**Appeal Of Disciplinary Action Form:**

**Date: ** **Offender #:** **** **Prisoner’s Full Name:  Appeal Due:  @  Turned in on:  @ **

**Institution:  File #: **

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| --- | --- | --- | --- |
| **Instructions & Type of Appeal**  **Prisoner to check the type of appeal \*\*Only 1 type may be entered.** | | | |
|  | **Disciplinary Tribunal/Hearing Officer Decision:** |  | **Superintendent’s Decision:** |
| To appeal the decision of the Disciplinary Tribunal/Hearing Officer, the prisoner must submit a **written** statement of appeal on this form, through the Disciplinary Hearing Officer, to the superintendent within three (3) working days of receipt of the written disciplinary decision. The Superintendent will respond within ten (10) working days of receiving the appeal. | | To appeal the Superintendent's decision to the Director of Institutions, the prisoner must submit a **written** statement of appeal on this form, through the Disciplinary Hearing Officer, within two (2) working days of written notification of the Superintendent's decision. The Director has 15 working days, after receiving this appeal to respond. A decision on the Director’s appeal is the final decision and order of the Department. | |
| **Appeal Statement**  **Continue on back of this sheet if more space is required.** | | | |
| Prisoner’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | |
| **Superintendent’s/Director’s Decision:** | | | |
| Superintendent / Director Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | |

The Director of Institutions decision in this disciplinary matter is a final order. If you wish to file an administrative appeal to the Superior Court, you must file a notice of appeal (and any other documents required by the Alaska Rules of Appellate Procedure) with the Superior Court within 30 days from the date the Director’s decision was mailed to you. See Rule 602(a)(2) and 502(a) of the Alaska Rules of Appellate Procedure.

The 30-day period begins to run on the day after the Director’s decision was given to you. If the final day of the 30-day period occurs on a weekend or holiday, you have until the first day that it is not a weekend or holiday to file your notice of appeal and related documents. See Appellate Rule 502(a). **For example**, if the Director’s decision was given to you on January 20, 2017, the 30-day period would begin to run the next day January 21, 2017. The period would expire on February 20, 2017, but because that date falls on a Sunday, and because February 21, 2017 is a holiday, the last day to file your notice of appeal would be February 22, 2017.

The court will not consider your Notice of Appeal “filed” until it actually receives the notice. See appellate Rule 502(d). **For example**, if you must file your appeal with the court on October 1, 2017, you must take steps to mail it early enough so that the court will receive it by October 1, 2017; mailing it on October 1, 2017 in not sufficient.

Finally, you must serve a copy of the Notice of Appeal and related documents on the opposing party, which in the case of a disciplinary appeal, is the State of Alaska, Department of Corrections. See Appellate Rules 514 and 602(a)(2). You must serve these documents on the Department of Corrections in care of the Commissioner’s Office at 550 W. 7th Ave., Suite 1800, Anchorage, Alaska 99501.

Disciplinary File Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Prisoner’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date & Time of Receipt: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Staff Member’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(If prisoner is unable or unwilling to sign, the staff member delivering the Notice should initial and date for receipt by the prisoner)

Distribution: Superintendent

Records

DOI