

**STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT**

**SC ADMIN. LAW COURT**

Donald Baker, 147121, )  
 )  
 Appellant, )  
 vs. )  
 )  
 South Carolina Department of Corrections, )  
 )  
 Respondent. )  
 )  
 \_\_\_\_\_ )

Docket No.: 14-ALJ-04-0179-AP  
Grievance No.: LCI 1435-13

**ORDER OF DISMISSAL**


This matter is before the South Carolina Administrative Law Court (“ALC” or “Court”) pursuant to the Notice of Appeal filed February 19, 2014 by Donald Baker (“Appellant”), an inmate incarcerated with the South Carolina Department of Corrections (“Department”). Appellant appeals the decision of the Department denying his grievance in which Appellant complains he was wrongfully convicted of Possession of a Weapon without sufficient evidence presented against him. The conviction did not result in the loss of any accrued good time credits.

The ALC has subject matter jurisdiction when the Department disciplines an inmate and imposes a punishment that deprives the inmate of a constitutionally protected liberty or property interest. Sullivan v. S.C. Dep’t of Corr., 355 S.C. 437, 441-42, 586 S.E.2d 124, 126 (2003); Al-Shabazz v. State, 338 S.C. 354, 369, 527 S.E.2d 742, 750 (2000); Skipper v. S.C. Dep’t of Corr., 370 S.E. 267, 273-74, 633 S.E.2d 910, 914 (Ct. App. 2006). Slezak v. S.C. Department of Corrections, 361 S.C. 327, 605 S.E.2d 506 (2004) provided further clarification that this Court has jurisdiction of all inmate grievance appeals that have been properly filed. However, when the grievance appeal does not implicate a state-created liberty or property interest, the ALC may summarily dismiss the appeal at its discretion. Furtick v. South Carolina Department of Corrections, 374 S.C. 334, 649 S.E.2d 35 (2007).

The Appellant has not alleged deprivation of a state-created liberty or property interest in this matter. Therefore, the Court finds Furtick to be controlling in this matter.

**IT IS HEREBY ORDERED** that this appeal is **DISMISSED, with prejudice.**

AND IT IS SO ORDERED.

  
**SHIRLEY C. ROBINSON**  
Administrative Law Judge

March 5, 2014  
Columbia, South Carolina

DEED 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 case by depositing a copy hereof,  
in the United States mail, postage paid, or in the overnight/  
Mail Service addressed to the party(ies) or their attorney(s)  
this 5 day of March 2014  
By: JH