

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Marcus Watts, 316590,  
Appellant,  
vs.

) Docket No.: 17-ALJ-04-0539-IJ  
) Grievance No.: PCI 728-17

RECEIVED ORDER

NOV 22 2017

South Carolina Department of Corrections,  
Respondent.

SC Court of Appeals

This matter came before the South Carolina Administrative Law Court (“the ALC” or “the Court”) pursuant to the Notice of Appeal filed October 12, 2017, by Marcus Watts (“Appellant”), an inmate incarcerated with the South Carolina Department of Corrections (“Department”). Appellant appealed the Department’s determination that it lacked jurisdiction because Appellant’s Step 1 Grievance sought to address a matter that is non-grievable. Appellant appealed the Department’s determination on his Step 1 Grievance, and this Court issued an Order of Dismissal on October 26, 2017. Appellant filed a Motion for Reconsideration on November 6, 2017.

The rules of this Court dictate that “[t]he decision of the Administrative Law Judge is a final decision and *motions for reconsideration will not be considered.*” SCALC Rule 65 (emphasis added). However, if it was permissible for the court to reconsider its decision in this matter, the order of dismissal would stand because Appellant did not file a step 2 grievance with the Department, thereby, failing to exhaust his administrative remedies prior to filing an appeal with the ALC.

**THEREFORE, IT IS HEREBY ORDERED** that Appellant’s Motion for Reconsideration is **DISMISSED.**

**AND IT IS SO ORDERED.**

This is to certify that this order was 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 Emergency Mail Service addressed to the party(ies) or their attorney(s).  
This 8 day of November 2017  
By: [Signature]  
Judicial Law Clerk

[Signature]  
**SHIRLEY C. ROBINSON**  
Administrative Law Judge

November 8, 2017  
Columbia, South Carolina

**FILED**

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