

EX REL APP, EXH. B DEC. NO. 21-ALJ-0326-AP
DATED: 11/12/2021

and does not involve the denial of a state created liberty or property interest.

Finally, Appellant's demand for compensation for intentional infliction of emotional distress implies a tort claim. The ALC has no jurisdiction to entertain causes of action based in tort or to award money damages in such cases. *See S.C. Dep't of Consumer Affairs v. Foreclosure Specialists, Inc.*, 390 S.C. 182, 187, 700 S.E.2d 468, 470 (Ct. App. 2010) ("The ALC has no authority to decide civil matters ...") (quoting Randolph R. Lowell, *South Carolina Administrative Practice and Procedure*, 152 (2d ed. 2008)). Only the trial courts under the Judiciary have subject matter jurisdiction over tort claims. *Sabb v. S.C. State Univ.*, 350 S.C. 416, 567 S.E.2d 231 (2002). Furthermore, though "certain cases may be taken from the trial court's original jurisdiction by the General Assembly," no such action has been taken by the General Assembly concerning this type of case. *Id.* at 423, 567 S.E.2d at 234. There is no relief available to Appellant within the scope of this Court's authority.

Therefore, because Appellant has not provided a certificate of service of the Notice of Appeal on the Department, because this appeal does not involve the deprivation of a state-created liberty or property interest, and because the Court cannot provide the remedy Appellant seeks, the appeal must be dismissed. *See Slezak, supra.*

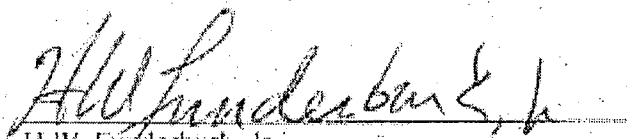
ORDER

It is therefore,

ORDERED that this appeal is **DISMISSED**.

AND IT IS SO ORDERED.

Columbia, South Carolina
September 29, 2021


H.W. Funderburk, Jr.
Administrative Law Judge

