

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Inmate Copy

INMATE GRIEVANCE FORM

STEP 1

INMATE NAME: <u>James Anthony</u>	OFFICE USE ONLY Grievance No. <u>ACT-1234-23</u> Code: General <u>MY/WS</u> Policy _____ Disc. Hear. _____ Class. _____ PREA _____ Date Received <u>08/03/23</u> IGC Initials <u>IG</u>
SCDC NUMBER: <u>260993</u>	
INSTITUTION: <u>Allendale Correctional Institution</u>	
HOUSING UNIT: <u>F3-A12</u>	
WORK ASSIGNMENT: <u>Dorm Work</u>	

STATEMENT OF GRIEVANCE (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.)

I am filing this grievance in regard to my prevailing wages. I participated in the P.I. and P.I.P at Broad River Correctional Institution. I participated approx. April 2014 thru Sept. 2015 and June 2016 thru Feb. 2023

KIOSK # 23-03196432

James Anthony 8-3-23  
 Grievant Signature Date

ACTION REQUESTED: To receive my prevailing wages for the participation/work in these Prison Industries.

ACTION TAKEN BY IGC:  PROCESSED  UNPROCESSED  OTHER

Due to the nature of your appeal, it has been forwarded to the Step 2 level of appeal process. Please refer to the attached Prevailing Wage Memo provided by SCDC Office of General Counsel/Inmate Grievance Branch for additional information regarding your appeal.

Sheryl Chisolm 8/14/23  
 IGC Signature Date

(CONTINUE ON REVERSE SIDE)

**WARDEN'S DECISION AND REASON:**

*(This section is crossed out with a large X)*

**N/A** \_\_\_\_\_  
Warden Signature Date

- I accept the Warden's decision and consider the matter closed.
- I do not accept the Warden's decision and wish to appeal.

**N/A** \_\_\_\_\_  
Grievant Signature Date

**N/A** \_\_\_\_\_  
IGC Signature Date

**INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM**

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INMATE GRIEVANCE FORM  
STEP 2

Office Use Only

INMATE NAME: <u>James Tucker</u>	Grievance No. <u>ACI-0237-23</u>
SCDC NUMBER: <u>260993</u>	Code: General <u>174/105</u>
INSTITUTION: <u>ACI</u>	Policy _____
HOUSING UNIT: _____	Disc. Hear. _____
WORK ASSIGNMENT: _____	Class _____
	PREA _____
	Date Received: _____
	IGC Initials: _____
	Date Received: <u>6/8/23</u>
	IGA Initials: <u>IGB</u>

**RECEIVED**  
JUN 08 2023  
INMATE GRIEVANCE

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):

In accordance with SCDC Policy GA-01.12, "Inmate Grievance System," due to the nature of allegations you have raised in your Grievance, it has been forwarded to the Inmate Grievance Branch Central Office and Office of General Counsel for a response. Inmate's signature has been adopted from SCDC 10-5, Step 1 Inmate Grievance Form.

Grievant Signature \_\_\_\_\_ Date \_\_\_\_\_

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

**SEE REVERSE SIDE FOR RESPONSIBLE OFFICIAL'S DECISION & REASON**

Responsible Official Signature [Signature] Date 10-25-23

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Grievant Signature [Signature] Date 10-31-23

IGC Signature [Signature] Date 10.31.2023

## INSTRUCTIONS FOR COMPLETING STEP 2 GRIEVANCE FORM

1. Complete form in its entirety, writing only in the space provided for inmate use.
2. State your specific reason for further appeal. Do not submit any new issues for review. No additional pages will be permitted.
3. Submit this completed form with your copy of the Step 1 form by placing in the Grievance Box within five (5) days of your receipt of the Warden's decision. Do not write in the space provided for the responsible official.
4. The decision rendered by the responsible official exhausts the appeal process of the SCDC Inmate Grievance Procedure.

