

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Allen K. Agee, #161869,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

Docket No. 13-ALJ-04-0559-AP

Grievance No.: LCI 677-13

ORDER OF DISMISSAL

This matter is before the South Carolina Administrative Law Court ("ALC") pursuant to the Notice of Appeal filed July 30, 2013 by Allen K. Agee ("Appellant"), who is incarcerated with the South Carolina Department of Corrections ("SCDC").

Appellant appeals the decision of SCDC in a prison disciplinary matter. SCDC's decision indicates he was not sanctioned with the loss of any good-time credits; Appellant made no claim for the loss of any other state-created liberty interest; and made no contention that his sentence, sentence related credits, or custody status have been erroneously calculated. There is no state-created liberty interest in the loss of opportunity to earn additional good-time credits. Howard v. S.C. Dep't of Corr., 399 S.C. 618, 733 S.E.2d 211 (2012); see also S.C. Code Ann. § 1-23-600 (D) (2012).

Under Slezak v. S.C. Dep't of Corr., 361 S.C. 327, 605 S.E.2d 506 (2004), the ALC 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." Id. at 331, 605 S.E.2d at 508. Such is the case present. It is therefore,

ORDERED that this appeal is **DISMISSED, WITH PREJUDICE.**

IT IS SO ORDERED.


CAROLYN C. MATTHEWS
S.C. Administrative Law Court

November 18, 2013
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).

FILED

NOV 18 2013

This 18th day of November 2013

By: MUSCO

Judicial Law Clerk

SC ADMIN. LAW COURT