

The state of South Carolina
Court of appeals

Lewis Christopher Davis #327125
Appellant

v.
South Carolina Department of Corrections
Respondent.

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MAR 03 2016

SC Court of Appeals

Record on Appeal

The Honorable S. Phillip LenSKI
South Carolina Administrative Law Court
Edgar A. Brown Building, Suite 224
1205 Pendleton Street
Columbia SC, 29201

Cheron NESS
Administrative Assistant
Office of General Counsel
South Carolina Department of Corrections
444 Broad River Road
Columbia SC 29221
(803) 896-3922

LEGAL

Kershaw CI

He
2/3

FINANCIAL CERTIFICATE
FOR THE
DISTRICT OF SOUTH CAROLINA

(for use in § 1983, Bivens, and non-habeas civil actions filed by prisoners)

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FEB 18 2016

KerCI

MAIL ROOM

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I have insufficient funds in my account that prohibit me from paying the full filing fee required by 28 U.S.C. § 1914, I will send with my complaint an initial installment payment, required by 28 U.S.C. § 1915, equal to the amount calculated and entered on line four by the authorized officer signing this form.

Lewis Davis
INMATE NAME (PRINTED)

327125
327125
INMATE (PRISONER) NUMBER

[Signature]
INMATE SIGNATURE

Kershaw CI
PLACE OF CONFINEMENT

- ◆ (1) Average monthly deposits to the inmate's account.....\$ 0
- ◆ (2) Average monthly balance in the inmate's account calculated for the prior six months period.\$ 0
- ◆ (3) Current Balance\$.15
- ◆ (4) Initial Installment Payment (Take 20 percent of the greater of lines 1 or 2).....\$ 0

SCDP-FINANCIAL ADCT'N
2016 FEB 11 PM 2:13

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

M. Boykin
Authorized Officer's Signature

2/12/16
Date

M Boykin Financial Accounting
Authorized Officer's Name and Title

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Lewis Christopher Davis, #327125,

) Docket No. 15-ALJ-04-0222-AP
)
)

) Appellant,
)
)

ORDER OF DISMISSAL

v.)
)
)

) South Carolina Department of Corrections,
)
)

) Respondent.
)
)

Pursuant to ALC Rule 60, the Appellant was required to file a brief with the Administrative Law Court (ALC or court) and to serve the same on all parties "within sixty-five (65) days after the date of assignment." The date of assignment in this case was May 14, 2015. Under Rule 60, the brief was due on or before August 12, 2015. The court has not received the Appellant's Brief.


Rule 62, ALC Rules, entitled "Dismissal of Appeal" provides:

Upon 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 (V)....

By filing an appeal, the Appellant has an obligation to advance a position. "There is a limit beyond which the court should not allow a litigant to consume the time of the court" *Georganne Apparel, Inc. v. Todd*, 303 S.C. 87, 92, 399 S.E.2d 16, 19 (Ct. App. 1990). Therefore, pursuant to ALC Rule 62, this matter is hereby **DISMISSED**.

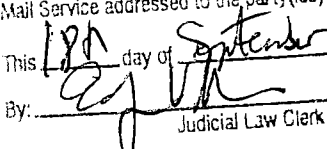
AND IT IS SO ORDERED.

September 17, 2015
Columbia, South Carolina



S. Phillip Lenski
Administrative Law Judge

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 Interagency Mail Service addressed to the party(ies) or their attorney(s).

This 18th day of September 2015
By: 

Judicial Law Clerk

FILED

SEP 18 2015

SC ADMIN. LAW COURT

Lewis Christopher Davis #327125
Appellant

vs.

South Carolina Department of Correction
Respondent

Certificate of Service
Appellant Case NO. 2016-000303

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SC Court of Appeals

I hereby certify that a copy of the foregoing motion was this date served upon the following individuals by placing a copy of ~~them~~ the same via mail to his/her last known address as followed:

Cheron Hess
Administrative Assistant
Office of General Counsel
South Carolina Department of Correction
4444 Broad River Road
Columbia SC 29221
(803) 896-3022



Lewis Christopher Davis #327125
Kershaw CJ / Hickory C213
4848 Gold Mine Hwy
Kershaw SC 29067

LEGAL

February 26, 2016

JENNY ABBOTT Kitching
Clerk of Appeals
P.O. BOX 116929
Columbia SC, 29211

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SC Court of Appeals

Re: Lewis Christopher DAVIS # 327125 v. SCDL
Appellate NO. 2016-000303

Dear Ms. Kitching,

I received your letter on February 25 2016. I would first like to send my apology, about the misunderstandings. Enclosed in this letter is the items in question. I would like to address the fact that I am indigent, so I am send a financial certification to verify this. I also request that a copy is made and the original is sent back to me. ~~In~~ In the part about ~~the~~ lawyers I put a proof of service with their lawyer name on it but I do not have a lawyer I'm just learning as I go. I also enclose the order for dismissal in the case I'm appealing. I received the order on September 22 2015. I hope that I have given every thing that is need.

Your Truly
Lewis Davis

LEGAL

C. DAVIS, 327125
Box 17 / Hickory 213
Gold Mine Hwy
Box SC, 29067

LEGAL
DAVIS 327125

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MAR 03 2016

SC Court of Appeals

Jenny Abbott Kitching
Clerk of Appeals
P.O. Box 11629
Columbia SC, 29211