### **Tucker, James 260993, ACI-0239-23**

In your grievance, you are requesting adjustments to your inmate pay pursuant to Torrence v. South Carolina Department of Corrections (2021). The South Carolina Court of Appeals' opinion in Torrence was filed on June 30, 2021. You submitted your Request to Staff Member regarding this matter on August 2, 2023, approximately two years and two months after the Court of Appeals issued its opinion. Accordingly, your grievance is untimely under SCDC Policy ADM-15.13, section 12.1. This policy states as follows:

#### **12. PROBLEMS WITH PAY:**

12.1 Inmates must report any problems in their pay to their institution's inmate pay designee utilizing the Automated Request to Staff Member (ARTSM) within 15 days of the payroll date error. The inmate should maintain a record of the ARTSM reference number. The inmate pay designee will review the case and determine whether any additional pay is owed. Payroll corrections will be limited to the following:

- If the inmate fails to notify the Agency in writing and within 15 days, no back pay will be given.
- The pay rate will be adjusted to the proper rate amount for future payrolls in accordance with these procedures.
- The inmate may receive additional pay owed for the previous two (2) pay periods only.

SCDC Policy ADM-15.13 (12.1) (Issue Date June 3, 2014).

Therefore, your grievance is denied.

You may appeal this decision under the South Carolina Administrative Procedures Act to the South Carolina Administrative Law Court. In order to appeal, you must complete the attached Notice of Appeal Form (Form) and submit it as instructed on the Form within 30 days of receipt.

**Inmate Copy**

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
OFFICE OF GENERAL COUNSEL | INMATE GRIEVANCE BRANCH  
INMATE GRIEVANCE APPEAL**

INMATE: James A. Tucker | SCDC No. 260993

FROM: Office of General Counsel | Inmate Grievance Branch

SUBJECT: Prevailing Wage Appeal | Grievance No. ACI-0239-23

DATE: August 4, 2023

The Office of General Counsel - Inmate Grievance Branch is in receipt of your prevailing wage appeal. Pursuant to SCDC Policy GA-01.12 Inmate Grievance System, the South Carolina Department of Corrections advocates timely and efficient resolution of complaints and grievances brought to the attention of administrators by inmates. To this end, the Department will develop, administer, and implement an inmate grievance system accessible to all inmates.

The appeal of your grievance requires further investigation and evaluation. However, due to the volume of incoming prevailing wage grievances and the extenuating nature of your appeal, additional time is needed to process your grievance. Consequently, it will be held in abeyance while the authorized personnel complete their investigation and evaluation of your grievance. Upon the conclusion of this investigation and evaluation, your grievance will be processed in accordance with applicable policies and procedures.

**Cc: SCDC Inmate Grievance Branch**

Below is information regarding your case which has been filed with the ALC. Please refer to the Rules of Procedure (enclosed) for the time frames on filing briefs and other matters.

Case Type	Case Number	Filing Date	Date Assigned	Judge Last	Case Title (Appellant v. Respondent)	Grievance No.
DOC 04 Appeal	23C0544	11/13/2023	12/1/2023	Anderson	James Tucker #260993, v. SC DOC	ACI 0239-23



You must file all original documents and correspondence regarding this case directly with the above-named Judge and serve a copy on the Dept. of General Counsel, S.C. Dept. of Corrections, PO Box 21787, Columbia, SC 29221.

James A. Tucker # 260993  
Allendale Corr. Inst. F-3, A-12  
1057 Revolutionary Trail  
FairFax, South Carolina - 29827

January 17, 2024.

S.C. Administrative Law Court  
1205 Pendleton Street, Suite - 224  
Columbia, South Carolina - 29201

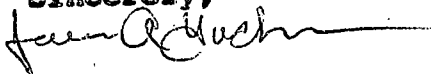
Re: Tucker v. SCDC  
Appellant Case No. 23-C0544

Dear Clerk:

Enclosed you will find the original and a copy of the Appellant Brief for your filing. Please return a filed copy to me for my record in the self address envelope provided for the return.

Thank you very much.

Sincerely,



Enclosures  
CC: S.C. Dept. of Corrections  
Office of General Counsel

**STATE OF SOUTH CAROLINA  
IN THE ADMINISTRATIVE LAW COURT**

---

**Appeal from the South Carolina  
Department of Corrections**

---

**James A. Tucker,**

**Appellant,**

**v.**

**South Carolina Department of  
Corrections,**

**Respondent,**

**AAPPELLANT CASE NO. 23-C0544**

---

**APPELLANT BRIEF**

---

**James A. Tucker # 260993  
Allendale Corr. Inst.  
1057 Revolutionary Trail  
FairFax, South Carolina-  
29827**

INDEX

INDEX.....	i
STATEMENT OF THE ISSUE ON APPEAL.....	1
STATEMENT OF THE CASE.....	2
ARGUMENT.....	3,4,5,6, 7
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL	
CONCLUSION.....	8

STATEMENT OF ISSUE ON APPEAL

1. Did the South Carolina Department of Corrections error failing to pay Appellant prevailing wages for his labor in private sector, prison industries.
  
