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NOV 19 2014

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

SC Court of Appeals

Hamid Demmirio, #115800,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

Docket No. 14-ALJ-04-0627-AP

Grievance No.: LCI 224-14

ORDER OF DISMISSAL

This matter is before the South Carolina Administrative Law Court ("ALC") pursuant to the Notice of Appeal filed August 19, 2014 by Hamid Demmirio ("Appellant"), who is incarcerated with the South Carolina Department of Corrections ("SCDC").

Appellant appeals the decision of SCDC in a prison disciplinary matter. SCDC's decision indicates he was not sanctioned with the loss of any good-time credits; Appellant made no claim for the loss of any other state-created liberty interest; and made no contention that his sentence, sentence related credits, or custody status have been erroneously calculated. There is no state-created liberty interest in the loss of opportunity to earn additional good-time credits. Howard v. S.C. Dep't of Corr., 399 S.C. 618, 733 S.E.2d 211 (2012); see also S.C. Code Ann. § 1-23-600 (D) (2012).

Under Slezak v. S.C. Dep't of Corr., 361 S.C. 327, 605 S.E.2d 506 (2004), the ALC is to have jurisdiction of all properly perfected inmate appeals but "[s]ummary dismissal may be appropriate where the inmate's grievance does not implicate a state created liberty or property interest." Id. at 331, 605 S.E.2d at 508. Such is the case present. It is therefore,

ORDERED that this appeal is **DISMISSED, WITH PREJUDICE.**

AND IT IS SO ORDERED.

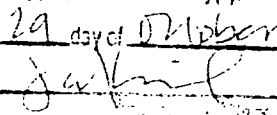


CAROLYN C. MATTHEWS

Administrative Law Judge
CERTIFICATE OF SERVICE

October 29, 2014
Columbia, South Carolina

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 herof, postage paid, in the United States mail addressed to the party(ies) or their attorney(s).

This 29 day of October
BY: 

FILED

OCT 29 2014

SC ADMIN. LAW COURT

MR. HAMID DEMMIRIO #115800
LIEBER CORR. INST. CA-22
POST OFFICE BOX 205
RIDGEVILLE, S.C. 29472

NOVEMBER 17, 2014

S.C. COURT OF APPEALS
1015 SUMTER ST., BOX 11629
COLUMBIA, S.C. 29211

DEAR HONORABLE CONSTITUENT:

ON NOVEMBER 13, 2014, I FORWARDED THIS COURT OF MY NOTICE OF APPEAL ALONG WITH THE PROOF OF SERVICE INFORMING THIS HONORABLE COURT OF MY ATTEMPT. HOWEVER, DUE TO MY NEGLIGENCE, I FAILED TO ENCLOSE THE ORDER OF DISMISSAL. THEREFORE, I AM ENCLOSING IT AT THIS TIME ON THE ABOVE DATE.

RESPECTFULLY SUBMITTED,

S/ 

*CASE NO. 14-ALT-04-0627-AP

MR. HOWARD DEMUNDO #115842
LIEBER COR. INST. CA-22
POST OFFICE Box 205
RIDGEBVILLE, S.C. 29472

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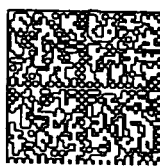
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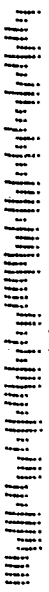
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South Carolina Court of Appeals

1215 SUMNER ST., Box 11629

COLUMBIA, SOUTH CAROLINA 29211

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THE DEPARTMENT OF THE CORRECTIONS HAS NOT
INSPECTED OR REVIEWED THIS ITEM. THEREFORE,
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY
FOR ITS CONTENTS.

LEBEN CORRECTIONAL INSTITUTION
S.C. DEPARTMENT OF CORRECTIONS

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