

Mr. Michael D. Goins # 302385
430 Oaklawn Road
Pelzer, S.C. 29669

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OCT 04 2013

SC Court of Appeals

South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

IN RE: Notice of Appeal & Case No.: 2013-000960

September 24, 2013

Dear Clerk,

Please find enclosed appellants Notice of
~~Appeal, Motion to Proceed IFP & Proof of Service for case No.: 13-ALJ~~
04-0471-AP. Please file a copy and return a clocked in copy to me for my
filing.

Also, I sent a Motion of Reconsideration for Case No. ~~2013-~~
000960 with a Proof of Service and other documents on or about August
13th, 2013 but I have yet to get an response from you all or the respondents.
On August 6th, 2013 you all sent me a notice stating the deficiencies in my
Motion to Reinstate and I corrected those deficiencies within 10 days as
directed. I need to know the status of this proceeding. Thank You!

Respectfully Submitted,
Mr. Michael D. Goins
Mr. Michael D. Goins # 302385

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from S.C. Administrative Law Court
Administrative Law Judge John D. McLeod

CASE No: _____

South Carolina Department of Corrections Respondents

VS.

Michael Goins Appellant

Notice Of Appeal

I, Michael Goins, do hereby Appeal the decision of ALJ John D. McLeod on Administrative Law case No.: 13-ALS-04-0471-AP to the S.C. Court of Appeals. In the above case the respondents lost the disciplinary Hearing audio tape from the hearing held on October 25, 2012 making it impossible to transcribe the hearing and ALJ John D. McLeod granted their "Motion to Remand for New hearing" on August 26, 2013.

The appellant hereby appeals that decision stating that the case should have been Remanded, Reversed & vacated for the "respondents" failing to keep the audio tape, instead of Remanded for Re-hearing as if the loss of the audio tape was the appellants fault.

September 24, 2013
Pelzer, South Carolina

Respectfully Submitted,
1st Mr. Michael D. Goins
Mr. Michael D. Goins # 302385
430 Oaklawn Road
Pelzer, S.C. 29669

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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

Case No.:

South Carolina Department of Corrections ----- Respondents

V.S.

Michael Goins ----- Appellant

Motion To Proceed In Forma Pauperis

I, Michael Goins, hereby Motion the Courts to Proceed in forma pauperis for the \$25.00 filing fee of this appeal. The Appellant is an completely indigent prisoner with ~~a~~ no source of income.

September 24, 2013
Pelzer, South Carolina

Respectfully Submitted,
By Michael D. Goins
Mr. Michael D. Goins # 302385
430 Oaklawn Road
Pelzer, S.C. 29669

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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

Case No.:

South Carolina Department of Corrections ----- Respondents

VS.

Michael Goins ----- Appellant

Proof of Service

I, Michael Goins, hereby did on September 24, 2013 serve a copy of (2) two documents; Notice of Appeal & Motion to Proceed IFP; upon the following:

- 1.) S.C. Court of Appeals P.O. Box 11629 Columbia, S.C. 29211
 - 2.) SCDC Office of General Counsel P.O. Box 21787 Columbia, S.C. 29221-1787
- accompanied with the order appealed, by depositing the same into the U.S. mail, postage prepaid. I certify that the above is true.

September 24, 2013

Pelzer, South Carolina

By: Michael D. Goins

Mr. Michael D. Goins # 302385

430 Oaklawn Road

Pelzer, S.C. 29669

SWORN to and subscribed before me
this 24th day of September, 2013.

By: Nancy C. Merchant (L.S.)

Notary Public For South Carolina

My Commission expires: 1-23-2023

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SC Court of Appeals

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Michael Goins, #302385,)
)
Appellant,)
)
vs.)
)
South Carolina Department of Corrections,)
)
Respondent.)
)
)
)

Docket No. 13-ALJ-04-0471-AP

ORDER GRANTING
RESPONDENT'S MOTION FOR
REMAND

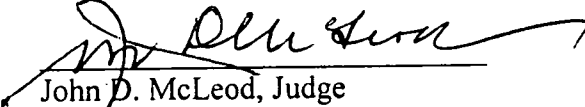
This matter comes before the Administrative Law Court (Court) pursuant to the appeal of Appellant Michael Goins filed on June 20, 2013. The date of assignment of this appeal was June 27, 2013.

The record on appeal was due to be filed within forty-five (45) days from the date of the notice of assignment. On August 13, 2013, however, Respondent South Carolina Department of Correction's filed a Motion For Remand, indicating that Respondent is unable to produce a transcript from Appellant's disciplinary hearing. The Department motions for this matter to be remanded so that it may re-hear this matter and produce a transcript for the record.

IT IS HEREBY ORDERED that the Department's motion for **REMAND** is **GRANTED**.

AND IT IS SO ORDERED.

Columbia, S.C.
August 26, 2013


John D. McLeod, Judge
S.C. 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 26 day of August, 2013
By: Anthony R. Doolen
Judicial Law Clerk

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SC Court of Appeals

FILED

AUG 26 2013

SC ADMIN. LAW COURT