2. Did the South Carolina Department of Corrections error of the statue of limitation of South Carolina Department of Corrections, Policy/Procedures ADM-15.13, section 12.1 (12) problem with pay.

## Statement of the Case

This matter is before the Administrative Law Court ("ALC") or "Court" ), Pursuant to the appeal of James A. Tucker ("Appellant"), an inmate incarcerated with the South Carolina Department of Corrections ("SCDC"). Appellant is appealing SCDC's final decision regarding his grievance concerning his prevailing wages in these Prison Industries and/or Prison Industries Programs (PI),(PIP), of PI-1, Sign Shop, PI-2, King of Karts.

On August 2, 2023. I James A. Tucker # 260993 submitted a request to legal in regards to prevailing wages. On August 3, 2023. I filed a Step 1, Grievance, and this grievance was processed stating: Due to the nature of your appeal, it has been forwarded to Step 2, level of Appeal. Please refer to the attached prevailing wages Memo provided by SCDC Office of General Counsel/Inmate Grievance Branch for additional information regarding your appeal.

On October 25, 2023. Tucker's Step 2, Grievance was denied as being untimely under SCDC Policy/Procedures ADM - 15.13, section 12.1.

## ARGUMENT

Did the South Carolina Department of Corrections error failing to pay Appellant prevailing wages for his labor in private sectors, prison industries.

Applicant James A. Tucker; argues the South Carolina Department of Corrections violated State/Federal laws by paying him an hourly wage below the prevailing wages in private sectors "industries" Tucker, worked in the prison industries programs operated at Broad River Correctional Institution From November 17, 2016 to June 9, 2017., PI-2 King of Karts, then June 12, 2016 to February 6, 2023., PI-1 Sign Shop both during and after training periods, and over time hours.

I also worked for the South Carolina Department of Transportation, J. Moore Construction, Seal Max and individual private customers. The South Carolina Department of Corrections erred by failing to pay Tucker, the prevailing wages for his labor, pre and post-training. S.C. Code Ann - 24 - 3 - 430(D)., provides " No inmate participating in the [ Prison Industries Program] may earn less than the prevailing wage for work of a similar nature in the private sector."

## ARGUMENT

The South Carolina Department of Corrections final agency decision is this grievance is untimely under SCDC Policy ADM-15.13, section 12. PROBLEMS WITH PAY: 12.1, Therefore, your grievance is denied.

Inmate James A. Tucker; (Appellant), argues the fifteen day filing deadline does not apply because this grievance did not concern an "incident" but rather concerned SCDC's "policies/procedures," which are exempt from the filing deadline, According to paragraph 13.9 of SCDC's Policy/Procedures GA-01.12, paragraph 13.1 of policy GA-01.12, required I/M Tucker, to file his Step 1, inmate grievance form within fifteen days of the "incident" GA-01.12 does not define the term "incident" but paragraph 13.9 provides for exceptions to the filing deadline, 13.9 Exceptions to the [Fifteen] day time limit requirement will be made for grievances concerning SCDC's policies/procedures. Exceptions is also made for incident grievances by Chief/Designee, Inmate Grievance Branch, provided that documented reasonable cause can be demonstrated as to why the original time frame was not met, e.g. inmate physically unable to initiate grievance due to hospitalization, court, appearance, etc. The waiver must be requested by the grievant, (emphases added).

The South Carolina Department of Corrections, have not indicated that the term "Policy and Procedure" are not defined in it policies or relevant publications, Where as paragraph 7, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, etc. is instructive. Therefore, SCDC attempt to characterized inmate Tucker, (Applicant), wage grievance as incident grievance is arbitrary and capricious. See: Kiawah Dev. Partners, ll V. S.C. Dep't of Health & Env'tl. Control, 411 S.C. 16, 34-35, 766 S.E. 2d 707, 718 (2014). No

**inmate participating in the [Prison industries Program ] may earn less than the prevailing wages for work of a similar nature in the private sector, See also S.C. Code Ann - 24 - 3 - 430(D),**

**CONCLUSION**

Based on the foregoing argument, Applicant request this Honorable court to order the Department (SCDC), to determine the prevailing wages to be payed for the years of labor in the private sectors.

