

EXHIBIT
#61

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

T. Terell Bryan, #254638,

Docket No. 14-ALJ-04-0003-IJ

Appellant,

vs.

ORDER OF DISMISSAL

South Carolina Department of Corrections,

Respondent.

This matter is before the South Carolina Administrative Law Court (ALC or Court) pursuant to the Notice of Appeal filed by Appellant (Inmate) above named, who is incarcerated with the South Carolina Department of Corrections (SCDC).

Inmate filed a Notice of Appeal for Grievance Nos. MCCI 0263-13, 1129-13, 1123-13, 1109-13 and 1131-13, of which a copy of his Step 1 Grievance No. MCCI 1129-13 was included. The Notice of Appeal does not contain a copy of a final decision of SCDC which is the subject of the appeal as required by ALC Rule 59(C).

By failing to obtain a final decision from SCDC, Inmate has failed to exhaust his administrative remedies and has thus failed to meet the requirements of the Administrative Procedures Act for review by this Court: "(A) A party who has **exhausted all administrative remedies within the agency** and who is aggrieved by a **final decision** in a contested case is entitled to review under this article, Article I, and Article 5. § 1-23-380. S.C. Code of Laws, Annotated." (Emphasis supplied).

Thus, this matter is not properly before this Court. Therefore,

IT IS ORDERED that this appeal be and hereby is **DISMISSED, WITH PREJUDICE.**

RECEIVED

FEB 26 2014

COURT of Appeals

Deborah Brooks Durden, Judge
S.C. Administrative Law Court

January 22, 2014
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 22nd day of January 2014

By: [Signature]
Judicial Law Clerk

FILED

JAN 22 2014

SC ADMIN. LAW COURT