

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Jason Kelly, #287190,

) Docket No. 14-ALJ-04-0293-AP
)
)

) Appellant,
)
)

) vs.)
)

) **ORDER OF DISMISSAL**
)

) South Carolina Department of Corrections,)
)

) Respondent.)
)

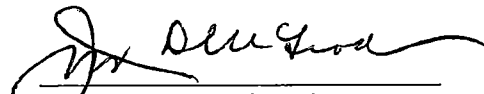
This matter is before the South Carolina Administrative Law Court (ALC or Court) pursuant to the Notice of Appeal filed by Appellant (Inmate) above named, who is incarcerated with the South Carolina Department of Corrections (SCDC). Inmate appeals from the decision in his Step 2 Grievance which affirms denial of Appellant's grievance relative to security procedures and the use of riot gas.

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.**

Columbia, S.C.
March 31, 2014


John D. McLeod, Judge
S.C. Administrative Law Court

CERTIFICATE OF SERVICE
I, the undersigned, do hereby 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 31 day of March, 2014
By: William R. Dullman
Judicial Law Clerk

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SC Court of Appeals SC ADMIN. LAW COURT