January 17<sup>e</sup> 2024.



James A. Tucker # 260993  
Allendale Corr. Inst.  
1057 Revolutionary Trail  
FairFax, South Carolina-  
29827



James A. Tucker # 260993  
Allendale Corr. Inst. F-3, A-12  
1057 Revolutionary Trail  
FairFax, South Carolina - 29827

April 18, 2024.

State of South Carolina  
Administrative Law Court  
EDGAR A. BROWN BUILDING  
1205 Pendleton Street, Suite 224  
Columbia, South Carolina 29201

Re: Inmate James Anthony Tucker # 260993, vs. SCDC  
Docket No. 23-ALJ-04-0544-AP

Dear Judge Anderson:

I receive your order of dismissal April 16, 2024. I filed an Objection to the Respondent's motion to dismiss and mailed to the court April 10, 2024.

The court ruling on the Respondent's motion to dismiss on April 10, 2024. I were not given to opportunity to be heard or the Objection considered by the your court. I would request my objection be considered and a new order be issued.

I await your response.

Thank you very much.

Sincerely,



CC: SCDC General Counsel

**Motions for Reconsideration  
are Prohibited.  
See ALC Rule 65.**

James A. Tucker # 256638  
Allendale Corr. Inst. F-3, A-12  
1057 Revolutionary Trail  
FairFax, South Carolina - 29827

April 10, 2024.

The Honorable Ralph K. Anderson, III  
South Carolina Administrative Law Court  
Edgar A. Brown Building, Suite 224  
1205 Pendleton Street  
Columbia, South Carolina - 29201

Reference: Inmate James Anthony Tucker # 260993, vs.  
SCDC. Docket No. 23-ALJ-04-0554-AP

Dear Judge Anderson:

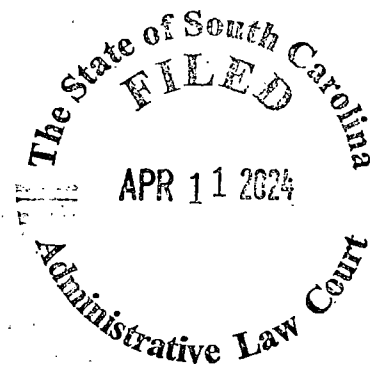
Enclosed you will find the original and a copy of the Appellant's Objection to the Respondent's Motion To Dismiss in the above reference case. Please file the original in your office and return a clocked-in copy to me for my record in the enclosed self-addressed envelope.

Thank you very much.

Sincerely,



CC: Kensey B. Evans  
Deputy General Counsel



STATE OF SOUTH CAROLINA  
IN THE ADMINISTRATIVE LAW COURT

James Anthony Tucker # 260093,	)	Docket No. 23-ALJ-04-0554-
Appellant,	)	Grievance No. ACI-239-231
	)	
v.	)	Hon. Ralph K. Anderson, III
	)	Appellant's Objection To
S.C. Department of Corrections	)	Respondent's Motion To Dismiss
Respondent,	)	

---

**STATEMENT OF THE CASE**

This case is before the Administrative Law Court ("ALC") pursuant to the appeal of James Anthony Tucker, ("Appellant"), an inmate incarcerated within the South Carolina Department of Corrections ("SCDC") On August 3, 2023, Appellant filed a Step One Grievance requesting the prevailing wages payments, pursuant to the prevailing wage statute, ( S.C. Code Ann. § 24-3-430 (D) for his labor performed while working in Prison Industries Programs (PIP), While at Broad River Correctional Institution. On August 4, 2023. Tucker's Step One Grievance was elevated to a Step Two Grievance. On October 23, 2023, the Step Two Grievance was denied. This appeal follows. Respondent now moves with a motion to dismiss.

On January 17, 2024. Appellant filed his initial brief addressing those repeated claims of Respondent's alleged failure of Appellant's to timely exhaust his administrative remedies of Section 12.1 of SCDC Policy ADM 15.13 Inmate pay.

**Jurisdiction**

The ALC's jurisdiction to hear this matter is derived entirely from the decision of the South Carolina Supreme Court in Al-

Shabazz v. State, 338 S.C. 354, 527 S.E. 2d 742 ( 2000 ). When the Al-shabazz court explained that procedural due process is guaranteed when an inmate is deprived of an interest encompassed by the Fourteenth Amendment's protection of liberty and property, 388 S.C. at 369, 527 S.E.2d at 750.

