

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Albert Lee Evans, #260409,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

Docket No. 14-ALJ-04-1088-AP

Grievance No. MCCI 628-11

ORDER OF DISMISSAL

This matter is before the South Carolina Administrative Law Court ("ALC") pursuant to the Notice of Appeal filed December 9, 2014 by Albert Lee Evans ("Appellant"), who is incarcerated with the South Carolina Department of Corrections ("SCDC").

Appellant appeals the decision of SCDC in a prison disciplinary matter. SCDC's decision indicates he was not sanctioned with the loss of any good-time credits; Appellant made no claim for the loss of any other state-created liberty interest; and made no contention that his sentence, sentence related credits, or custody status have been erroneously calculated. There is no state-created liberty interest in the loss of opportunity to earn additional good-time credits. Howard v. S.C. Dep't of Corr., 399 S.C. 618, 733 S.E.2d 211 (2012); see also S.C. Code Ann. § 1-23-600 (D) (2012).

Under Slezak v. S.C. Dep't of Corr., 361 S.C. 327, 605 S.E.2d 506 (2004), the ALC is to have jurisdiction of all properly perfected inmate appeals but "[s]ummary dismissal may be appropriate where the inmate's grievance does not implicate a state created liberty or property interest." Id. at 331, 605 S.E.2d at 508. Such is the case at bar. It is therefore,

ORDERED that this appeal is **DISMISSED, WITH PREJUDICE.**

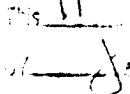
AND IT IS SO ORDERED.


CAROLYN C. MATTHEWS

Administrative Law Judge

February 11, 2015
Columbia, South Carolina

This is a copy of the original of the
order of the Administrative Law Judge
made in the case of
this matter, and it is hereby
certified to be a true and correct
copy of the original.

FILED
February 11, 2015


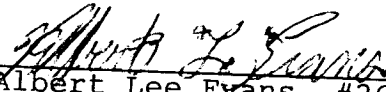
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SC ADMIN. LAW COURT

other reason consistent with this motion to vacate the February 11, 2015 dismissal.

Respectfully Submitted,

/s/ 
Albert Lee Evans, #260409
Broadriver Corr. Institution
4460 Broadriver Road
Columbia, S.C. 29210

CC: Filed
2/22/2015

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Albert Lee Evans, #260409,
Appellant,

Docket No. 14-ALJ-04-1088-AP
Grievance No. MCCI-628-11

Vs.

South Carolina Dept. of Corrections,
Respondent. /

MOTION TO VACATE ORDER OF DISMISSAL

The Appellant in the above captioned matter brings this matter before the Court of proper jurisdiction and "understanding", pursuant to the ("ALC").

In a order filed by this Court, on February 11, 2015. This Court order appellant's appeal to be dismissed with prejudice. Citing frivolous assertions in regards to the appeal at hand. In other words, "appellant's administrative challenge has absolutely nothing to do with the department's disciplinary policy or procedures". And instead appeals the department's adverse rulings in a personal injury attack.

Based on such blatant misapprehension of the facts, evidence and details of this case. Coupled with a Judge's signature attached thereto. The appellant fails to see where this matter could ever be fairly adjudicated. And therefore request judgment in his favor as a matter of law. As Due Process has been denied. And for any

shall be held accountable for our actions". Isn't that the same theme the courts should be adhering to when deciding our issues before them.

In closing, I feel the economics in South Carolina is doing well under your watch. But race relations and access to the courts for people incarcerated needs dire repair. But, this is only my personal opinion.

With Kind Regards,

/s/ Albert Lee Evans
Albert Lee Evans, #260409
Broadriver Corr. Institution
4460 Broadriver Rd.
Columbia, S.C. 29210

cc: filed
2/25/2015

February 25, 2015

Honorable Nikki R. Hailey
Office of the Governor
1205 Pendleton Street
Columbia, S.C. 29201

Dear Madam Governor;

I pray this this letter find you and your family, as well as your administration, in the best of health and spirit. I am writing from my confinement within the South Carolina Department of Corrections, to voice a particular concern relating to your focusing on cleaning out corrupt public figures.

Enclosed, please find a copy of a decision by the Administrative Law Court. Where I have been attempting to exhaust my administrative remedies. Based on injuries I suffered in prison, based on the lack of security.

In the response, (which is a typical thing) the Court addressed my petition as if I were challenging "good-time" loss as a result of a disciplinary infraction. Such couldn't have been further from the point I was attempting to make. But these are the appointed and/or elected officials exercising unchecked authority.

I realize your branch of government differs from the judiciary branch. However, there also needs to be accountability in the courts. Defendants are in prison based on societies theme "that we


To Whom It May Concern:

Dear Sir or Madam,

Currently, I am incarcerated within South Carolina Department of Corrections and we recently were notified that all inmates who were previously on restriction such as the loss of canteen, phone and visitation privileges will now be receiving what is called a second chance throughout all institutions within South Carolina. Meanwhile, inmates such as myself who has not received any disciplinary actions or write ups are not going to receive any incentives and are not be noticed for choosing to serve their time in a way that demonstrates change and growth towards returning back into society as productive citizen.

I respect that everyone deserves a second chance the question being raised is what about those who use their first chance as if it were their only? I would like there to be some consideration on this issue to offer those inmates such as myself and others who have served their time complied with all rules, policies and procedures to be considered for more work credits and good behavior credits that will reduce the amount of time the inmate has. Develop programs that will offer those inmates the opportunity to gain and earn skills that can be used in society. Offer more jobs in all institutions where an inmate has potential of earning an income to become self-sufficient and productive.

In conclusion, being an inmate does not define who I am or what I will become. This has been a hard life lesson that I had to learn and with saying that daily I choose to make the decision to be and inspire others to think differently when they think of a prisoner. We as inmates have been looked down and all are placed in a group as a whole. I beg to differ people can change and all I am asking is that more is done for those who are doing right and less be taken from those who openly choose to respect and serve their time without causing a disturbance or uproar. I greatly appreciate you taking time to consider the issues and concerns within our prison system here in South Carolina.

Respectfully yours, 
SCDC Inmate #260109