

26 June 2017

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JUN 29 2017

S.C. SUPREME COURT

Clerk of Court  
S.S. Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

Re: Appeal From ALC

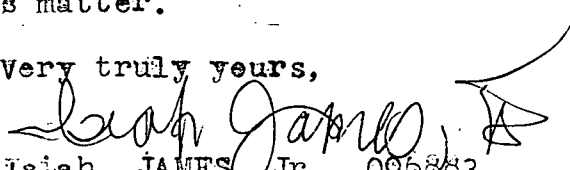
Dear Clerk:

The undersigned has enclosed for processing the following(s):

1. Notice of Appeal;
2. Proof of Service;
3. pauper status motion;
4. Order of ALC;
5. Initial Brief and Designation;

Thank you for the attention in this matter.

Very truly yours,

  
Isiah JAMES, Jr., 096883  
GCI, B2 39B  
4556 Broad River Road  
Columbia, SC 29210

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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S.C. SUPREME COURT

APPEAL FROM ADMINISTRATIVE LAW COURT

SHIRLEY C. ROBINSON, ADMINISTRATIVE LAW JUDGE

Docket No. 17-ALJ-04-0300-AP

Isiah James, Jr., Appellant,

vs.

South Carolina Department of  
Corrections, Respondent.

NOTICE OF APPEAL

Isiah James, Jr., appeals the 'Order of Remand' of the  
Honorable Shirley C. Robinson, Administrative Law Judge, dated  
6-15-17 and received by appellant on 6-16-17.

This 26 day of June 2017.

/s/

*Isiah James, Jr.*  
Isiah James, Jr., 096883, B2 39B  
GCI, 4556 Broad River Road  
Columbia, SC 29210

Other Counsel of Record:

General Counsel SCDC  
POB 21787  
Columbia, SC 29221-1787

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM ADMINISTRATIVE LAW COURT

SHIRLEY C. ROBINSON, ADMINISTRATIVE LAW JUDGE

Docket No. 17-ALJ-04-0300-AP

Isiah James, Jr., Appellant,

vs.

South Carolina Department of  
Corrections, (SCDC) Respondent

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S.C. SUPREME COURT

PROOF OF SERVICE

I hereby certify that I have served SCDC with a true and correct copy of the notice of appeal by mail service, postage prepaid, on their attorney at the below address and he served the clerk's office of the lower court by mail, postage prepaid, with the notice of appeal copy at the address below this 28 day of June 2017.

General Counsel SCDC  
POB 21787  
Columbia, SC 29221-1787

Clerk's Office  
Administrative Law Court  
1205 Pendleton Street, Suite 224  
Columbia, SC 29201

151 Isiah James, Jr.

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Isiah James, Jr., 096883,

Appellant.

Docket No. 17-ALJ-04-0300-AP

Grievance No.: GCI 20-17

vs.

South Carolina Department of Corrections,

Respondent.

**ORDER OF REMAND**


This matter is before the South Carolina Administrative Law Court ("the Court" or "the ALC") pursuant to the appeal filed by Isiah James, Jr. ("Appellant"), an inmate incarcerated with the South Carolina Department of Corrections ("the Department" or "SCDC"). Appellant filed a step 2 grievance with the Department on April 8, 2017 contending that his max-out date has been calculated incorrectly. On May 23, 2017, the Department issued a final agency response denying Appellant's grievance on the basis that the Department is in the process of reviewing affected inmates' sentencing sheets and NCIC reports. On June 6, 2017, Appellant filed an appeal with this Court to the Department's decision asserting that his sentence was calculated incorrectly.

Because the Department denied Appellant's Step 2 grievance, it was procedurally proper for Appellant to appeal the matter before this Court. However, the Department has not truly made a final decision on the matter as the Department is in the process of reviewing inmates' sentencing sheets and NCIC reports. Therefore, it would be premature for the Court to decide on this matter prior to the Department completing the process of recalculating the Appellant's sentence. See Bennett v. S.C. Dep't of Corr., 305 S.C. 310, 313, 408 S.E.2d 230, 231-32 (1991) (explaining that an administrative agency has the exclusive right to decide issues before it, subject only to appeal for judicial review of its decision following the exhaustion of administrative remedies).

Based on the foregoing,

**IT IS HEREBY ORDERED** that this matter is **REMANDED**.

**AND IT IS SO ORDERED.**

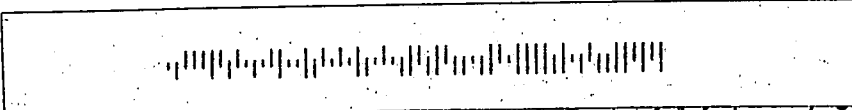
  
SHIRLEY C. ROBINSON  
Administrative Law Judge

June 15, 2017  
Columbia, South Carolina

**FILED**

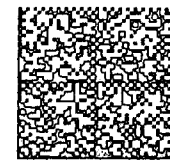
JUN 15 2017

SC ADMIN. LAW COURT



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GOODMAN E. I B2 39B  
4556 Broad River Road  
Columbia, SC 29210



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