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SC Court of Appeals

South Carolina Court of Appeals
Administrative Law Court Appeal

CESAR BEECHER McDowell

242647

Plaintiff

~~Defendant~~

Administrative Law Court

South Carolina Department of Corrections

Defendants

Notice of Appeal

Docket No.

14-ALJ-04-0958-AP

Grievance No.

PCI 0414-14

I am appealing the Administrative Law Court's decision 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 Kerkland 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.

Furthermore My due process rights have been violated
by the SCDC for not allowing me a disciplinary hearing.
Also the Administrative Law Court did not dismiss my
case without even allowing the filing of briefs.

Oscar McDowell

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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 next
postage paid as in the interagency mail service addressed
to the parties or their attorneys

This 18th day of November 2014

Oscar McDowell

Oscar McDowell

November 18th 2014

South Carolina Court of Appeals
Clerk of Court

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Sir,

I do not know what is easier for your office to process - either all my cases on one action or all split up so I did them both ways. I figured it would save paper to combine them all.

Whatever is easier for you and your office then file that way.

Please let me know

Thank you and respect



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