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DEC 10 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT

Shirley C. ROBINSON, ADMINISTRATIVE LAW JUDGE

ISIAH JAMES, JR., #095883, Appellant,

v

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS (SCDC), Respondent

Appellate Case No. 2021-001025

INITIAL BRIEF OF APPELLANT

Isiah JAMES, Jr.  
1810 O Street  
Brunswick, Georgia 31520

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Statement of Issue on Appeal

I. DID THE ALC ERR WHEN IT ADDRESSED  
THE MERITS OF APPELLANT'S APPEAL  
IN SCDC?

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STATEMENT OF ISSUE(S) ON APPEAL

I. HAS THE ADMINISTRATIVE LAW COURT (ALC) ERRED "ADDRESS THE MERITS" OF APPELLANT'S APPEAL IN SCDC?

STATEMENT OF THE CASE

There were grievance(s) (complaints) within the Department on/about 2-15-13; 10.23.16; 2-16-17; 5.15.17; 2.13.17 (see record (R)), step 1's; step 2's, etc. Which were denied or etc so appellant appealed to the ALC, South Carolina Court of Appeals, South Carolina Supreme Court, on remand from South Carolina Court of Appeals Unpublished Opinion No. 2021-Up\*097 (submitted January 1, 2021-Filed March 24, 2021).

ARGUMENT(S)

1. The 8.23.21 "Order" (R. p. \_\_\_\_\_) set forth "citing v. Moore, contends that for more than 40 years the Department incorrectly calculated his sentence". (R. p. \_\_\_\_\_) Specifically, the Agency should have set years at 365 and/or 360 days, applying goodtime and earned work credits (EWC) based thereon. For every extra 30 days served, he should have received statutory goodtime credits (SGC) which was denied by respondent; there is due process violation(s) concerning liberty interest therewith.
2. The "Order" Id. (R. p. \_\_\_\_\_) mentioned "a careful review of the record shows that the Department properly credited Appellant with earned work credits and goodtime credits." This is incorrect, wrong, err; the record shows otherwise. 2.15.12 (R. P. \_\_\_\_\_) showed "Your projected release date has moved from 12/12/23 to 5/18/23". More the "CLASSIFICATION-REPORT DATED 1.20.97 set "PROM MAXOUT DATE: 9-16-2020" (R. p. \_\_\_\_\_) How was appellant's (EWC)'s relegated, decreased base on SCDC's classification modification contrary not to the due process and ex post facto clause?
3. The "Order" Id (R. P. \_\_\_\_\_) stressed "Appellant also contends the Department violated his due process rights by delaying the change of his custody status ... .." The issue cannot be met where

so as to infer, the ALC as a matter of law does not rule thereon for SCDC's classification on or thereafter 1.20.97 reference EWC's there-with custody if James was classified under the new SCDC's classification system which he was, is. Penal statutes are construed against agency and the government. Agency policies are interpreted as statutes. Brown v. State, 540 S.E.2d 846 (2001).

CONCLUSION

Wherefore, the computation(s) announced in Busby should be applied compared to the new no-parole reduced credits and classification system.

This 5th day of December 2021

*Isiah James, Jr.*  
Isiah James, Jr.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has mailed the new initial Brief (re clerk's response of \_\_\_\_\_) to respondent's attorney,

CHRISTINA CATOE BIGELOW at SCDC HEADQUARTERS  
POB 21787  
Columbia, SC 29221-1787

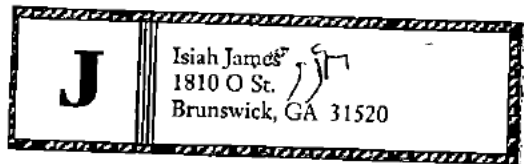
this 7th day of December 2021.

*Isiah James, Jr.*  
s/ \_\_\_\_\_

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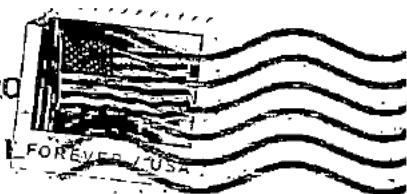
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