

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

James Primus, 252315,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

Docket No.: 16-ALJ-04-0330-AP

Grievance No.: MACD 002-16

RECEIVED
ORDER OF DISMISSAL

JUN 06 2016

SC Court of Appeals

This matter is before the South Carolina Administrative Law Court (ALC of court) pursuant to the Notice of Appeal filed April 19, 2016, by James Primus (Appellant), an inmate incarcerated with the South Carolina Department of Corrections (Department). In this appeal, Appellant argues that there was no indictment and/or warrant underlying the conviction for which he was committed to Department custody.

In this case, the Appellant seems to be challenging the overall validity of his sentence. Because this court exists to review the actions of administrative agencies and not the actions of circuit court judges, this court cannot rule on the validity of Appellant's sentence. See Engaging & Guarding Laurens County's Environment ("EAGLE") v. S.C. Dep't of Health & Env'tl. Control, 407 S.C. 334, 344, 755 S.E.2d 444, 449 (2014) (quoting S.C. Const. art. I, § 22) (recognizing ALC's function of reviewing administrative action under the South Carolina Constitution); Jernigan v. State, 340 S.C. 256, 259-60, 531 S.E.2d 507, 508-09 (2000) (citations omitted) (distinguishing between collaterally challenging the validity of a sentence under post-conviction relief laws and seeking review of the Department's actions under the procedure established in Al-Shabazz v. State, 338 S.C. 354, 527 S.E.2d 742 (2000)); see also State v. Bennett, 375 S.C. 165, 170, 650 S.E.2d 490, 493 (Ct. App. 2007).

Because the issue raised by Appellant does not concern the actions of a state agency, the Court concludes that this matter must be dismissed for lack of subject-matter jurisdiction.

ORDER

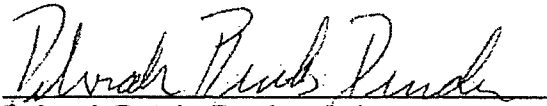
THEREFORE, IT IS HEREBY ORDERED that this appeal is **DISMISSED**, with **PREJUDICE**.

FILED

MAY 27 2016

SC ADMIN. LAW COURT

AND IT IS SO ORDERED.


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

May 27, 2016
Columbia, South Carolina

FILED

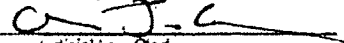
MAY 27 2016

SC ADMIN. LAW COURT

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 the 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 27th day of May 2016

By: 
Judicial Law Clerk