

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

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JUN 16 2016

SC Court of Appeals

Jose Alberto Maldonado, #312648,

) Docket No. 15-ALJ-04-0567-AP
)
)

) Appellant,
)
)

**ORDER DENYING MOTION FOR
DISCOVERY**

v.)
)
)

South Carolina Department of Corrections,)
)
)

) Respondent.
)
)

This matter comes before the court on a Motion for Discovery filed by the Appellant on December 3, 2015. The Appellant requests the production of several items of discovery and responses to several interrogatories from the South Carolina Department of Corrections ("Department"). Because the Appellant sent the request in motion form, it appears that he would like the court to compel the Department to respond to his discovery requests.

Appeals from inmate grievances within the South Carolina Correctional System are handled pursuant to ALC Rules 51-66. Pursuant to ALC Rule 59, once a Notice of Appeal has been filed by an inmate, the Department is responsible for filing a Record After Final Decision within seventy-five days of the Notice. The Record After Final Decision consists of:

- A. All pleadings, motions, intermediate rulings and depositions filed;
- B. All evidence received or considered;
- C. A statement of matters judicially noticed;
- D. All proffers of proof of excluded evidence;
- E. The final order or decision which is subject to administrative review;
- F. Any transcript taken of the testimony during the proceedings.

ALC Rule 58. The ALC Rules on Special Appeals do not contain any provisions for additional discovery beyond what is contained within the Record After Final Decision. Therefore, the

(All. 15-ALJ-04-0567-AP, Doc. 1, in SC. App. 11)

FILED

JUN 18 2015

ADMINISTRATIVE LAW COURT

Appellant's Motion for Discovery above and beyond what is contained within the Record After Final Decision is hereby **DENIED**.

AND IT IS SO ORDERED.

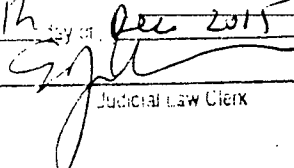
December 18, 2015
Columbia, South Carolina



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 entered action upon all parties to this cause by depositing a copy herof, 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 Dec 2015


Judicial Law Clerk

(Attachment: B. Doc. 1. In SC. App. Ct.)