

August 4th, 2023

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AUG 22 2023

SC Court of Appeals

Branson Thompson, 326685

M.C.I.

386 Redemption way

McCormick, S.C. 29899

Branson Thompson 326685

Appellate case No. 2023-001131

I never recieved the South Carolina Court of Appeals Instructions till August 4th. So my 10 days should start today, right. I'm sending the envelope with the mailroom stamp to prove the date.

**FINANCIAL CERTIFICATE
FOR THE
DISTRICT OF SOUTH CAROLINA**
(for use in § 1913, direct, and non-habeas civil actions filed by prisoners)

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JUL 27 2023
MCCI
MAILROOM

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I have insufficient funds in my account that prohibit me from paying the full filing fee required by 28 U.S.C. § 1914 (currently \$350.00), I will send with my complaint an initial installment payment, required by 28 U.S.C. § 1915, equal to the amount calculated and entered on line four by the authorized officer signing this form.

I recognize that by filing this case, I am required to pay the full filing fee (or the remaining unpaid portion of the filing fee by installments if necessary) under 28 U.S.C. § 1915(b) even though I am requesting to proceed in forma pauperis. I authorize and consent to collection of the filing fee in accordance with 28 U.S.C. § 1915 until the filing fee is paid in full.

Branson Thompson
INMATE NAME (PRINTED)

326685
INMATE (PRISONERY) NUMBER

Branson Thompson
INMATE SIGNATURE

McCormick RHUB-8
PLACE OF CONFINEMENT

- (1) Average monthly deposits to the inmate's account \$ 12.23
- (2) Average monthly balance in the inmate's account calculated for the prior six months period \$ 27.46
- (3) Current Balance \$ 27.21
- (4) Initial Installment Payment (Take 20 percent of the greater of lines 1 or 2) \$ 5.45

SCBC-FINANCIAL ACCTG
2023 AUG - 1 AM 7:35

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

Peggy Cauthon
Authorized Officer's Signature

8/2/2023
Date

P. Cauthon, Fiscal Analyst I
Authorized Officer's Name and Title

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AUG 04 2023
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MAILROOM

B-87

Branson J. Thompson 326685
Appellant

v.

South Carolina Department of
Corrections, Respondent

Case No. 2023-001131

I'm submitting this Financial Certificate under 28 U.S.C. § 1915(a)(2) in order for me to proceed in forma pauperis. I don't have appropriate funds in my account. I would like to proceed in forma pauperis.

August, 8, 2023

~~of Branson Thompson~~ # 326685
Branson Thompson
M.C.I.
386 Redemption way
McCormick, S.C. 29899

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SC Court of Appeals

The State of South Carolina
In the Court of Appeal
In the Supreme Court

Appeal From South Carolina
Administrative Law Court

Milton G. Kimpson, Judge
Case No. 2023-001131

Branson J. Thompson 326685
Appellant

v.

South Carolina Department of
Corrections Respondent

Proof of Service

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AUG 22 2023

SC Court of Appeals

I certify that I have served the Notice of Appeal on Dept. of General Counsel, BY depositing a copy of it in the United States Mail, Postage Prepaid, August 7, 2023, Addressing to Dept. of Corrections, PO Box 21787, Columbia, S.C. 29221.

August 7, 2023

s/ Branson Thompson
Branson Thompson
M.C.I.
386 Redemption Way
McCormick, S.C. 29849

**LEGAL MAIL
LEGAL ROOM
MAIL ROOM
MAIL ROOM**

The State of South Carolina
In the court of Appeals
In the Supreme Court

Appeal From South Carolina
Administrative Law Court

Milton G. Kimpson, Judge

Case NO: 2023-00131

Branson J. Thompson 326685
Appellant

v.

South Carolina Department of
Corrections,
Respondent,

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AUG 22 2023

SC Court of Appeals

Proof of service

I certify that I have served the Notice of Appeal on Milton G. Kimpson, by depositing a copy of it in the United States mail, postage prepaid, August 7, 2023, addressing to Administrative Law Court, 1205 Pendleton St. Suite 224 Columbia S.C. 29201.

August 7, 2023

s/ Branson Thompson
Branson Thompson
M.C.I
386 Redemption way
McCormick, S.C. 29849

**LEGAL MAIL
MAIL ROOM**

South Carolina Court of Appeal

Branson J. Thompson #326685
Appellant.

v.
South Carolina Department
of Corrections, Respondent

Appellate case No. 2023-001131

Notice of Appeal

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SC Court of Appeals

Here comes Appellant, Branson J. Thompson giving notice of Appeal of the Administrative Law Courts order of dismissal for case number 23-ALJ-04-0191-AA on June 20, 2023. Attached are a copy of the order of dismissal the Appellant is challenging and a notice of entry of the order of dismissal.

Date: 8-7-2023

Name: Branson J. Thompson #326685

Branson Thompson

M.C.I

386 Redemption Way

McCormick, SC 29899

South Carolina Administrative
Law Court

Branson J. Thompson 326685
Appellant

v.

South Carolina Department
of Corrections, Respondent

Docket No. 23-ALJ-04-0191-AP
Notice of Appeal

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AUG 22 2023

SC Court of Appeals

Here comes Appellant, Branson J. Thompson giving notice of Appeal of the
Court's decision for order of dismissal for the above-mentioned case number
of June 20, 2023.

