

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

Administrative Law Judge Shirley C. Robinson

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ALC Case No. 18-ALJ-04-0063-AP  
Appellate Case No. 2018-000722

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Darrell Sturkey, #182368.....Appellant,

v.

South Carolina Department of Corrections.....Respondent.

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FINAL BRIEF OF APPELLANT

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October 7, 2019

Darrell Sturkey #182368  
TRCI-UY-U7-Rm127  
200 Prison Rd.  
Enoree, SC 29335

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STATEMENT OF ISSUE ON APPEAL

1. Did the Administrative Law Judge err in dismissing Appellant appeal?

## STATEMENT OF CASE

This matter comes before this Honorable Court pursuant to the appeal of appellant Durrell Sturkey, an inmate within SCDC. On August 25, 2017, Appellant filed a Step 1 Grievance alleging that there was insufficient evidence to convict him of Trafficking, Use, and/or Possession of Narcotics, Marijuana, or Unauthorized Drugs, Including Prescription Drugs, Inhalants, Intoxicants and Synthetics, offense 901 of the SCDC disciplinary system. On December 6, 2017, SCDC denied the Step 1 grievance. On December 15, 2017, Appellant filed a Step 2 grievance appealing the disposition of his Step 1 grievance. On January 31, 2018, SCDC denied the Step 2 grievance and appellant appealed to the Administrative Law Court. On March 21, 2018, Administrative Law Judge Shirley C. Robinson dismissed appellant appeal.

This appeal follows.

ARGUMENT

Appellant argues that due to the DHO, Warden, and other responsible officials errant decisions, he has been deprived of his state created liberties and also property interest in that he was denied good time, suffered a reduced custody level, causing a transfer to a highly dangerous institution, loss of visitation, canteen, job assignment, and personal property that resulted in increased mental stress, loss of income, and loss of contact with family members.

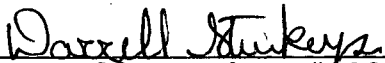
It is clear to all parties that this is due to a biased hearing convicting the Appellant of possession, trafficking, use of narcotics, marijuana or unauthorized drugs, when he had no such possession, either actual or constructive.

CONCLUSION

It is requested that Appellant conviction be overturned and personal property returned and any other concessions this Honorable Court deems reasonable.

October 7, 2019

Respectfully submitted,

  
Darrell Sturkey #182368  
Appellant

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CERTIFICATE OF COUNSEL

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The undersigned hereby certifies that the Final Brief of Appellant complies with Rule 211(b), SCACR, and also complies with the South Carolina Supreme Court's April 15, 2014, order entitled "Revised Order Concerning Personal Identifying Information in Appellate Court Filings."

  
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