

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Antoine China, 292911, )  
 )  
 Appellant, )  
 vs. )  
 )  
 South Carolina Department of Corrections, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

Docket No.: 14-ALJ-04-0934-AP  
Grievance No.: PCI 0444-14

ORDER OF DISMISSAL

**RECEIVED**  
NOV 10 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 October 16, 2014 by Antoine China (“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 Unauthorized Inmate Organization Activity or Participation in a Security Threat Group (“STG”) or ATG Activity 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. South Carolina 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).

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.

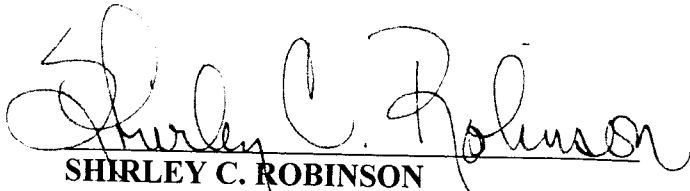
**IT IS HEREBY ORDERED** that this appeal is **DISMISSED, with prejudice.**

**FILED**

OCT 27 2014

SC ADMIN. LAW COURT

**AND IT IS SO ORDERED.**

  
**SHIRLEY C. ROBINSON**  
Administrative Law Judge

*grf*  
October *21* 2014  
Columbia, South Carolina

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*Shirley C. Robinson*  
Administrative Law Judge