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JUN 02 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT and
HABEAS CORPUS

H.W. Funderburk, Jr.,
Administrative Law Judge

Case: No.: 18-ALJ-04-0437-AP

Dean Alton Holcomb,

Appellant,

v.

SCDC,

Respondent.

Petitioner has filed three Rule 60(b)(1) motions in the above matter since January 2020 all to no avail. Petitioner believes that his max-out date was September 1, 2020. SCDC has that same max-out date as October 25, 2022. The rub is the interpretation of § 24-13-40. SCDC and Judge Funderburk rely upon Major v. SCDC 384 S.C. 457, 682 S.E. 2d 795 (2009).improperly. Major concerns aggregating consecutive sentences for the purposes of parole. The correct case for this dispute is Allen v. State, 339 S.C. 393, 529 S.E. 2d 541 (2000). Allen's situation is identical to the Petitioner's. Petitioner was given two 90 month sentences with time served credited to both charges for PRETRIAL DETENTION. (Exhibit 1, 2 pages). I ask the Court to review this matter and order my immediate release from SCDC.

MAY 26, 2021

Respectfully submitted,

Dean G. Holcomb

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SC Court of Appeals

Dean Holcomb
369696
Kirkland CI
4344 Broad River Road
Columbia, SC 29210

May 26, 2021

S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

Dear Clerk of Court:

Please file the enclosed Appeal and Habeas Corpus. I ask that you copy the enclosed and return copies to me for my records. SSCDC does not make legal copies and these are my originals.

Thank you.

As I remain,

Dean A. Holcomb

Dean Alton Holcomb
Kirklnad CI, 217 F2
4344 Broad River Road
Columbia, SC 29210

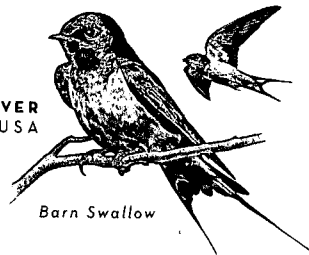
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