

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**

Jeremy Lee Jones, Appellant,

v.

South Carolina Department of
Corrections, Respondent.

Appeal From Lee County
George C. James, Jr., Circuit Court Judge

Unpublished Opinion No. 2012-UP-372
Submitted June 1, 2012 – Filed June 20, 2012

AFFIRMED

Fletcher N. Smith, Jr., of Greenville, for Appellant.

Russell W. Harter, Jr., of Greenville, for Respondent.

PER CURIAM: Jeremy Lee Jones appeals the circuit court's grant of summary judgment to the South Carolina Department of Corrections (the

Department), arguing (1) the circuit court erred in granting summary judgment to the Department when its failure to protect Jones from an attack by a fellow inmate demonstrated gross negligence and (2) the Department had a duty to protect inmates from fellow inmates. We affirm¹ pursuant to Rule 220(b)(1), SCACR, and the following authorities:

1. As to whether the circuit court erred in granting summary judgment to the Department: Hancock v. Mid-South Mgmt. Co., 381 S.C. 326, 329, 673 S.E.2d 801, 802 (2009) ("Summary judgment is appropriate where there is no genuine issue of material fact and it is clear the moving party is entitled to a judgment as a matter of law.").

2. As to whether the Department had a duty to protect inmates from fellow inmates: Futch v. McAllister Towing of Georgetown, Inc., 335 S.C. 598, 613, 518 S.E.2d 591, 598 (1999) (holding an appellate court need not review remaining issues when its determination of a prior issue is dispositive of the appeal).

AFFIRMED.

PIEPER, KONDUROS, and GEATHERS, JJ., concur.

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



Case Tracking No. 2010-17804
No. 19443

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PER CURIAM

Daniel G. Pieper

J.

A. Ke

J.

John O. Stearns

J.

South Carolina Court of Appeals
Clerk's Office, Columbia, S.C.

FILED JUN 20 2012

Yanya A. Gee
Clerk