

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

Kevin Briggs, #274123

Plaintiff,

vs.

South Carolina Department of Corrections,

Defendant.

COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

2014
Case No.: 2012-CP-40-3307

ORDER

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SC Court of Appeals

JEANETTE W. ROBERTS
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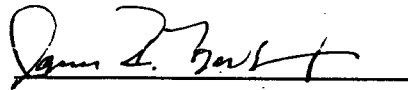
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RICHLAND COUNTY
FILED

This matter is before the undersigned pursuant to the complaint of Kevin Briggs, #274123. Both parties having had an opportunity to present their positions in this matter at a hearing on February 12, 2015, I now dismiss this case with prejudice. I specifically conclude that dismissal is appropriate pursuant to Rule 12(b)(1), SCRCF because this court lacks jurisdiction to hear this complaint. This matter involves an appeal from a conviction in a South Carolina Department of Corrections disciplinary hearing. The APA provides that the appropriate court to appeal the Administrative Law Court's decision is the S.C. Court of Appeal.

Based on the above determination by this Court, I find the present case should be DISMISSED WITH PREJUDICE.

AND IT IS SO ORDERED.



James R. Barber
Judge, Fifth Judicial Circuit

February 12, 2015
Columbia, South Carolina