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S.C. SUPREME COURT

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

David Chapman, #185661,
Appellant,

v.

South Carolina Department of Corrections,
Respondent.

Docket No. 24-ALJ-04-0745-AP
Grievance No. RCI 0185-24

ORDER

This matter is before the South Carolina Administrative Law Court (Court or ALC) pursuant to an appeal filed on November 21, 2024, by David Chapman (Appellant), an inmate incarcerated with the South Carolina Department of Corrections (SCDC or Department). The case was assigned to the undersigned on December 5, 2024. Appellant filed a Step 1 Grievance on June 12, 2024, asserting that he was denied access to pain medication because a doctor refused to see him. Appellant requests compensation for pain and suffering. On July 24, 2024, the Department denied Appellant's Step 1 Grievance. Thereafter, Appellant filed a Step 2 Grievance, which was denied on October 15, 2024, on the grounds that Appellant did not follow proper SCDC policy to request pain medication. The Department filed a Motion to Dismiss (Motion) on January 30, 2025, asserting that Appellant's claims do not implicate a state-created liberty or property interest. Appellant filed a reply to the Motion on February 3, 2025.

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. Recently, the court further clarified that while the ALC has jurisdiction over all inmate grievance appeals, it is "not required to hold a hearing in every matter and may summarily dismiss an inmate's grievance if it does not implicate a state-created liberty or property interest sufficient to trigger procedural due process guarantees." *Allen*

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SC Admin. Law Court

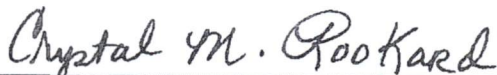
v. S.C. Dep't of Corr., 439 S.C. 164, 170-71, 886 S.E.2d 671, 674 (2023). To trigger due process guarantees and judicial review, "an inmate's complaint must encompass an infringement of a liberty interest that imposes an atypical and *significant hardship* on the inmate." *Skipper v. S.C. Dep't of Corr.*, 370 S.C. 267, 274, 633 S.E.2d 910, 914 (2006) (emphasis added).

In this matter, Appellant's appeal is based upon his assertion that he was denied adequate medical care. The Department indicated that this matter was investigated at the Step 1 Grievance level. Specifically, the Department indicated that there was no evidence to suggest that medical staff failed to perform their job duties properly and that the grievance process is not the proper avenue to request financial compensation. Further, this review indicated that to be seen by medical staff Appellant must comply with SCDC Policy HS-18.05 "Sick Call and Dental Health" and in this instance Appellant did not do so. Appellant alleges in his reply to the Motion that he had not been informed of this procedure; however, Appellant was instructed to review SCDC Policy HS-18.05, which is available to him. When reviewing inmate grievance appeals, this court generally takes a hands-off approach when dealing with internal prison matters unless the alleged infringement involves an inmate's constitutionally protected rights. *Al-Shabazz v. State*, 338 S.C. 354, 382, 527 S.E.2d 742, 757 (2000). Moreover, as asserted in the Department's motion Appellant's claim does not pertain to (a) erroneously calculated sentence, sentence related credits, or custody status nor; (b) any other state-created liberty or property interest. Appellant's appeal does not allege a deprivation of a state-created liberty or property interest, nor has he claimed a significant hardship which reaches constitutional dimensions. As such, the Court concludes that summary dismissal is appropriate in this case. *See Allen v. S.C. Dep't of Corr.*, 439 S.C. 164, 170-71, 886 S.E.2d 671, 674 (2023) (summary dismissal appropriate where the inmate's grievance does not implicate a state-created liberty or property interest.)

ORDER

IT IS HEREBY ORDERED that the Department's Motion is **GRANTED**, and that this appeal is, therefore, **DISMISSED WITH PREJUDICE**.

AND IT IS SO ORDERED.


The Honorable Crystal M. Rookard
South Carolina Administrative Law Judge

February 20, 2025
Columbia, South Carolina

CERTIFICATE OF SERVICE

I, Elizabeth Brown, 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, in the Interagency Mail Service, or by electronic mail, to the address provided by the party(ies) and/or their attorney(s).

Elizabeth Brown

Elizabeth Brown
Judicial Law Clerk

February 20, 2025
Columbia, South Carolina