Date: 8-7-2023

Name: Branson J. Thompson # 326685

Branson Thompson

M.C. I

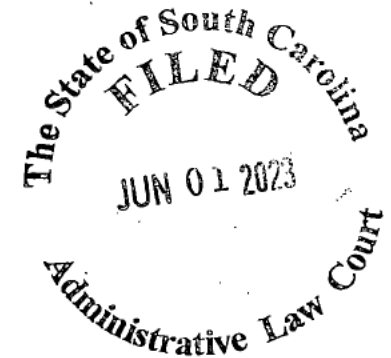
386 Redemption way

McCormick, S.C. 29899

**LEGAL MAIL
MAIL ROOM**

Below is information regarding your case which has been filed with the ALC. Please refer to the Rules of Procedure (enclosed) for the time frames on filing briefs and other matters.

Case Type	Case Number	Filing Date	Date Assigned	Judge Last Name	Case Title (Appellant v. Respondent)	Grievance No
DOC 04 Appeal	23C0191	5/19/23	6/1/2023	Kimpson	Branson J. Thompson #326685 v. DOC	MCCI 0027-23



You must file all original documents and correspondence regarding this case directly with the above-named Judge and serve a copy on the Dept. of General Counsel, S.C. Dept. of Corrections, PO Box 21787, Columbia, SC 29221.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Branson J. Thompson, #326685,)
)
 Appellant,)
)
 v.)
)
 South Carolina Department of)
 Corrections,)
)
 Respondent.)
)

Docket No. 23-ALJ-04-0191-AP

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ORDER OF DISMISSAL SC Court of Appeals

This matter is before the South Carolina Administrative Law Court (“ALC” or “Court”) pursuant to the Notice of Appeal filed by Branson J. Thompson (“Appellant”), an inmate incarcerated with the South Carolina Department of Corrections (“Department” or “SCDC”). Appellant appeals from a Step 2 Grievance which affirmed his conviction for violating SCDC Policy-22.14, Offense 855, Smuggling and/or Conspiracy to Smuggle in Contraband. Appellant did not lose any accrued good time credits.

DISCUSSION

The Court’s jurisdiction to hear this matter is derived from the decision of the South Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). In *Al-Shabazz*, the Court held that the ALC’s jurisdiction in inmate appeals is limited to state-created liberty interests typically involving: (1) cases in which an inmate contends that prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; and (2) cases in which an inmate has received punishment in a major disciplinary hearing as a result of a serious rule violation. *Id.* at 382, 527 S.E.2d at 757. “The only way for the [ALC] to obtain subject matter jurisdiction over [an inmate’s] claim is if it implicates a state-created liberty interest.” *Sullivan v. S.C. Dep’t of Corr.*, 355 S.C. 437, 443, 586 S.E.2d 124, 127 (2003). Subsequently, in *Slezak v. S.C. Dep’t of Corr.*, 361 S.C. 327, 331, 605 S.E.2d 506, 508 (2004), cert. denied, 544 U.S. 1033, 125 S.Ct. 2266, 161 L.E.2d 1060 (2005), our Supreme Court explained that while the ALC has jurisdiction over properly filed inmate grievance appeals, summary dismissal is appropriate “where the inmate’s grievance does not implicate a state-created liberty or property interest.”

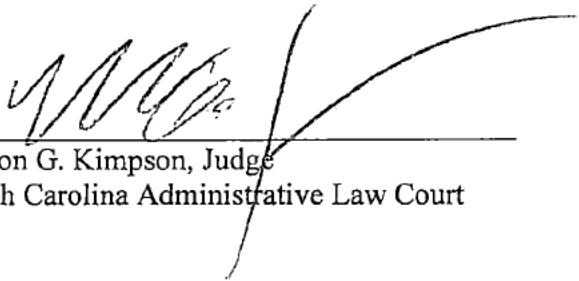
JUN 20 2023

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SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Despite Appellant's contentions, he: (a) was not sanctioned with the loss of any good time credits; (b) made no claim for the loss of any other state created liberty or property interest; and, (c) made no contention that his sentence, sentence related credits or custody status has been erroneously calculated. There is clearly no state created liberty interest implicated here. Without such a liberty interest, this Court cannot address any of the matters raised in Appellant's appeal. *See Slezak* 361 S.C. at 331, 605 S.E.2d at 508 (“[s]ummary dismissal may be appropriate where the inmate’s grievance does not implicate a state created liberty or property interest.”) Therefore,

IT IS HEREBY ORDERED that this appeal is **DISMISSED, WITH PREJUDICE.**
AND IT IS SO ORDERED.

June 20, 2023
Columbia, SC


Milton G. Kimpson, Judge
South Carolina Administrative Law Court

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 20 day of June, 2023
By: A. S. [Signature]
Judicial Law Clerk

Branson Thompson (26685) (RHW-B-87)
M. I. C.
386 Redemption way
McCormick, S.C. 29899

US POSTAGE
ZIP 29210 \$000.87⁰
02 17
0000378725 AUG 18 2023

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AUG 22 2023

SC Court of Appeals

Legal Mail

Catherine S. Harrison
Deputy Clerk
P.O. Box 11629
Columbia, S.C. 29211

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