

The South Carolina Court of Appeals

JEROME Mc DANIEL

Appellant

v.

SC Dept of Probation, Parole and Pardon Services,

Respondent.

The Honorable ~~Milton~~ G. Kimpson  
ALL Docket No. 19-ALJ-15-0017 Ap

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APR 13 2020

SC Court of Appeals

Initial Brief of Appellant

By Jerome Mc Daniel

JEROME Mc DANIEL

# 1106436, B-B-42

Ridgeland Corr. Inst.

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### Arguments

Did the ALC err in denying relief where the Parole Board Boldly admitted that they rejected me for the same reasons \_\_\_\_\_ 2

Conclusion \_\_\_\_\_ 3

## Table of Authorities

### CASE

Furtick v. South Carolina Dept of Probation, Parole and Pardon Services,  
352 S.C. 594, 576, S.E.2d 146 2003 \_\_\_\_\_ 2

### Statutes

### Order Authorities

## STATEMENT OF ISSUES ON APPEAL

Whether the ALC erred in denying relief where the Parole Board boldly admitted that they rejected me for the same reasons

## STATEMENT OF THE CASE

This matter is before the South Carolina Court of Appeals per an appeal filed by Appellant challenging the denial of relief of ALC to reverse the denial of Parole

## STANDARD OF REVIEW

An inmate has a right to a ALJ review of an agency's final decision denying parole eligibility

## Arguments

1. Did the ALL err in denying relief where the Parole Board boldly admitted that they rejected me for the same reason?

I AM appealing the denial of my Appeal to the Department of Probation, Parole & Pardon Services where they boldly admitted that they have rejected me for the same reason. Specifically, I AM being denied based on (1) The nature and seriousness of the current offense, (2) An indication of violence in this or a previous offense, and (3) The use of a deadly weapon in this or a previous offense, something that happened almost 30 years ago and I AM powerless to change.

In contrast, I AM not challenging the denial of Parole but rather, The procedure employed by the Parole Board in denying his request. The evidence shows that the Parole Board effectively rendered me ineligible for parole when it issued its decision based on something that will never change. This makes me ineligible and a violation of my due process.

See attached March 19th 2019 Letter from Matthew C. Bucknam, General Counsel.

As in the *Furtick v. South Carolina Department of Probation, Parole and Pardon Services*, 352 S.C. 594, 576 S.E.2d 146 (2003), I was denied a realistic opportunity to participate in the parole program in violation of his constitutional right, my due process rights, where the Board boldly admitted that they have rejected me for the same reasons.

7-1-2020

Date

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Conclusion

For The reason stated, I pray that This Court should reverse The Judgment of The Administrative Law Court and per the Coronavirus out break order Immediate Release.

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4-9- 2020  
Date

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SC Court of Appeals

RE: JEROME M<sup>E</sup> DANIEL, #166436 V. SCBPPPS.  
Appellate Case No. 2019-001935

DEAR CLERK,  
Enclosed for your filing is Initial Brief of Appellant

4-9-2020 SC  
Date

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The South Carolina Court of Appeals

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Appellant

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Certificate of Service

I hereby certify that I served a copy of Initial Brief of Appellant on Tommy Evans Jr; Assistant General Counsel; SC Dept of Probation, Parole and Pardon Services; P.O. Box 50666; Columbia, SC 29250.

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Date

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