

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Kevin McCollum, #277577)
)
 Appellant,)
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 vs.)
)
 South Carolina Department of Corrections,)
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 Respondent.)
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Docket No. 13-ALJ-04-0420-IJ

ORDER OF DISMISSAL

This matter is before the South Carolina Administrative Law Court (ALC or Court) pursuant to the Notice of Appeal filed by Appellant (Inmate) above named, who is incarcerated with the South Carolina Department of Corrections (SCDC).

Appellant has not filed a copy of a final decision from which appeal may be taken. He asserts in his Notice of Appeal/Petition that SCDC has failed to rule on his grievance for more than 180 days. Nevertheless, his administrative remedies have not been exhausted. This court lacks authority to grant the relief which Appellant seeks in this setting.

A party who has **exhausted all administrative remedies within the agency** and who is aggrieved by a **final decision** in a contested case is entitled to judicial review pursuant to this article and Article 1. S.C. Code Ann. § 1-23-380 (Supp 2012) (Emphasis supplied).

Inmate's administrative remedies have not been exhausted and thus, this matter is not properly before this Court.

THEREFORE, IT IS ORDERED that the within appeal be and hereby is **DISMISSED, WITH PREJUDICE.**

Columbia, S.C.
August 20, 2013



John D. McLeod

John D. McLeod, Judge
S.C. Administrative Law Court

THIS IS TO CERTIFY THAT THE UNDERSIGNED HAS THIS DATE SERVED THIS COURT WITH THE ENCLOSED 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 August, 2013
By: Anthony R. Holders
Judicial Law Clerk

FILED

AUG 20 2013

SC ADMIN. LAW COURT