

THE STATE OF SOUTH CAROLINA
IN COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT
ADMINISTRATIVE LAW JUDGE DEBORAH B. DURDEN
CASE NO. 13-ALJ-04-09605-AP

APPELLATE CASE NO. 2014-000226

Michael Jones, #237769, ----- Appellants

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS ----- Respondent.

APPELLANT'S MOTION FOR REMAND TO ADMINISTRATIVE LAW
COURT FOR RECORD PRODUCTION IN COMPELLMENT MATTER

THE APPELLANT here NOW AVERS TO THIS HONORABLE COURT THAT IF NOT FOR THE SAKE OF JUDICIAL ECONOMY THAT THIS COURT COMPEL RECORD ON APPEAL PRODUCTION, THEN SHOULD THIS COURT REMAND TO THE ALC. FOR IT IS CLEARLY ESTABLISHED INDEFINITE SOLITARY CONFINEMENT PRISONER HAS A CONSTITUTIONAL GUARANTEE TO LEGITIMATE PERIODIC REVIEWS AND THE STATE OF SOUTH CAROLINA HAS CREATED A LIBERTY INTEREST IN CLASSIFICATION CUSTODY AND ALREADY ACCRUED EARNED WORK CREDITS. THE APPELLANT IS A NON-VIOLENT 65% SENTENCE SERVE PRISONER WHO HAS A CLEARLY NON ESTABLISHED STATE-CREATED LIBERTY INTEREST. (See: Gilchrist v. Pinson, 2013 WL 3946278 P.3-4 (D.S.C. 2013)).

WHEREFORE, APPELLANT SEEKING JUDICIAL REVIEW TO PROTECT HIS CONSTITUTIONAL GUARANTEE OF LEGITIMATE EQUAL PROTECTION AND DUE PROCESS IN HIS STATE-CREATED LIBERTY INTEREST PRAYS THIS COURT COMPEL THE RECORD ON APPEAL FOR THE SAKE OF JUDICIAL ECONOMY OR REMAND TO THE ALC TO PROVIDE A SUFFICIENT RECORD ON APPEAL FOR ADEQUATE REVIEW.

RESPECTFULLY Submitted,

Mr. Michael L. Jones

MR. MICHAEL L. JONES # 237769

PCI 430 OAKLAWN RD.

PALZER, SC 29669

PALZER, SOUTH CAROLINA
MARCH 6, 2014

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MAR 12 2014

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT
ADMINISTRATIVE LAW JUDGE DEBORAH B. DURDEN
CASE NO. 13-ALJ-04-0965-AP

APPELLATE CASE NO. 2014-000226

Michael Jones, # 237769, ----- APPELLANT,

v.

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

PROOF OF SERVICE

I, CERTIFY THAT ON THIS 6th DAY OF MARCH, 2014, I DID SERVE A COPY OF THE APPELLANT'S MOTION ENCLOSED HERewith USING PERRY CORR. INST. U.S. MAILING SYSTEM UPON THE FOLLOWING:

- 1) S.C. COURT OF APPEALS JENNY A. KITCHINGS, CLERK, P.O. BOX 11629 COLUMBIA, SC 29201
- 2) CHRISTOPHER D. FLORIAN, ESQ., SCDC OFFICE OF GENERAL COUNSEL P.O. BOX 21787 COLUMBIA, SC 29221

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 6 DAY OF MARCH, 2014.

Tamara Crowell (L.S.)

NOTARY PUBLIC:

Sept - 25 - 2023

MY COMMISSION EXPIRES:

RESPECTFULLY SUBMITTED,

Mr. Michael L. Jones

MR. MICHAEL L. JONES # 237769

PCI 430 OAKLAND RD.

PALZER, SC 29669

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MAR 12 2014

SC Court of Appeals

MR. MICHAEL L. JONES # 237769

PCI 430 OAK LAWN RD.

Palzer, SC 29969

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MAR 12 2014

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SC Court of Appeals

MAR 06 2014

F.C.I. MAILROOM

Jenny A. Kitchens, Clerk

S.C. COURT OF APPEALS

P.O. BOX 11629

Columbia, SC 29201

LEGAL MAIL