

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

James Wesley Patterson, #269129, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2017-002628

Appeal From The Administrative Law Court
Milton G. Kimpson, Administrative Law Judge

Unpublished Opinion No. 2019-UP-223
Submitted May 1, 2019 – Filed June 26, 2019

AFFIRMED

James Wesley Patterson, pro se.

Christina Catoe Bigelow, of the South Carolina
Department of Corrections, of Columbia, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *Barton v. S.C. Dep't of Prob. Parole & Pardon Servs.*, 404 S.C. 395, 414, 745 S.E.2d 110, 120 (2013) ("Statutory interpretation is a question of law subject to de novo review."); S.C. Code Ann. § 24-13-100 (2007) ("For purposes of definition under South Carolina law, a 'no parole offense' means a class A, B, or C felony"); S.C. Code Ann. § 16-1-90(A) (Supp. 2018) (classifying

manufacturing methamphetamine, third offense, as a class A felony); S.C. Code Ann. § 24-13-150(A) (Supp. 2018) (providing that "an inmate convicted of a 'no parole offense' . . . is not eligible for early release, discharge, or community supervision . . . until [he] has served at least eighty-five percent" of his sentence); S.C. Code Ann. § 44-53-375(B) (2018) ("Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which *all* prior offenses were for possession of a controlled substance *pursuant to subsection (A)*, may have the sentence suspended and probation granted and is eligible for parole" (emphases added)); *Bolin v. S.C. Dep't of Corr.*, 415 S.C. 276, 282, 781 S.E.2d 914, 917 (Ct. App. 2016) ("The legislature's use of the phrase 'Notwithstanding any other provision of law,' in the amendments to section[] 44-53-375 . . . expresses its intent to repeal section 24-13-100 *to the extent* it conflicts with amended section[] 44-53-375"); *Miller v. Doe*, 312 S.C. 444, 447, 441 S.E.2d 319, 321 (1994) ("If a statute's language is plain and unambiguous and conveys a clear and definite meaning, there is no occasion for employing rules of statutory interpretation and the court has no right to look for or impose another meaning.").

HUFF, THOMAS, and KONDUROS, JJ., concur.

AFFIRMED.¹

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.