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MAY 20 2015

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

SC Court of Appeals

Billy L. Alford, #285850,

Docket No. 14-ALJ-04-1072-AP

Grievance No. KCI 0882-14

Appellant,

vs.

ORDER OF DISMISSAL

South Carolina Department of Corrections,

Respondent.

This matter is before the South Carolina Administrative Law Court (ALC) pursuant to the Notice of Appeal filed December 3, 2014 by Appellant (Inmate) above named, who is incarcerated with the South Carolina Department of Corrections (Respondent). On March 18, 2015 Respondent filed a Motion to Dismiss with this Court stating that the Appellant has failed to file a brief in support of his appeal. Pursuant to ALC Rule 60(A), Appellant was required to file an appellate brief in the above-captioned matter with this court and to serve all parties with the same "within sixty-five (65) days after the date of assignment." ALC Rule 60(A). This case was assigned on December 17, 2014. The Appellant had until February 20, 2015 to file his appellate brief. However, to date, Appellant has not filed an appellate brief in this matter.

ALC Rule 62 provides that "[u]pon motion of any party, or on its own motion, an Administrative Law Judge may dismiss an appeal for failure to comply with any of the rules of procedure for appeals, including the failure to comply with any of the time limits provided by this section." ALC Rule 62 (emphasis added). By virtue of his request for an appeal, Appellant had an obligation to advance his position, and Appellant was given ample time to do so. Nonetheless, Appellant failed to file an appellate brief in support of his appeal. It is therefore,

ORDERED that Respondent's Motion to Dismiss is hereby **GRANTED** and this appeal is **DISMISSED, WITH PREJUDICE.**

IT IS SO ORDERED.



Deborah Brooks Durden, Judge
S.C. Administrative Law Court

FILED

APR 07 2015

SC ADMIN. LAW COURT

April 7, 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 cause by depositing a copy hereof, in the United States mail, postage paid, or in the Emergency Mail Service addressed to the party(ies) or their attorney(s).

This 7th day of April 2015
By: RS