

STATE OF SOUTH CAROLINA
In The Court of Appeals

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SEP 29 2020

SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable Ralph King Anderson, III
Chief Administrative Law Judge
Appellate Case Number 20-ALJ-15-0026-AP

Marshall T. Fields, #131768, Appellant,

-v-

S.C. Dept. of Probation, Parole and Pardon Services, Respondent.

N O T I C E O F A P P E A L

Notice is hereby given that, Marshall T. Fields, #131768, does now appeal the **ORDER OF DISMISSAL** issued by the Honorable Ralph King Anderson, III, on September 1, 2020, and received by the Appellant on September 4, 2020, a copy of which is attached hereto.

Appellant appeals the Order of Dismissal on the grounds that the court erred by relying on the Respondent's argument that Appellant's reliance on **Section §24-21-30(A)** was "misplaced" because of the fact that Appellant was convicted of first-degree burglary, which "is classified as a violent offense under section 16-1-60 of the South Carolina Code (2015 & Supp. 2019). The court further stated that because of this, §24-21-30(B) requires Appellant to appear before the "full board."

Pursuant to the language set forth in §24-21-30(B) Judge Anderson's conclusion is correct, however, the Respondent did not adhere to or comply with the statutory requirements of §24-21-30(B), in bringing Appellant's case for parole consideration. The Appellant's

parole consideration review was conducted by a partial membership "panel" consisting of five (5) board members. Therefore, pursuant to the Respondent's own argument, and the finding of Administrative Law Court, Appellant's case was required to be heard and determined by the "full board" which it was not.

Appellant asserts that the Respondent has failed to comply with the requirements of statutory law and that the Administrative Law Court erred by ordering dismissal without allowing Appellant an opportunity to fully argue the merits of his appeal.

Respectfully Submitted,

Marshall Terry Fields
Marshall T. Fields, Appellant pro se

CERTIFICATE OF SERVICE

I, Marshall T. Fields, certify that I have on this 24th day of September, 2020, served a copy of the foregoing NOTICE OF APPEAL on all parties to this matter by depositing the same in the United States Mail with proper postage affixed thereto and addressed as follows:

S.C. Dept. of Probation, Parole and Pardon Services
Office of General Counsel
Post Office Box 207
Columbia, South Carolina 29202

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Marshall I. Fields # 101100
P.C.I. Q2 B-213
430 Oaklawn Road
Pelzer, S.C. 29669

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P.C.I. MAILROOM

S.C. Court of Appeals

Post Office Box 11629

Columbia, South Carolina

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