

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

James B. Weersing, #273527,

Appellant,

vs.

South Carolina Department of Corrections;

Respondent.

Docket No. 16-ALJ-04-0394-AP
Grievance No. KRCI 1290-15

ORDER OF DISMISSAL

RECEIVED

JUL 06 2016

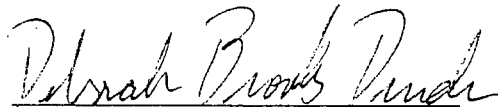
SC Court of Appeals

This matter is before the South Carolina Administrative Law Court (ALC or Court) pursuant to the Notice of Appeal filed May 5, 2016 by Appellant above named, who is incarcerated with the South Carolina Department of Corrections (SCDC).

Appellant appeals the denial of his grievance alleging misconduct by a prison employee. He was unsuccessful and appealed to this Court. There was no good time lost. ~~(There is no state-created liberty interest implicated here;~~ nor is there any loss of good time credits or contention by Appellant that his sentence, sentence related credits or custody status have been erroneously calculated. This is a case in which this Court must adhere to the traditional "hands off" doctrine regarding judicial involvement in prison disciplinary procedure and other internal prison matters. Pruitt v. State, 274 S.C. 565, 266 S.E.2d 779 (1980); Al-Shabazz v. State, 338 S.C. 354, 527 S.E.2d 742 (2000).

Under Slezak v. S.C. Department of Corrections, 361 S.C. 327, 605 S.E.2d 506, (2004) the Administrative Law Court is to have jurisdiction of all properly perfected inmate appeals but ~~"Summary dismissal may be appropriate where the inmate's grievance does not implicate a state-created liberty or property interest."~~ Such is the case here. Therefore,

IT IS ORDERED that, for the foregoing reasons, this appeal be and hereby is **DISMISSED, WITH PREJUDICE.**



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

June 2, 2016
Columbia, South Carolina

CERTIFICATE OF SERVICE
I, the undersigned, have to a date
filed the order in the above entitled case in accordance with
the provisions of the South Carolina Rules of Civil Procedure
and the South Carolina Rules of Appellate Procedure, and I have
caused a copy of the same to be mailed to the party last
named in the caption of this case.

2nd
Date of June 2016
R E G

FILED

JUN 02 2016

SC ADMIN. LAW COURT