

# The South Carolina Court of Appeals

Kevin Harbin, #303214, Appellant,

v.

South Carolina Department of Corrections, Respondent.

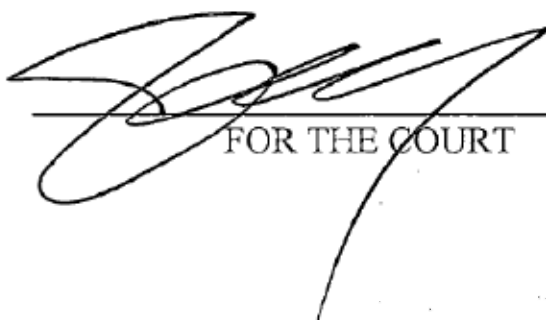
Appellate Case No. 2023-001181

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## ORDER

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This appeal arises out of an order of the Administrative Law Court (ALC) received by the appellant on July 7, 2023. The proof of service provided shows the notice of appeal was not served on the ALC until August 9, 2023. Accordingly, this appeal is dismissed for the failure to timely serve the ALC. *See* S.C. Code Ann. 1-23-610(A)(1) (Supp. 2022) ("For judicial review of a final decision of an administrative law judge, a notice of appeal by an aggrieved party must be served and filed with the court of appeals as provided by the South Carolina Appellate Court Rules in civil cases and served on the opposing party and the Administrative Law Court not more than thirty days after the party receives the final decision of the administrative law judge."); Rule 203(b)(6), SCACR (providing the timeline for service of the notice of appeal for appeals from the ALC is 30 days after receipt of the decision). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

 \_\_\_\_\_, J.  
FOR THE COURT

Columbia, South Carolina

cc:

Kevin Harbin, 00303214

Joseph R Shakibanasab, Esquire

**FILED**  
**Sep 01 2023**