

1972 WL 25209 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 17, 1972

**\*1 Re: Carl Floyd Cunningham Your File No. A-989**

Brett B. Stein, Esq.  
Attorney at Law  
236 Adams  
Memphis, Tenn. 38103

Dear Mr. Stein:

This office is in receipt of letter of January 27, 1972, regarding the jurisdiction of the South Carolina Probation, Parole and Pardon Board to review the sentence of Mr. Carl Floyd Cunningham.

It is the opinion of this office that for the Board to have jurisdiction to review a sentence the prisoner must have served one-third of the original maximum sentence, including the suspended portion. 1964 Attn'y Gen. Opn. No. 1606 (copy enclosed). Without being familiar with Mr. Cunningham's sentence or date of incarceration I cannot comment on the Board's denial of your request for review. However, Opinion No. 1606 applies.

With best wishes, I am,  
Sincerely,

John B. Grimball  
Legal Assistant

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