

Exhibit E1

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Cieara Laree Rogers, #379441,)
)
Appellant,)
)
v.)
)
South Carolina Department of Corrections,)
)
Respondent.)

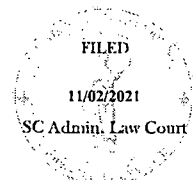
Docket No. 21-ALJ-04-0221-AP

ORDER OF DISMISSAL

This matter is before the South Carolina Administrative Law Court (Court or ALC) pursuant to an appeal filed on June 1, 2021, by Cieara Laree Rogers (Appellant), an inmate housed with the South Carolina Department of Corrections (SCDC or Department). The Notice of Assignment was filed June 17, 2021. The Record on Appeal was filed on August 10, 2021. On October 5, 2021, the Department filed a Motion to Dismiss (Motion) because Appellant failed to file a brief. The Motion was supported by an affidavit of a Department employee attesting that the Department did not receive a copy of Appellant's brief. As of the date of this Order, Appellant has not filed a brief with this Court.¹

Pursuant to the Rules of Procedure for the Administrative Law Court (SCALC Rules), Appellant's brief was due ninety days after the Notice of Assignment was filed, or September 15, 2021. See SCALC Rule 60(A). SCALC Rule 62 sets forth that an Administrative Law Judge may dismiss an inmate's appeal for failure to comply with the rules of procedure for appeals or for failure to comply with any time limits set forth in an appeal. Appellant's delay is well beyond the time period set forth in the Rules of Procedure for the ALC. Since Appellant has been afforded

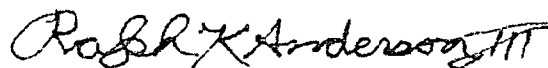
¹ On October 20, 2021, Appellant sent the Court a letter which appears to be her Response to the Motion, but it was not labeled as such. In the letter, Appellant asserts she was unaware a case was even pending before the Court and thus was unaware she was required to file a brief. However, a Notice of Assignment regarding her Notice of Appeal to a judge was mailed to the parties on June 17, 2021. In addition, the Record on Appeal was filed and sent to Appellant on August 10, 2021, which not only denotes a pending case before the Court but also triggers the time for filing her brief. See SCALC Rule 60(A) ("Unless otherwise ordered or stayed by the operation of Rule 59, the party first noticing the appeal shall file an original brief within ninety (90) days after the date of assignment.").



ample time to file his Brief and has not notified the ALC of any extenuating circumstances regarding his failure to file with the Court, I conclude that this matter should be dismissed. Accordingly,

IT IS HEREBY ORDERED that the Department's Motion to Dismiss is **GRANTED**, and this appeal is therefore **DISMISSED WITH PREJUDICE**.

AND IT IS SO ORDERED.



Ralph King Anderson, III
Chief Administrative Law Judge

November 2, 2021
Columbia, South Carolina