

FILED

FEB 13 2017

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT SC ADMIN. LAW COURT**

Andra Jamison, 337461,)
)
 Appellant,)
 vs.)
)
 South Carolina Department of Corrections,)
)
 Respondent.)
 _____)

Docket No.: 17-ALJ-04-0080-AP
Grievance No.: BRCI 0803-16

ORDER OF DISMISSAL

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MAR 31 2017

SC Court of Appeals

This matter is before the South Carolina Administrative Law Court (“the ALC” or “the Court”) pursuant to the Notice of Appeal filed February 6, 2017, by Andra Jamison (“Appellant”), an inmate incarcerated with the South Carolina Department of Corrections (“the Department”). Appellant appeals the Department’s decision convicting him of Possession of Any Cell Phone or Other Type of Communication Device. As a result of the conviction, Appellant lost zero (0) days of accrued good time credits.

The ALC has subject matter jurisdiction when the Department disciplines an inmate and imposes a punishment that deprives the inmate of a constitutionally protected liberty or property interest. Sullivan v. S.C. Dep’t of Corr., 355 S.C. 437, 441-42, 586 S.E.2d 124, 126 (2003); Al-Shabazz v. State, 338 S.C. 354, 369, 527 S.E.2d 742, 750 (2000); Skipper v. S.C. Dep’t of Corr., 370 S.E. 267, 273-74, 633 S.E.2d 910, 914 (Ct. App. 2006). Slezak v. South Carolina Department of Corrections, 361 S.C. 327, 605 S.E.2d 506 (2004), provided further clarification that this Court has jurisdiction of all inmate grievance appeals that have been properly filed. However, when the grievance appeal does not implicate a state-created liberty or property interest, the ALC may summarily dismiss the appeal at its discretion. Furtick v. South Carolina Department of Corrections, 374 S.C. 334, 649 S.E.2d 35 (2007).

In this case, Appellant did not allege in the appeal that he was deprived of a state-created liberty or property interest as a result of his disciplinary conviction. Therefore, the Court finds Furtick to be controlling, and Appellant’s appeal is dismissed.

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

