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Exhibit A

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Clifton Lyles, #294075,  
  
Appellant,  
  
vs.  
  
South Carolina Department of Corrections,  
  
Respondent.

Docket No. 16-ALJ-15-0667-AP

ORDER OF DISMISSAL

**FILED**  
MAY 12 2017

TO ADMIN. LAW COURT

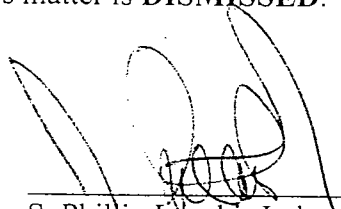
This case is before the Administrative Law Court (ALC or court) pursuant to the appeal of Clifton Lyles (Appellant), an individual incarcerated with the South Carolina Department of Corrections (Department). The Appellant seeks review of the Department's Step 2 decision regarding the Appellant's sentence. The Appellant argues that his sentenced should be modified based on recent statutory changes. Upon review of the Appellant's arguments, the court dismisses this matter for lack of subject-matter jurisdiction. "Subject matter jurisdiction is 'the power to hear and determine cases of the general class to which the proceedings in question belong.'" *Dove v. Gold Kist, Inc.*, 314 S.C. 235, 237-38, 442 S.E.2d 598, 600 (1994) (citations omitted).

In this case, the Appellant is challenging the offense level of his conviction. He argues that recent statutory law changes indicate that he should not have been convicted of a 3rd offense trafficking charge. While this court has jurisdiction to review the calculation of a sentence, it does not have authority to modify the sentence itself. This court reviews only the actions of state agencies, like the Department, and not Circuit Court judges. *See Engaging & Guarding Laurens County's Environment ("EAGLE") v. S.C. Dep't of Health & Envtl. 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 non-collaterally seeking review of the Department's actions under the procedure established in *Al Shabazz*). Issues pertaining to the validity of the conviction, and not to sentence calculation, must be addressed through the post-conviction relief process via the Circuit Court. *See S.C. Code Ann. § 17-27-10, et seq.* This court can only review the Appellant's case to determine if the Department

is properly enforcing the Appellant's sentence, pursuant to the order of the circuit court judge and under the relevant laws. *See State v. Bennett*, 375 S.C. 165, 170, 650 S.E.2d 490, 493 (Ct. App. 2007). Because the Appellant has not raised any issues within the Department's purview, this matter should be dismissed for lack of subject-matter jurisdiction. *See McCain v. Brightharp*, 399 S.C. 240, 247, 730 S.E.2d 916, 919 (Ct. App. 2012) (citation omitted) ("The lack of subject matter jurisdiction can be raised at any time, can be raised for the first time on appeal, and can be raised *sua sponte* by the court.").

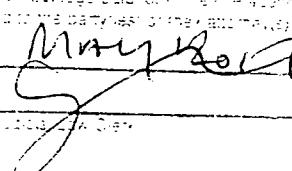
**ORDER**

**IT IS THEREFORE ORDERED** that this matter is **DISMISSED**.  
**AND IT IS SO ORDERED.**

  
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S. Philip Lenski, Judge  
S.C. Administrative Law Court

May 12, 2017  
Columbia, South Carolina

DATE OF SERVICE  
This document was filed on this date  
at the office of the clerk of the court at  
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12/1  
  
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Clerk of Court