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South Carolina Court of Appeals  
Administrative Law Court Appeal

SC Court of Appeals

OSCAR BEECHER McDowell  
# 242647  
Plaintiff

Notice of Appeal

Docket No.  
14-AJ-04-0957-AP

Administrative Law Court  
South Carolina Department of Corrections  
Defendants

Grievance No.  
PCI 0364-14

I am appealing the Administrative Law Courts decisions to dismiss my case for not having a state created liberty interest in being in the general population and a right to due process.

The Special Management Unit (SMU) at Perry Correctional Institution (PCI) is far more restrictive and oppressive than the Maximum Security Unit (MSU) at Kirkland Correctional Institution (KCI). According to Wilkinson v. Austin, 545 US 223-224 "Prisoners have a right to not be transferred to a 'Supermax' without just cause". The conditions difference between the general population and the SMU at PCI is far more severe than the difference between the general population and the MSU at KCI. Therefore I do have a state created liberty interest in the general population versus the SMU at PCI.

Further more My due process rights have been violated  
by the SCDC for not allowing me a Disciplinary hearing.  
Also the Administrative Law Court did not in discussing  
my case without even allowing the filing of briefs

Oscar McDowell

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**SC Court of Appeals**

Certificate of Service

This is to certify that the undersigned has this date  
served this Appeal in the above 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 18<sup>th</sup> day of November 2014

Oscar McDowell

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P.O. Box 11629

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