

The South Carolina Court of Appeals

Samuel Wilder, #258295, Appellant

v.

South Carolina Dep't of Correction, Respondent

Appellate Case No. 2023-000097

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APR 26 2023

SC Court of Appeals

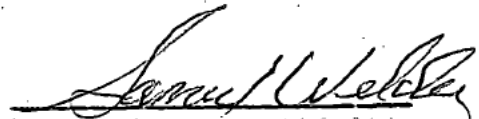
This cause is before this court pursuant to rule 240 SCACR, for a motion to remand to the Administrative Law Court, to hear this case according to Allen v. South Carolina Dep't of Correction, 2023 WL 2778609. The Allen Court held, that the requirement that an inmate deprivation if a state created liberty interest for ALC to grant relief has been subject of confusion and now the court clarify that the ALC has subject matter jurisdiction to hear appeals from the final decision of SCDC in ... an administrative matter. The Respondent motion to dismiss was based on that confusion and the Court abrogated Sullivan v SCDC, 355 S.C. 437, 586 S.E.2d 124 which the respondent depend for motion to dismiss.

CONCLUSION

Appellant prays that this court grant motion to remand.

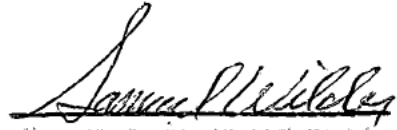
Dated

April 24 2023



CERTIFICATE OF SERVICE

The undersigned hereby certify that he mail motion to remand to the South Carolinas Court of Appeals and to Christina C. Bigelow, Esquire, Office of the General Counsel, this 24 day of April 2023, by depositing same in the U.S. mail.



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S.C. Court of Appeals
Jenny A. Kitchings, Clerk
P.O. Box 11629
Columbia, SC 29211

RE. Samuel Wilder, # 258295 v. SCDC
Case NO. 2023-000097

Dear Clerk;

Please find motion to remand that is served upon you.

Sincerely,



Samuel Wilder 258295
Tyger River C. I.
200 Prison Rd
Enoree, SC 29335

GREENVILLE SC 296

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*Jenny A Kitchings, Clerk
P.O. Box 11629*

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