

**RECEIVED**  
FEB 13 2018  
SC Court of Appeals

**STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT**

Patrick Geard Strozier, #119519, )  
)  
Appellant, )  
vs. )  
)  
South Carolina Department of Corrections, )  
)  
Respondent. )

Docket No.: 16-ALJ-04-0303-AP

**ORDER OF DISMISSAL**

This matter is before the South Carolina Administrative Law Court (ALC or court) pursuant to the Notice of Appeal filed April 11, 2016, by Patrick Geard Strozier (Appellant), an inmate incarcerated with the South Carolina Department of Corrections (Department). The Appellant appeals the decision of the Department denying his grievance in which Appellant alleges that the Department has improperly calculated his earned work credits and that is affecting his parole eligibility. On July 25, 2016, the Department filed a Motion to Dismiss on the grounds that the Appellant failed to file his initial brief in a timely manner.

Pursuant to ALC Rule 60, unless otherwise ordered, the Appellant was required to file a brief with the court and to serve the same on all parties "within ninety (90) days after the date of assignment." ALC Rule 54 provides that "[a]ny document, pleading, motion, brief or memorandum or other paper filed with the Court shall be served upon all parties to the proceeding." The date of assignment in this case was April 20, 2016. Under ALC Rule 60, the brief was due on or before July 19, 2016. The Appellant timely filed his initial brief and an "appeal record" with the court on July 18, 2016.<sup>1</sup> However, the Appellant's brief did not include a Certificate of Service indicating that he mailed his brief to the Department as required by ALC Rule 54.

Rule 62, ALC Rules, entitled "Dismissal of Appeal" provides:

Upon motion of any party, or on its own motion, an Administrative Law Judge may dismiss an appeal for failure to comply with any of the rules of procedure for appeals, including the failure to comply with any of the time limits provided by this section (V)....

<sup>1</sup> Even though the brief was not received by the court until July 21, 2016, it was received by the Broad River Correctional Institution's Mailroom on July 18, 2016.

**FILED**  
JUL 29 2016  
SC ADMIN. LAW COURT

# The South Carolina Court of Appeals

Patrick Geard Strozier, #119519, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2017-001021

The Honorable S. Phillip Lenski  
Trial Court Case No. 2016ALJ040303AP

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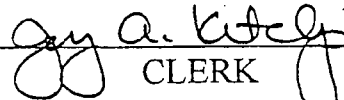
## ORDER

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Appellant has failed to submit a proof of service, as required by Rule 203 of the South Carolina Appellate Court Rules, and the letter of this Court dated May 1, 2107. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY

  
CLERK

**FILED**

5-23-17

Columbia, South Carolina

cc:

Patrick Geard Strozier, 119519  
Annie Laurie Rumler, Esquire  
Jana E. Shealy



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

June 09, 2017

The Honorable Jana E. Shealy  
1205 Pendleton Street  
Columbia SC 29201

## REMITTITUR

Re: Patrick Strozier v. SCDC  
Lower Court Case No. 2016ALJ040303AP  
Appellate Case No. 2017-001021

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Patrick Geard Strozier, 119519  
Annie Laurie Rumler, Esquire