

Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). This 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.² *Id.*

In the motion to dismiss, the Department argues that because the Appellant is not alleging the loss of any good time credit as part of his punishment, but instead failed to earn good time for the month the disciplinary infraction occurred, there is no state-created liberty or property interest implicated in this case and the Appellant's appeal does not trigger procedural due process guarantees. Therefore, the court should dismiss this appeal pursuant to *Howard* and subsection 1-23-600(D) of the South Carolina Code. *See Howard v. S.C. Dep't of Corr.*, 399 S.C. 618, 636, 733 S.E.2d 211, 221 (2012) (holding that "because the plain language of section 1-23-600(D) would prohibit an ALC from hearing *all* inmate appeals involving the loss of the opportunity to earn sentence-related credits...the ALC may not summarily dismiss an appeal solely on the basis that it involves the loss of the opportunity to earn sentence-related credits. Instead, the ALC must also consider whether the appeal implicates a state-created liberty or property interest") (emphasis in original).

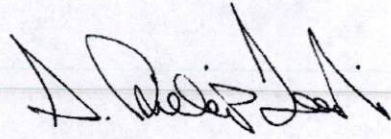
When reviewing the Department's decisions in inmate grievance matters, the court sits in an appellate capacity. *SCDC v. Mitchell*, 377 S.C. 256, 659 S.E.2d 233 (Ct. App. 2008). Consequently, the review in these inmate grievance cases is limited to the record before the court. There is no state-created liberty or property interest implicated in this appeal. Accordingly, this is a case in which this court must adhere to the traditional "hands off" doctrine regarding judicial involvement in prison disciplinary procedures 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). Therefore, based on the foregoing,

IT IS HEREBY ORDERED that the Department's Motion to Dismiss is **GRANTED** and

² The court does have limited jurisdiction in some property matters, the authority for which need not be cited here.

this appeal is **DISMISSED**.

AND IT IS SO ORDERED.

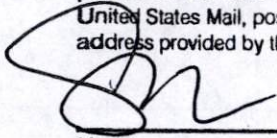


S. Phillip Lenski
Administrative Law Judge

August 20, 2026
Columbia, South Carolina

CERTIFICATE OF SERVICE

This is to certify that on this date the undersigned has served this notice/order in the above entitled-action upon all parties to this case by depositing a copy hereof in the United States Mail, postage paid, or by electronic mail, to the address provided by the party(ies) and/or their attorney(s).



Name

20 AUG 1 2026
Date