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**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

MAR 22 2017

SC Court of Appeals

Jerome Owens, #299108,)
)
Appellant,)
)
vs.)
)
South Carolina Department of Corrections,)
)
Respondent.)

Docket No. 16-ALJ-04-0730-AP
Grievance No.: ACI 290-16

ORDER OF DISMISSAL

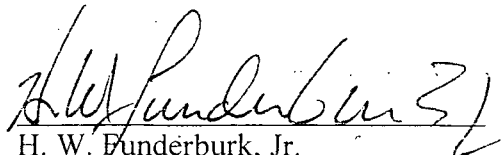
This matter is before the South Carolina Administrative Law Court ("ALC") pursuant to the Notice of Appeal filed October 13, 2016, by Jerome Owens ("Appellant"), an inmate in the custody of the South Carolina Department of Corrections ("SCDC").

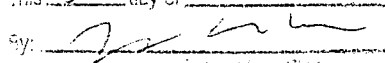
Pursuant to the South Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000), an "inmate must file and serve a notice of appeal upon specified parties within thirty days of receipt of written notice of Department's final decision." *Id.* at 377, 527 S.E.2d at 754. SCALC Rule 59 further provides that "[t]he notice of appeal from the final decision to be heard by the Administrative Law Court shall be filed with the Court and a copy served on each party, including the agency, within thirty (30) days of receipt of the decision from which the appeal is taken." Appellant has not timely provided proof of service that the Notice of Appeal has been served on SCDC. Pursuant to SCALC Rule 62, this matter shall be dismissed due to noncompliance with SCALC Rule 59. It is therefore,

ORDERED that this appeal is **DISMISSED**.

AND IT IS SO ORDERED.

Columbia, South Carolina
March 8, 2017


H. W. Funderburk, Jr.
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 8th day of March 2017
By: 

FILED

MAR 08 2017

SC ADMIN. LAW COURT