

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Isiah James, Jr., 096883,)
)
 Appellant,)
 vs.)
)
 South Carolina Department of Corrections,)
)
 Respondent.)
 _____)

Docket No.: 17-ALJ-04-0591-IJ
Grievance No.: GCI 20-17

ORDER OF DISMISSAL

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SC Court of Appeals

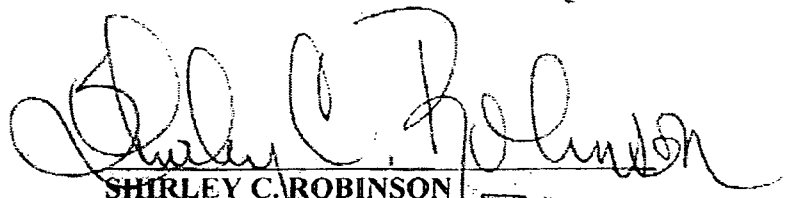
This matter is before the South Carolina Administrative Law Court (ALC) pursuant to a Notice of Appeal filed November 21, 2017 by Isiah James, Jr. (Appellant), an inmate incarcerated with the South Carolina Department of Corrections (Department). On October 23, 2017, the Department notified Appellant of an update to his sentence calculation which resulted in an adjustment to his projected release date. Appellant did not appeal the matter by filing a step 1 or step 2 grievance, but instead, he filed an appeal with the ALC.

Section 1-23-380 of the South Carolina Code (Supp. 2017) provides “[a] party who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision in a contested case is entitled to judicial review.” See Al-Shabazz v. State, 338 S.C. 354, 376, 527 S.E.2d 742, 754 (2000) (“An inmate may, however, seek review of the Department’s final decision by an ALJ in a non-collateral or administrative matter.”); 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).

Because the Appellant failed to exhaust his administrative remedies prior to filing his appeal, the ALC lacks jurisdiction to review this matter, and the appeal must be dismissed.

THEREFORE, IT IS HEREBY ORDERED that this appeal is **DISMISSED**.
AND IT IS SO ORDERED.

December 29, 2017
Columbia, South Carolina


SHIRLEY C. ROBINSON
Administrative Law Judge

FILED

DEC 29 2017