

FILED

MAR 17 2014

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

SC ADMIN. LAW COURT

Patrick Booker, 297590,)
)
Appellant,)
vs.)
)
South Carolina Department of Corrections,)
)
Respondent.)

Docket No.: 14-ALJ-04-0244-AP
Grievance No.: RCI 0160-13

ORDER OF DISMISSAL

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APR 30 2014

SC Court of Appeals

This matter is before the South Carolina Administrative Law Court ("ALC" or "Court") pursuant to the Notice of Appeal filed March 5, 2014 by Patrick Booker ("Appellant"), an inmate incarcerated with the South Carolina Department of Corrections ("Department"). Appellant appeals the decision of the Department denying his grievance in which the Appellant complains the Department is not providing inmates with adequate access to legal research tools. Specifically, the Appellant asserts that the Department's subscription with Westlaw significantly limits inmate access to reference material originating from federal courts.

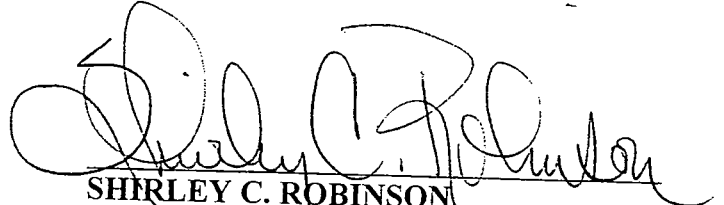
The ALC has subject matter jurisdiction when the Department disciplines an inmate and imposes a punishment that deprives the inmate of a constitutionally protected liberty or property interest. Sullivan v. S.C. Dep't of Corr., 355 S.C. 437, 441-42, 586 S.E.2d 124, 126 (2003); Al-Shabazz v. State, 338 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 a deprivation of a state-created liberty or property interest in this matter. Therefore, the Court finds Furtick to be controlling in this matter and it is hereby

ORDERED that this appeal is **DISMISSED, with prejudice.**

AND IT IS SO ORDERED.

March 17th, 2014
Columbia, South Carolina


SHIRLEY C. ROBINSON
Administrative Law Judge

CERTIFICATE 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 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 17 day of March, 2014

By: J. H.
JAMES H. HART