

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Jerry Massey, #184059,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

Docket No. 13-ALJ-04-0830-AP
Grievance No.: RCI 384-13

ORDER OF DISMISSAL

This matter is before the South Carolina Administrative Law Court ("ALC") pursuant to the Notice of Appeal filed October 29, 2013 by Jerry Massey ("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.**

AND IT IS SO ORDERED.


CAROLYN C. MATTHEWS
S.C. Administrative Law Court

January 30, 2014
Columbia, South Carolina

CERTIFICATE OF SERVICE
This is to certify that the undersigned on this date served this order in the above entitled case upon all parties to this cause by depositing a copy of the order in the United States mail, postage certified, in the Interagency Mail Service addressed to the party or their attorney(s).

TO: 30th day of January 2014
By: WURE
Judicial Law Clerk

FILED

JAN 30 2014

SC ADMIN. LAW COURT