

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Matthew Brown, #370550,)
)
 Appellant,)
)
 v.)
)
 South Carolina Department of Corrections,)
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 Respondent.)
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)
)

Docket No. 25-ALJ-04-0144-AP

**ORDER GRANTING
RESPONDENT'S MOTION TO
DISMISS**

AUG 13 2025

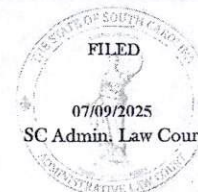
SC Court of Appeals

This matter is before the South Carolina Administrative Law Court (ALC or court) pursuant to the Notice of Appeal filed on March 31, 2025 by Matthew Brown (Appellant), an inmate in the custody of the South Carolina Department of Corrections (Department or Respondent). After the Appellant's Step 1 and Step 2 grievances were investigated and denied, he filed a Notice of Appeal with this court appealing the Department's denial of his grievance in which he is requesting the Department refund the \$10.00 he was charged for his blood pressure and cholesterol medications in violation of Department policy. The Appellant is not appealing a disciplinary hearing conviction, nor did the Appellant lose any good time credit as part of any punishment.

On June 18, 2025, the Department filed a Motion to Dismiss pursuant to *Slezak v. S.C. Dep't of Corr.*, 361 S.C. 327, 605 S.E. 2d 506 (2004) and *Skipper v. S.C. Dep't of Corr.*, 370 S.C. 267, 633 S.E.2d 910 (Ct. App. 2006) requesting the court dismiss the Appellant's appeal because it does not involve a state-created liberty or property interest. On June 25, 2025, the Appellant filed a response to the Department's Motion to Dismiss arguing that per Department policy, no copayment will be charged for certain medications and blood pressure and cholesterol medication are considered chronic medication and fall under this category. Therefore, the Appellant should be reimbursed the \$10.00 copayment.

DISCUSSION

The court's jurisdiction to hear this matter is derived entirely from the decision of the South Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). The court's



appellate jurisdiction in inmate appeals is limited to cases involving denial of 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.¹ *Id.* When reviewing the Department's decisions in inmate grievance matters, the court sits in an appellate capacity. *Al-Shabazz*, at 756. Consequently, the review in these inmate grievance cases is limited to the Record presented. Pursuant to *Slezak*, the court is to have jurisdiction of all properly perfected inmate appeals but “[s]ummary dismissal may be appropriate where the inmate’s grievance does not implicate a state created liberty or property interest.” Further, the South Carolina Court of Appeals has opined that where a state-created liberty interest is not implicated in a prisoner appeal, this court should dismiss the appeal. *Skipper v. S.C. Dep’t of Corr.*, 370 S.C. 267, 633 S.E. 2d 910 (Ct. App. 2006).

In this case, the Department explained to the Appellant that in accordance with Department policy, inmates are not charged for chronic care clinic visits but are charged for medications. The Appellant is not appealing the loss of a state created liberty or property interest, therefore this is a case in which this court must adhere to the traditional “hands off” doctrine regarding judicial involvement in prison disciplinary procedure and other internal prison matters. *See Pruitt v. State*, 274 S.C. 565, 266 S.E.2d 779 (1980) and *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000) (emphasis supplied).

THEREFORE, based on the foregoing, the Department’s Motion to Dismiss is **GRANTED** and this appeal is hereby **DISMISSED**.



S. Phillip Lenski
Administrative Law Judge

July 9, 2025
Columbia, South Carolina

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 9th day of July 2025

¹ The court does have limited jurisdiction in some property matters, the authority for which need not be cited here.