

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Joseph Kelsey, #217218, Appellant,

v.

South Carolina Department of Probation, Parole, and
Pardon Services, Respondent.

Appellate Case No. 2022-000965

Appeal From The Administrative Law Court
Ralph King Anderson, III, Administrative Law Judge

Unpublished Opinion No. 2024-UP-206
Submitted May 1, 2024 – Filed June 5, 2024

AFFIRMED

Jonathan Edward Ozmint, of The Ozmint Firm, LLC, of
Greenville, John H. Blume, III, of Law Office of John
Blume, of Columbia, and Hannah Lyon Freedman and
Allison Ann Franz, both of Justice 360, of Columbia, for
Appellant.

General Counsel Matthew C. Buchanan, of Columbia, for
Respondent.

PER CURIAM: On February 15, 2022, Appellant Joseph Kelsey, #217218, filed with the Administrative Law Court (ALC) a notice of appeal from a decision of the South Carolina Board of Pardons and Paroles denying his application for parole. On June 3, 2022, the ALC issued an order dismissing Kelsey's appeal for failure to timely file his brief. We affirm pursuant to Rule 220(b), SCACR, and the following authorities: SCALC Rule 62 ("Upon motion of any party, or on its own motion, an Administrative Law Judge may dismiss an appeal or resolve the appeal adversely to the offending party for failure to comply with any of the rules of procedure for appeals, including the failure to comply with any of the time limits provided by this section (V)"); 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 [to an Administrative Law Judge]."); SCALC Rule 60(B) (listing reasonable requirements for the contents of a brief); SCALC Rule 63 ("Except as provided in Rule 59, the filing of a motion does not toll any time limits imposed by these Rules."); SCALC Rule 59 (allowing for a stay of the time limits for filing the record and briefs only when a motion to dismiss the appeal has been filed); *id.* ("The filing of a motion other than a motion to dismiss shall not stay any time limits imposed by these Rules.").

AFFIRMED.¹

GEATHERS, HEWITT, and VINSON, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.