

**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**

Maurice L. Morant, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2011-186606

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

Unpublished Opinion No. 2012-UP-626
Submitted November 1, 2012 – Filed November 28, 2012

AFFIRMED

Maurice L. Morant, pro se.

Christopher D. Florian, of the South Carolina Department
of Corrections, of Columbia, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities:

1. As to whether the South Carolina Department of Corrections violated Morant's
due process right: *Al-Shabazz v. State*, 338 S.C. 354, 371, 527 S.E.2d 742, 751

(2000) ("[D]ue process in a prison disciplinary proceeding involving serious misconduct requires: (1) that advance written notice of the charge be given to the inmate at least twenty-four hours before the hearing; (2) that factfinders must prepare a written statement of the evidence relied on and reasons for the disciplinary action; (3) that the inmate should be allowed to call witnesses and present documentary evidence, provided there is no undue hazard to institutional safety or correctional goals; (4) that counsel substitute (a fellow inmate or a prison employee) should be allowed to help illiterate inmates or in complex cases an inmate cannot handle alone; and (5) that the persons hearing the matter, who may be prison officials or employees, must be impartial." (citing *Wolff v. McDonnell*, 418 U.S. 539, 563-72 (1974))).

2. As to whether substantial evidence supported the guilty verdict: S.C. Code Ann. § 1-23-610(B)(e) (Supp. 2011) (providing that on review of an appeal from the Administrative Law Court (ALC), this court looks to see whether the ALC's findings are supported by substantial evidence); *Al-Shabazz*, 338 S.C. at 380, 527 S.E.2d at 756 ("Substantial evidence is relevant evidence that, considering the record as a whole, a reasonable mind would accept to support an administrative agency's action."); *id.* ("It is more than a mere scintilla of evidence, but is something less than the weight of the evidence."); *id.* ("Furthermore, the possibility of drawing two inconsistent conclusions from the evidence does not prevent a court from concluding that substantial evidence supports an administrative agency's finding.").

3. As to the remaining issues: *Al-Shabazz*, 338 S.C. at 379, 527 S.E.2d at 755 (stating that issues or arguments not raised to and ruled upon by the ALC are not preserved for review).

AFFIRMED.¹

HUFF, THOMAS, and GEATHERS, JJ., concur.

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