

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT
ADMINISTRATIVE LAW JUDGE DEBORAH B. DURDEN

CASE NO: 13-ALJ-04-0965-AP

MICHAEL JONES #237769, APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS RESPONDENT

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NOTICE OF APPEAL SCACR RULE 203(c)(2)

SC Court of Appeals

I, Michael Jones, do hereby appeal the decision of Administrative Law Judge Deborah B. Durden in Administrative Law Court ("ALC") Case No: 13-ALJ-04-0965-AP to the South Carolina Court of Appeals. In the above case the respondent denied Appellant his United States of America Constitutional Fifth Amendment right to equal protection against arbitrary discrimination, his Fourteenth Amendment right to be free from arbitrary governmental acts and oppression, adequate unbiased procedural due process in South Carolina Dept' of Corrections Perry Correctional Institution Inmate Classification Committee Initial Administration Segregation Hearing of November 6th, 2012 and all subsequent sham reviews. Administrative Law Judge Deborah B. Durden dismissed Appellant's appeal with prejudice January 16th, 2014, which the Appellant received January 21st, 2014 alleging Appellant has no state-created liberty interest in his custody status. The Appellant avers that he is entitled to judicial review because of above mentioned biased United States Constitutional violations by itself.

Inasmuch the Appellant asserts he is a non-violent prisoner who receives state-created earned work credits, which reduces Appellant max out in the same manner as the state-created liberty interest good-time credits. Inmate earned work credits levels

AND ELIGIBILITY IN THE STATE OF SOUTH CAROLINA DEPT' OF CORRECTIONS ARE DIRECTLY RELATED TO AN INMATE'S CUSTODY LEVEL. THUS, IN THE STATE OF SOUTH CAROLINA DEPT' OF CORRECTIONS AN INMATE WHO IS ELIGIBLE TO RECEIVE ^{LOSE} EARNED WORK-CREDITS HAS A STATE-CREATED LIBERTY INTEREST DEMANDING ADEQUATE PROCEDURAL DUE PROCESS IN CUSTODY LOSS OR ADVANCEMENT.

THE APPELLANT HEREBY APPEALS THAT DECISION STATING HE HAS A CONSTITUTIONAL RIGHT TO PROTECTION AGAINST ARBITRARY GOVERNMENTAL ACTION, A RIGHT TO EQUAL PROTECTION AGAINST DISCRIMINATION, AND A STATE-CREATED LIBERTY INTEREST DUE PROCESS PROCEDURAL RIGHT PROTECTION TO RECEIVE ADEQUATE INMATE CLASSIFICATION COMMITTEE REVIEW ^{HEARINGS} ADEQUATE UNBIAIS PROCEDURAL DUE PROTECTIONS.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 3RD DAY OF JANUARY, 2014.

Nancy C. Muckaut (L.S.)

NOTARY PUBLIC:

1-23-2023

MY COMMISSION EXPIRES:

RESPECTFULLY SUBMITTED,

MR. Michael L. Jones

MR. MICHAEL L. JONES, #237769

PCI D-X#21

430 OAKLAWN RD.

PELZER, SC 29669

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEAL

APPEAL FROM ADMINISTRATIVE LAW COURT
ADMINISTRATIVE LAW JUDGE DEBORAH B. DURDEN

CASE NO: 13-ALJ-04-0965-AP

MR. MICHAEL JONES, # 237769, ----- APPELLANT,

V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS ----- RESPONDENT.

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PROOF OF SERVICE

FEB 05 2014

SC Court of Appeals

I, MICHAEL JONES, DID ON THIS 30TH DAY OF JANUARY, 2014 SERVE A COPY OF APPELLANT'S NOTICE OF APPEAL, ADMINISTRATIVE LAW COURT'S ORDER OF DISMISSAL FOR ALC CASE NO: 13-ALJ-04-0965-AP, APPELLANT'S SCACR RULE (209) MOTION FOR TRANSCRIPT RECORD AND PROOF OF TIMELY FILED SERVICE WITH ALC, AND APPELLANT'S MOTION AND SUPPORTING AFFIDAVIT TO PROCEED IN FORMA PAUPERIS UPON THE FOLLOWING:

- 1) S.C. COURT OF APPEALS JENNY ABBOTT KITCHINGS, CLERK, P.O. BOX 11629
COLUMBIA, SC 29211
- 2) SCDC OFFICE OF GENERAL COUNSEL P.O. BOX 21787 COLUMBIA, SC 29221
- 3) S.C. ADMINISTRATIVE LAW COURT 1205 PONDLETON ST., STE 224 COLUMBIA, SC
29201

BY DEPOSITING THE SAME INTO PERRY CORRECTIONAL INSTITUTION UNITED STATES MAIL BOX,
POSTAGE PREPAID.

I, CERTIFY THAT THE ABOVE IS TRUE.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 30th DAY OF JANUARY, 2014.

Nancy C. Mueckent (L.S.)
NOTARY PUBLIC:

1-23-2023

MY COMMISSION EXPIRES:

RESPECTFULLY SUBMITTED,

MR. Michael L. Jones

MR. MICHAEL L. JONES # 237769

PCI D-x # 21

430 OAKLAND RD.

PELZER, SC 29669

MR. MICHAEL L. JONES #237769

PCI D-X 21

430 OAKLAWN Rd.

PALZER, SC 29669

JANUARY 30th, 2014

SOUTH CAROLINA COURT OF APPEALS

JENNY ABBOTT KITCHINGS, CLERK

P.O. BOX 11629

COLUMBIA, SC 29211

RE: NOTICE OF APPEAL

DEAR CLERK,

PLEASE FIND ENCLOSED HERewith APPELLANT'S NOTICE OF APPEAL, ADMINISTRATIVE LAW COURT'S ORDER OF DISMISSAL FOR ALC CASE NO. 13-ALJ-04-0965-AP, APPELLANT'S PROVIDED COPY OF SCACR RULE (207) MOTION FOR TRANSCRIPT RECORD AND PROOF OF TIMELY FILED SERVICE WITH ALC, AND APPELLANT'S MOTION AND SUPPORTING AFFIDAVIT TO PROCEED IN FORMA PAUPERIS.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 30th DAY OF JANUARY, 2014.

Nancy C. Murchant (L.S.)

NOTARY PUBLIC:

1-23-2023

MY COMMISSION EXPIRES:

CC: SCDC OFFICE OF GENERAL COUNSEL

ADMINISTRATIVE LAW COURT (ALC), CLERK OF COURT

RESPECTFULLY SUBMITTED,

MR. MICHAEL L. JONES

MR. MICHAEL L. JONES #237769

PCI D-X # 21

430 OAKLAWN Rd.

PALZER, SC 29669

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FEB 05 2014

SC Court of Appeals

Mr. Michael L. Jones # 237768

PCI D-X # 21

4300 AKLAND RD.

PALZER, SC 29169

AMS

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JAN 30 2014

PC.I. MAILROOM

S.C. COURT OF APPEALS

Jessy A. Kiddings, Clerk

P.O. Box 11629

Columbia, SC 29211

RECEIVED

FEB 05 2014

SC COURT OF APPEALS

LEGAL MAIL