

James Anthony Primus 252315
Mac Dougall Correctional Inst.
Magnolia Unit 2 DSA
1516 Old Gilliard Road
Ridgeville S.C. 29472
June 13 2016

S.C. Court of Appeals
Clerk Office
P.O. Box 11629
Columbia S.C. 29211

RECEIVED

JUN 15 2016

SC Court of Appeals

Dear Honorable Clerk

Please find enclosed Appellant Amended Notice
of Appeal in the enclosed case. Please file
in your office and return a copy back to
me at the above enclosed address.
I would like to thank you in advance.

Sincerely
James Anthony Primus

The South Carolina Court of Appeals

James Anthony Primus 252315
Appellant

Appellate Case No 2016-001205

v.

Amended Notice of Appeal

South Carolina Department
of Corrections
RESPONDENT

RECEIVED

JUN 15 2016

SC Court of Appeals

Notice is hereby given that James Anthony Primus 252315
Appellant in the above named case Appeals from the
order or judgment entered on May 27 2016 Columbia
S.C. and filed in the S.C. Admin. Law Court 5-27-16

Date

June 13 2016

Respectfully Submitted

James Anthony Primus 252315

James Anthony Primus Pro Se
MacDougall Correctional Inst.
Magnolia unit 2 OSA
1516 Old Gilliard Road
Ridgeville S.C. 29472

10

RECEIVED

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

JUN 15 2016

James Primus, 252315,
Appellant,
vs.
South Carolina Department of Corrections,
Respondent.

Docket No.: 16-AS-004350-AP
Grievance No.: MACD 002-16

SC Court of Appeals

ORDER OF DISMISSAL

This matter is before the South Carolina Administrative Law Court (ALC or 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 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 27th day of May 2016

By: 
Judicial Law Clerk