

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APPEAL FROM

MAY 06 2024
SC Court of Appeals

THE ADMINISTRATIVE LAW COURT

JUDGE: ROBERT L. REIBOLD

CASE NO: 23-ALJ-04-0054-AP

APPELLATE CASE NO: 2023-002004

APPELLANT REPLY BRIEF

PRO-SE
BOBBY WATSON #277427
TYRRE U-7-B22
200 PRISON Rd.
ENOREE S.C. 29335

REPLY BRIEF OF APPELLANT

BOBBY L. WATSON[#] 277427 PRO-SE

TYRMI U-7-B225

200 PRISON RD.

ENDREE, S.C. 29335

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FACTS

APPELLANT FILED STEP 1 AND STEP 2 GRIEVANCES WITH THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS (SCDC) REGARDING PREVAILING WAGE. APPELLANT PURSUED AN APPEAL WITH THE ADMINISTRATIVE LAW COURT FEB. 7, 2023. THE ALJ ISSUED AN ORDER AFFIRMING THE SCDC DECISION OCT. 23, 2023. APPELLANT APPEALED TO THE SOUTH CAROLINA COURT OF APPEALS AND RESPONDENT ANSWERED APRIL 18, 2024 THIS IS IN REPLY TO RESPONDENTS ANSWER.

ARGUMENT

THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS HAS INTIMATED THROUGH COUNSEL THAT IT IS CORRECT AND APPELLANT IS NOT PROPERLY EXPLAINING HIS APPEAL. APPELLANT AGREES THAT HE IS NOT EXPLAINING AS A TRAINED ATTORNEY WOULD BECAUSE HE IS NOT AN ATTORNEY. HOWEVER, SCDC IS FULLY AWARE THAT APPELLANT IS BEING TRUTHFUL IN HIS STATEMENT REGARDING HIS EMPLOYMENT IN THE PRISON INDUSTRIES PROGRAM. HIS RECEIVING FEDERAL MINIMUM WAGE WHEN § 24-3-430 REQUIRES PREVAILING WAGE AS NOTED IN THE S.C. DEPT. OF EMPLOYMENT AND WORKFORCE DATA, AND THAT MANY PREVIOUS CASES INVOLVING INMATES EMPLOYED IN THE SAME PRISON INDUSTRIES WITH THE SAME PAY ISSUE HAVE BEEN BEFORE THE COURT. SEE: TORRENCE V. SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, 433 S.C. 633 861 S.E2d. 36. ALSO: ACKERMAN V. S.C.D.C. 415 S.C. 412 782 S.E2d. 757 ALSO: THE HONORABLE MIKE FAIR 2002 WL 3172884. SEE: MITTAG V. S.C.D.C. 2002 WL 6881830

THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS HAS PREVIOUSLY BEEN CHALLENGED UNDER § 24-3-430 AND THE S.C. ADMINISTRATIVE LAW COURT HAS HEARD NUMEROUS CASES UNDER THAT LAW. APPELLANT ARGUES § 24-3-430 IN HIS GRIEVANCE AND IN THE S.C. ADMINISTRATIVE LAW COURT APPEAL. LEGISLATIVE INTENT WAS DISREGARDED IN VIOLATION OF S.C. CODE § 1-23-610(B). THE RULING WAS AN ERROR OF LAW, IN VIOLATION OF STATUTORY PROVISIONS, AND AN ABUSE OF DISCRETION. SEE: GATEWOOD V. SOUTH CAROLINA DEPARTMENT OF CORRECTIONS 416 S.C. 304 785 S.E.2d 600. THEREFORE, A REASONABLE MIND "COULD NOT REACH THE SAME CONCLUSION AS S.C.D.C. AND THE HONORABLE ROBERT L. REIBOLD. THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS AND THE ALJ. DO NOT ARGUE THAT § 24-3-430 IS NOT APPLICABLE, THEY DO NOT ARGUE THAT LEGISLATIVE INTENT IS AMBIGUOUS. THEY ARE MERELY IGNORING THAT ASPECT OF THIS CASE IN ORDER TO SUPPLANT THEIR WILL FOR THE WILL OF THE LAW.

CONCLUSION

FOR THE AFORMENTIONED REASONS,
SOUTH CAROLINA AND UNITED STATES LAW,
AND FACTS ON RECORD, THE FINAL DECISION
OF JUDGE ROBERT L. REIBOLD AND THE
SOUTH CAROLINA ADMINISTRATIVE LAW COURT
SHOULD BE REVERSED AND REMANDED.

Respectfully Submitted,

Bobby L. WATSON #277427
TYRRELL U-7-B225
200 PRISON RD.
ENOREE S.C. 29335

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ADMINISTRATIVE LAW JUDGE: ROBERT L. REIBOLD

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BOBBY L. WATSON #277427, APPELLANT

V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

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