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AUG 21 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Docket No. 23-ALJ-30-0111-IJ

Michael Carwane, )  
)  
Petitioner, )  
)  
v. )  
)  
South Carolina Department of Juvenile )  
Justice, )  
)  
Respondent. )  
)  
)  
)  
)  
)  
)  
\_\_\_\_\_ )

ORDER OF DISMISSAL

This matter is before the Administrative Law Court (ALC or court) pursuant to a request for injunctive relief filed by Michael Carwane (Petitioner) on March 8, 2023. The Petitioner is requesting enforcement of subpoenas issued by the South Carolina State Employee Grievance Committee on February 13, 2023 to the South Carolina Department of Juvenile Justice (Respondent), State Accident Fund (SAF), Saluda Police Department, and Saluda County Administrator.<sup>1</sup>

On April 11, 2023, counsel for Saluda County informed the court that Saluda County has twice previously responded to the subpoena. On April 14, 2023, the Respondent filed a response to the Petitioner's motion asking the court to deny the Petitioner's motion for the Petitioner's failure to properly serve the Respondent as is required by ALC Rule 11B; because the Petitioner failed to timely serve the subpoena on the Respondent; and because the information requested in the subpoena has been provided to the Petitioner. On April 21, 2023, the State Accident Fund (SAF) filed a response to the Petitioner's motion asking the court to deny the Petitioner's motion because the SAF has thrice previously provided the requested information to the Petitioner.<sup>2</sup>

<sup>1</sup> Enclosed with the subpoena to the Saluda County Administrator is a signed response, dated February 27, 2023, from the Saluda County Administrator to the Petitioner informing the Petitioner that Saluda County does not have any responsive materials.

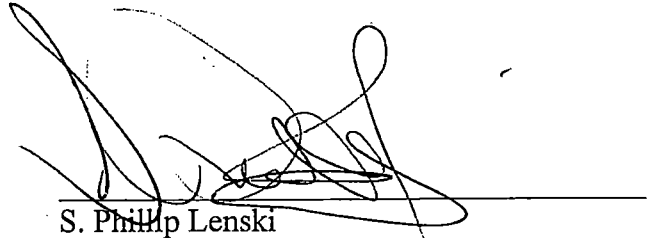
<sup>2</sup> As of the date of this Order, the Petitioner has not filed a reply nor responded to any emails from the court.

State of South Carolina  
FILED  
JUN 19 2023  
Administrative Law Court

Therefore, based on the foregoing,

**IT IS HEREBY ORDERED** that the Petitioner's Motions to Compel are **DENIED** and this case is hereby **DISMISSED**.

**AND IT IS SO ORDERED.**

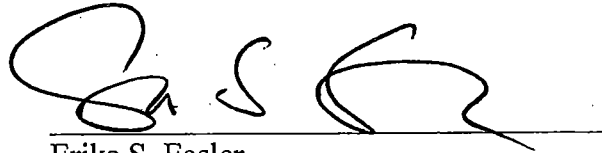
A handwritten signature in black ink, appearing to read 'S. Phillip Lenski', is written over a horizontal line. The signature is stylized and somewhat cursive.

S. Phillip Lenski  
Administrative Law Judge

June 19, 2023  
Columbia, South Carolina.

**CERTIFICATE OF SERVICE**

I, Erika S. Easler, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or by electronic mail to the address provided by the party(ies) and/or their attorney(s).



Erika S. Easler  
Judicial Law Clerk

June 19, 2023  
Columbia, South Carolina

