative Law Judge

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Case No. 18-ALJ-15-0029-AP

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DAVID GEORGE SMITH, #110951,

**RECEIVED**  
AUG 15 2019  
SC Court of Appeals

Respondent,

SOUTH CAROLINA DEPARTMENT OF PROBATION,  
PAROLE AND PARDON SERVICES,

Appellant.

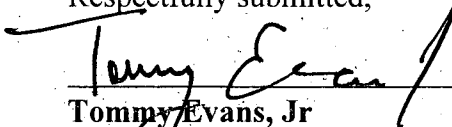
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**NOTICE OF APPEAL**

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The South Carolina Department of Probation, Parole and Pardon Services, by its attorney,  
Tommy Evans, Jr., appeals the order of the Honorable H.W. Funderburk, Administrative Law  
Judge, dated and filed July 24, 2019.

Respectfully submitted,

  
Tommy Evans, Jr  
Assistant General Counsel  
South Carolina Department of  
Probation, Parole, and Pardon Services  
P.O. Box 50666  
Columbia, SC 29250  
(803) 734-9220

Columbia, South Carolina  
August 13, 2019

Attorney for Appellant

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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DAVID GEORGE SMITH, #110951,

Respondent,

SOUTH CAROLINA DEPARTMENT OF PROBATION,  
PAROLE AND PARDON SERVICES,

Appellant.

---

**CERTIFICATE OF SERVICE**

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I, Dawn Nichols, Executive Assistant, hereby certify that this 13th day of August, 2019, I served the Notice of Appeal and Certificate of Service by first class mail, postage prepaid as follows:

Stuart Andrews, Esquire  
NELSON MULLINS  
1320 Main Street/17 Floor  
Columbia, S.C. 29201

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



**Dawn Nichols**  
**Executive Assistant**  
South Carolina Department of  
Probation, Parole and Pardon Services  
P. O. Box 50666  
Columbia, South Carolina 29250  
(803) 734-9220

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

HENRY McMASTER  
Governor



JERRY B. ADGER  
Director

2221 DEVINE STREET, SUITE 600  
POST OFFICE BOX 50666  
COLUMBIA, SOUTH CAROLINA 29250  
Telephone: (803) 734-9220  
Facsimile: (803) 734-9440  
[www.state.sc.us/ppp](http://www.state.sc.us/ppp)

August 13, 2019

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

**RECEIVED**  
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SC Court of Appeals

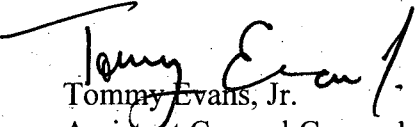
RE: David George Smith v. SCDPPPS

Dear Ms. Kitchings:

Please find enclosed the original Notice of Appeal in the above captioned case wherein the Department is appealing the order of the Honorable H.W. Funderburk, Administrative Law Judge, dated and filed July 24, 2019. Also enclosed is the proof of service of the Notice of Appeal and a copy of the order which is to be challenged on appeal. Furthermore, there is no transcript in this matter, therefore, Appellant will file the Initial Brief within the allowed timeframe.

Thank you for your assistance in this matter.

Sincerely,

  
Tommy Evans, Jr.  
Assistant General Counsel

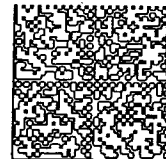
TE:dn  
Enclosures

cc: The Honorable H.W. Funderburk  
Stuart Andrews, Esquire

State of South Carolina

Department of Probation, Parole, and Pardon Services

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**SC Court of Appeals**

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