

MARCH 04, 2015

The South CAROLINA COURT OF APPEALS  
Mrs. Jenny Abbott Kitchings, clerk  
P.O. Box 11629  
Columbia, S.C. 29211

**RECEIVED**

MAR 06 2015

Re: CASE NO.: 2015-000183

**SC Court of Appeals**

DEAR Mrs. Kitchings,

Attached to this letter is the order from the A.L.C. signed by Judge Matthews.

I have another appeal in your office see CASE NO.: 2015-000322

My issue is, I may have sent in the wrong order I want this court to look at. I had multiple dismissals around the same time.

CAN you please check case no.: 2015-000183 to see if I sent in the correct order which is attached to this letter

CAN you please mail me back confirmation  
in the pre-paid envelope?

IF the ATTACHED order is NOT  
ATTACHED to this case number,  
CAN you please make the change  
for me AS I ALSO wanted you  
folks my INITIAL Brief ± ALSO  
provided my own white paper AS I  
HAVE no money to pay copy fee (\$)

Respectfully Requested,  


George Cleveland, III #357770  
EVANS CORRECTIONAL INSTITUTION  
610 Hwy 9 west  
Bennettsville, S.C. 29512

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

George Cleveland, III, #357770,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

Docket No. 14-ALJ-04-0771-AP  
Grievance No.: ECI 221-14

ORDER OF DISMISSAL RECEIVED

MAR 06 2015

SC Court of Appeals

This matter is before the South Carolina Administrative Law Court ("ALC") pursuant to the Notice of Appeal filed September 16, 2014 by George Cleveland, III ("Appellant"), who is incarcerated with the South Carolina Department of Corrections ("SCDC").

Appellant appeals the decision of SCDC in a dispute raised by Appellant regarding the calculation of his sentence-related good time credits and appropriate max out date. Though the Appellant discusses calculation of sentence-related credits, Appellant is not appealing a decision that affected his credits; rather, he is addressing how SCDC is calculating such credits and raising issue with how SCDC staff is trained. SCDC's Step 2 Grievance decision indicates that he was not sanctioned with the loss of any good-time credits, nor does Appellant make a claim for the loss of any other state-created liberty interest. 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).

On its face, it appears that Appellant is arguing that his sentence has been calculated incorrectly and, in some way, he may be presenting such an argument. However, upon examining all of his materials presented, Appellant is actually presenting argument that the Department's method of calculation as a whole is incorrect<sup>1</sup>, and that their staff is improperly trained<sup>2</sup> and ignorant of the law<sup>3</sup>. In his brief, Appellant appears to argue for different methods of calculation of good time credits, and avers that the Department should follow one of the schemes that he has developed<sup>4</sup>. Appellant further alleges that the days that he has lost due to disciplinary actions are not at issue here.<sup>5</sup>

<sup>1</sup> Appellant's Brief p. 18.

<sup>2</sup> Appellant's Brief p. 15, 17.

<sup>3</sup> Appellant's Brief p. 10.

<sup>4</sup> Appellant's Brief p. 11-13.

<sup>5</sup> Appellant's Brief p. 16.

FILED

JAN 15 2015

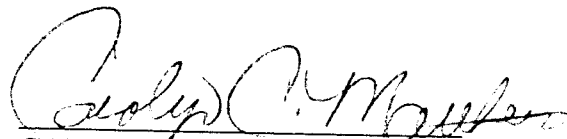
SC ADMIN. LAW COURT

The totality of these arguments present an issue upon which this Court cannot rule. It is not within this Court's jurisdiction to decide how sentences are calculated pursuant to statute and, because the Appellant is not specifically arguing that his sentence is improperly calculated, this issue does not fall under one of the exceptions regarding jurisdiction as found in the canon of cases regarding ALC jurisdiction over inmate cases, including *Sullivan vs. S.C. Dep't of Corr.*, 355 S.C. 437, 586 S.E.2d 124 (2003).

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

January 15, 2015  
Columbia, South Carolina

**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 case by depositing a copy hereof, postage paid, in the United States mail addressed to the party(ies) or their attorney(s).

This 15 day of January 15  
BY [Signature]  
Judicial Law Clerk

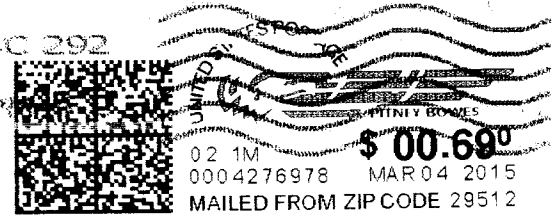
George Cleveland, III 357770, FYA 258

EVANS CORRECTIONAL INSTITUTION

610 Hwy 9 west  
Bennettsville, SC 29512

COLUMBIA SC 292

MAR 2015



The South CAROLINA COURT OF APPEALS  
Attention: Clerk Mrs. Jenny ABBOTT Kitchings

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**SC Court of Appeals**

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