

FILED

APR 03 2015

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

SC ADMIN. LAW COURT

Akeem Abdullah-Malik, #359150,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

Docket No. 14-ALJ-04-0965-AP  
Grievance No. KRCI 243-14

ORDER OF DISMISSAL

RECEIVED  
MAY 12 2015  
SC Court of Appeals

This matter is before the South Carolina Administrative Law Court (“ALC”) pursuant to the Notice of Appeal filed October 28, 2014 by Akeem Abdullah-Malik, #359150 (“Appellant”), who is incarcerated with the South Carolina Department of Corrections (“SCDC”). The Department filed the record on December 22, 2014. Appellant filed a motion to enlarge or stay briefing on December 29, 2014, including a follow-up document on January 7, 2015. The Court granted an enlargement of thirty (30) days via an order dated January 9, 2015. Appellant requested another extension due to his transfer within the system, and he received another fifteen (15) days via an order dated February 13, 2015. Appellant filed his brief on February 27, 2015, along with a motion to modify or clarify issuance of subpoenas. This motion appears to deal with subpoenas issued in other courts, so this Court cannot influence or compel those organizations and hereby rules that this motion is not ripe for a substantive ruling. The Department filed its brief on March 23, 2015. Appellant filed a motion to dismiss on March 30, 2015 in which he argues, *inter alia*, that the Department is trying to sidestep the United States Constitution by urging this Court to dismiss the matter. This Court appreciates the efforts put both by both parties, especially in light of the sensitive nature of this grievance. While the Court is sympathetic to the Appellant’s situation and agrees that this Court is bound by the constitutions of the State of South Carolina and the United States of America, this is not the appropriate forum to remedy his issues. Therefore, this Court is dismissing this matter pursuant to the legal authority cited below.


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 at bar. It is, therefore,

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

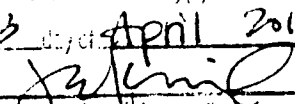
**AND IT IS SO ORDERED.**

  
**CAROLYN C. MATTHEWS**  
Administrative Law Judge

April 3, 2015  
Columbia, South Carolina

**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this day served the case in the above entitled action upon the parties to the case, including a copy hereof, by first class United States mail addressed to the following party(ies):

on 3 day of April, 2015.  
  
Joann Law Clerk