

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Brian Wortman, #248915,  
Appellant,  
vs.  
South Carolina Department of Corrections,  
Respondent.

Docket No. 14-ALJ-04-0175-AP

ORDER OF DISMISSAL

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 appeals denial of his Step 2 Grievance affirming his conviction for Possession of a Cell Phone or Other Type of Communication Device (898) SCDC OP-22.14, Inmate Disciplinary System.

He (a) was not sanctioned with the loss of any good time credits; (b) made no claim for the loss of any other state created liberty or property interest; and, (c) made no contention that his sentence, sentence related credits or custody status has been erroneously calculated. There is clearly no state created liberty interest implicated here.

Under Slezak v. S.C. Department of Corrections, 361 S.C. 327, 605 S.E.2d 506 (2004), the Administrative Law Court is to have jurisdiction of all properly perfected inmate appeals but "Summary dismissal may be appropriate where the inmate's grievance does not implicate a state created liberty or property interest." Such is the case here.

Therefore, for the foregoing reasons this appeal is hereby **DISMISSED, WITH PREJUDICE.**

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*John D. McLeod*  
John D. McLeod, Judge

Columbia, S.C.  
March 3, 2014

SC Court of Appeals  
South Carolina Administrative Law Court

CERTIFICATE OF SERVICE

This is to certify that I, undersigned, has this date served this order in the above entitled action upon all parties to this matter 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 3 day of March, 2014

By: *Christy R. Fulmer*  
Judicial Law Clerk

FILED

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SC ADMIN. LAW COURT