

**FILED**

APR 08 2013

SC ADMIN. LAW COURT

**STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT**

Michael Goins, #302385, )  
 )  
 Appellant, )  
 vs. )  
 )  
 South Carolina Department of Corrections )  
 )  
 Respondent. )

**Docket No.: 12-ALJ-04-0912-IJ  
Grievance No. PCI 1602-12**

**ORDER OF DISMISSAL**

Pursuant to Rule 60, ALC Rules, the Appellant was required to file a brief with the Administrative Law Court (Court) and to serve the same on all parties "within sixty-five (65) days after the date of assignment." The date of assignment in this case was January 9, 2013. The Court has not received the Appellant's Brief. More than sixty-five (65) days have passed since that date, and there is no indication that the Appellant has filed a brief with the Court or that the Department of Corrections has been served with the Appellant's brief.

Rule 62, ALC Rules, entitled "Dismissal of Appeal" provides:

Upon motion of any party, or on its own motion, an Administrative Law Judge may dismiss an appeal for failure to comply with any of the rules of procedure for appeals, including the failure to comply with any of the time limits provided by this section (V)....

By filing an appeal, the Appellant has an obligation to advance a position. "There is a limit beyond which the court should not allow a litigant to consume the time of the court . . . ." Georganne Apparel, Inc. v. Todd, 303 S.C. 87, 92, 399 S.E.2d 16, 19 (Ct. App. 1990). Therefore, pursuant to Rule 62, ALC Rules, this matter is hereby **DISMISSED**.

**AND IT IS SO ORDERED.**

*Carolyn C. Matthews* **RECEIVED**  
MAY 22 2013  
**CAROLYN C. MATTHEWS**  
Administrative Law Judge **SC Court of Appeals**

April 8, 2013  
Columbia, South Carolina

CERTIFICATE OF SERVICE  
This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party(ies) or their attorney(s).  
This 8 day of April 2013  
By: *Ray P. Snyder*  
Judicial Law Clerk