STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Dwight Jones, #237527, Appellant, vs. South Carolina Department of Corrections, Respondent.	)	Docket No. 12-ALJ-04-0445-IJ **ORDER OF DISMISSAL**

This matter is before the South Carolina Administrative Law Court (ALC or Court) pursuant to the Notice of Appeal filed, by Appellant (Inmate) above named, who is incarcerated with the South Carolina Department of Corrections (SCDC).

Inmate attempts to appeal in a matter in which there has been no final decision issued. No copy of the Step 2 Grievance was filed with the Notice of Appeal. If he did appeal to the Step 2 level but failed to file a copy of the decision appealed from as required by SCALC Rule 59(C), the appeal may be dismissed for failure to follow the rules for appeals as provided by SCALC Rule 62. Thus dismissal may be upon failure to follow the rules or failure to exhaust administrative remedies.

> A party who has **exhausted all administrative remedies within the agency** and who is aggrieved by a **final decision** in a contested case is judicial review pursuant to this article and Article 1. (Emphasis supplied).

S.C. Code Ann. § 1-23-380

Inmate failed to exhaust his administrative remedies and thus, this matter is not properly before this Court.

THEREFORE, IT IS ORDERED that the within appeal be and hereby is **DISMISSED, WITH PREJUDICE.**

Columbia, S.C.
June 19, 2012

John D. McLeod, Judge
S.C. Administrative Law Court

CERTIFICATE OF SERVICE
This is to certify that the undersigned has this date served this order in the above-captioned action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party(ies) or their attorney(s).

This 19 day of June, 2012
By: Barbara R. Goldman

FILED
JUN 19 2012
SC ADMIN. LAW COURT