

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Deborah Brooks Durden, Administrative Law Judge

Administrative Law Court Docket No. 12-ALJ-04-00143-AP

Thomas J. Torrence, #094651

Respondent

v.

South Carolina Department of Corrections Appellant.

NOTICE OF APPEAL

In accordance with South Carolina Appellate Court Rule 203 and the provisions of S.C. Code Ann. § 1-23-610(A)(1), the South Carolina Department of Corrections [“the Department”] appeals both the January 30, 2014 and the January 20, 2016 decisions issued by the Honorable Deborah Brooks Durden, Administrative Law Judge.

Judge Durden’s final decision in this matter consists of her written orders filed January 30, 2014 and January 20, 2016. By her final decision, Judge Durden reversed the final decision issued by the Department in an administrative grievance filed by the Respondent.

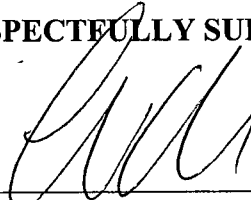
The Department, by and through its undersigned counsel, appealed the written order from Judge Durden filed January 30, 2014 to this Court in 2014. By an order filed April 17, 2014, this Court dismissed the Department’s appeal, as it determined that Judge Durden’s January 30, 2014 order did not constitute a final decision.

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The Department's undersigned counsel received written notice of the entry of Judge Durden's January 20, 2016 order on January 21, 2016.

For the sake of clarity, the Department appeals the entirety of Judge Durden's January 30, 2014 order. However, the Department appeals only the rulings issued by Judge Durden concerning the first three (3) issues she addressed in her January 20, 2016 order. See January 20, 2016 Order, pp. 3 and 6 – 14.

RESPECTFULLY SUBMITTED:



February 17, 2016

Lake E. Summers
Malone, Thompson, Summers & Ott LLC
339 Heyward Street, Suite 200
Columbia, South Carolina 29201
(803) 254-3300

Outside Counsel for Appellant South Carolina
Department of Corrections

Pro Se Respondent:

Thomas J. Torrence
#094651
Lieber Correctional Institution
Post Office Box 205
Ridgeville, South Carolina 29472

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Thomas J. Torrence, #094651' Respondent,

v.

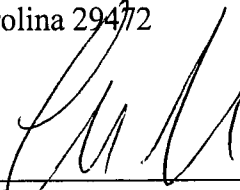
South Carolina Department of Corrections Appellant.

PROOF OF SERVICE

I certify that I have served the Appellant's Notice of Appeal on the above-named *pro se* Respondent by depositing a copy of it in the United States Mail, First Class Postage Pre-Paid, to the Respondent addressed as follows:

Thomas J. Torrence
#094651
Lieber Correctional Institution
Post Office Box 205
Ridgeville, South Carolina 29472

February 17, 2016



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February 17, 2016

VIA HAND DELIVERY

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FEB 17 2016

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1015 Sumter Street
Post Office Box 11629
Columbia, South Carolina 29201

Re: Notice of Appeal of the Administrative Law Court's Final Decision in *S.C. Dep't of Corrections, Appellant, v. Thomas J. Torrence, #094651, Respondent*, ALC Docket No. 12-ALJ-04-00143-AP

Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal submitted by the South Carolina Department of Corrections in the above-captioned case.

I also enclose a proof of service of the Notice of Appeal on the Respondent and a copy of the two (2) orders which are to be challenged on appeal.

Additionally, I enclose a second copy of each of these documents. Please return the file stamped copy to our representative who delivered them to your office.

Thank you for your consideration of this matter.

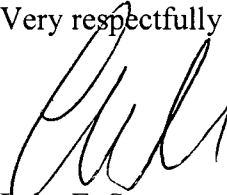
As always, I remain

Page 2 of 2

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Re: Notice of Appeal of the Administrative Law Court's Final Decision in *S.C. Dep't of Corrections, Appellant, v. Thomas J. Torrence, #094651, Respondent*, ALC Docket No. 12-ALJ-04-00143-AP

Very respectfully yours,



Lake E. Summers
Counsel for Appellant South Carolina
Department of Corrections

Cc:

Thomas J. Torrence, *Pro Se* Respondent

The Honorable Jana E. Shealy, Clerk of Court for the Administrative Law Court

Stephen Lunsford, Esquire, Ass't General Counsel for the S.C. Dep't of Corrections