

Attachment A

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

Therl Avery Taylor, #260961,  
Appellant,

) Docket No. 18-ALJ-04-0048-AP  
) Grievance No.: RCI 13-171

vs.

) ORDER GRANTING  
) RESPONDENT'S MOTION  
) TO DISMISS

South Carolina Department of Corrections,  
Respondent.

RECEIVED  
MAY 29 2018  
SC Court of Appeals

This matter is before the South Carolina Administrative Law Court ("ALC") pursuant a Motion to Dismiss filed by the South Carolina Department of Corrections ("SCDC").

Notice of Appeal was filed with the ALC on February 8, 2018, by Therl Avery Taylor ("Appellant"), an inmate in the custody of SCDC. According to its motion and supporting affidavit, SCDC was not served with the Notice of Appeal filed with the ALC as required under SCALC Rule 54. Appellant has not filed a response to SCDC's motion.

Appellant has not provided any proof that service was made upon SCDC. By failing to provide SCDC service of his Notice of Appeal, Appellant failed to comply with SCALC Rule 54 which states "[a]ny document, pleading, motion, brief or memorandum or other paper filed with the Court shall be served upon all parties to the proceeding." Pursuant to SCALC Rule 62, this matter shall be dismissed due to noncompliance with SCALC Rule 54. It is therefore,

**ORDERED** that Respondent's Motion to Dismiss is Granted and this appeal is **DISMISSED**.  
**AND IT IS SO ORDERED.**

*H. W. Funderburk, Jr.*  
H. W. Funderburk, Jr.  
Administrative Law Judge

April 30, 2018  
Columbia, South Carolina

354  
April 2018

**FILED**

APR 30 2018

SC ADMIN. LAW COURT

*TherL Taylor*  
MacDougall Correctional Institution  
1516 Old Gilliard Road  
Ridgeville, SC 29472

**RECEIVED**

MAY 29 2018

SC Court of Appeals

The South Carolina of Appeals Court  
The Honorable Jenny Kitchings, Clerk  
PO BOX 152  
Columbia, SC 29211

RE: TherL Taylor SCDC, et al, Appellate Case No: 2018-000921  
Administrative Law Court Dockets No 18C0032 & 18C0048  
SCDC Internal Grievance No RCI-0013-17  
Note, same grievance number for both ALC Dockets

May 24, 2018

Dear Ms Kitchings:

On May 23 Appellate received your two page and one page documents, both dated May 21, 2018. Thank you.

Appellate apologizes for not perfecting the Notice of Appeal in the above <sup>referenced</sup> case. Appellate is compelled pro se. Briefly, this case is about

when Appellant was attacked by a Mob, that could have been prevented

had SCDC and its employees protected Appellant after he reported multiple threats at Ridgeland Institution. The main purpose

for appealing SCDC agency decision is to exhaust administrative remedies. If it is unnecessary to appeal, to meet out state exhaustion requirements for purposes of overcoming any alleged defense of

failures to exhaust in the civil action, please clarify. Appellant certainly does not want to waste any ones time or cost taxpayers.

On the other hand, if necessary, please accept for corrections the three points you notified Appellant to perfect.

1) Enclosed is Attachment A, the April 30 ALC order Attachment B is the ALC's docketing information. Attachment C is the initial ALC docketing information. This case involves the same grievance no: RI-0013-17, as specified in Attachments A and B.

2) Attachment D is a current Financial Account Court Filing Fee Report certifying Appellant's poverty. As in the lower courts, SCDC pays filing fees according to SC Code §24-27-400 and other applicable laws due to Appellant's indigency, as an inmate. Appellant request this Court honor Appellant's Indigent Status to be heard on appeal.

3) Exhibit E is Proof of Service Clerk Jana Shealy and/or Tonya Kohhn, Director were timely served with the ALC according to 203(b)(6).

truly,

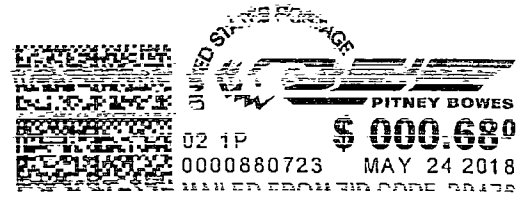
*TherL*

*Ther L Taylor, H-1-B#5*  
MacDougall Correctional Instit  
1516 Old Gilliard Road (2609),  
Ridgeville, SC 29472

**RECEIVED**

MAY 29 2018

SC Court of Appeals



*The S.C. Court of Appeals  
The Honorable Jenny Kitchings, clerk  
PO Box 11629  
Columbia, S.C. 29211*

29211 11629 6012

