

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Gary Slezak, #109201,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

Docket No. 14-ALJ-04-0849-AP  
Grievance No.: ACI 297-14

**ORDER OF DISMISSAL**

This matter is before the South Carolina Administrative Law Court ("ALC") pursuant to the Notice of Appeal filed September 29, 2014 by Gary Slezak ("Appellant"), who is incarcerated with the South Carolina Department of Corrections ("SCDC"). On December 31, 2014, SCDC filed a Motion to Dismiss asserting that Appellant's Grievance does not implicate a state-created liberty or property interest.

Appellant's appeal alleged that SCDC caused him to miss a filing deadline regarding an appeal from this Court on his parole status because SCDC deactivated his identification card without providing him a new one. This deactivation limited his access to funds so, Appellant argues, he could not file and mail his appeal. SCDC denied Appellant's Step Two Grievance.

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. The present case presents no issue of state-created liberty or property interest. SCDC's management of identification cards is not one of these interests. Appellant's lack of access to funds through this avenue did not foreclose him of his due process rights in the appeals process.

It is therefore,

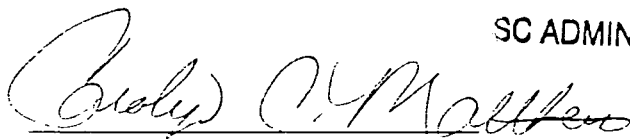
**ORDERED** that this appeal is **DISMISSED, WITH PREJUDICE.**

**AND IT IS SO ORDERED.**

**FILED**

FEB 05 2015

SC ADMIN. LAW COURT



CAROLYN C. MATTHEWS  
Administrative Law Judge

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the manner provided herein upon all parties to this matter.

February 5, 2015  
Columbia, South Carolina

5 February 2015  
J. R. O.