When an inmate challenges the constitutionality of a statute, Department and the ALJ must follow the statute. (" [a]n administrative agency must follow the law as written until its constitutionality is judicially determined; an agency, such as SCDC has no authority to pass on the constitutionality of a statute")(citing South Carolina Tax Comm'n v. South Carolina Tax Bd. of Review, 278 S.C. 556; 299 S.E.2d 489 (1983)).

#### ARGUMENT

#### **APPELLANT'S CLAIM HAS NOT FAILED/BARRED BY SCDC POLICY ADM-15.13 Inmate Pay SECTION 12.1.**

SCDC's claims that James A. Tucker # 260993 claim to be paid the prevailing wage fails/barred because it exceeds a limitations period contained in Policy ADM-15.13 (12.1)(2014) in that Appellant allegedly submitted his claim to SCDC August 3, 2023. A year and a few months after the decision in Torrence.

SCDC Final decision is arbitrary, capricious, and violates Due Process and among other things, exceeds SCDC's authority.

A) The DOC's failure to pay a certain wage does not constitute a tort so as to be recognizable under the Tort Claims Act, because while Inmates are not entitled to a private right of action

in tort, Inmates may protest through the grievance process the Department's failure to comply with these statutes ( S.C. Code Ann. § 24-3-315 (1997) and S.C. Code Ann. 24-3-430 (D) (1995), Adkins v. South Carolina Department of Corrections, 360, S.C. 413, 419, 602 S.E.2d 51, 55 (2004). Since these statutes do not give rise to a private action cognizable under the Tort Claims Act, the limitation periods found in the Tort Claims Act do not apply.

In Torrence v. South Carolina Department of Corrections, 433 S.C. 633, 861 S.E.2d 36 (2021), the court allowed Torrence to claim the wages he was paid and the prevailing wage where his grievance was filed some ten years after the first wage he was challenging. Id. 433 at 637, 861 S.E.2d at 54. That decision suggests that an inmate is not bound by a time limit to file a grievance implicating a Department Policy or Procedure. Thus, neither a statute of limitations nor an SCDC Policy can bar Appellant's claim in this matter. Tucker filed his grievance within a year and a few months.

B) Next, this self-imposed arbitrary Policy does not apply in this context as I Tucker, did not ask SCDC to "adjust" my pay, and "Wages" are not State Pay" within the meaning of Policy ADM 15.13 (12.1). Respondent attempts to characterize the issue as a request to "adjust state pay, " However, as stated in Tucker's/Applicant's Step 1, Grievance, it is a grievance to compel SCDC to give me/him the wages I already earned in compliance with applicable statutes and case law. Thus, not only is there no "state pay" to "adjust," the policy only applies to problems with "State Pay," that is pay that an inmate earned working directly for SCDC in jobs that were assigned by the classification of SCDC, such as Kitchen Workers, Wardkeepers.

However, SCDC for years not paying inmates for their labor within the Department of Corrections. Even decades in SCDC no Pay to inmates.

C) Next, SCDC Policy ADM - 15.13 (12.1)(2014) was not in effect for a couple of months at the time Tucker/Applicant worked at Broad River Correctional Institution Prison Industries Program (PIP) on or about the dates indicated on the Step 1, Grievance. SCDC Officials lack authority to enact or apply this Policy in this context.

State agencies are creatures of statute and may not act outside the authority granted to them by the legislature. See Bazzle V. Huff, 319 S.C. 443, 445, 462 S.E.2d 273, 274 (1995). (citing Triska V. Dep't of Health & Env't'l Control, 292 S.C. 190, 355 S.E.2d 531 (1987) ("An administrative agency has only such powers as have been conferred by law and must act within the authority granted for that purpose." Monroe v. Livingston, 511 S.C. 214, 217, 161 S.E.2d 243 244 (1968). SCDC/Agency is not clothed with the authority to adopt self-imposed limitations which are inconsistent with the stated purpose of the legislation under which it operates).

The purpose of S.C. Code Ann § 24-3-315 and § 24-3-430 are to ensure that the rates of pay and other conditions of employment in the (PIP) are not less than those paid and provided for work of similar nature in the locality in which the work is performed and to insure prisoners receive the prevailing wage. See: S.C. Code Ann - 24-3-315 and S.C. Code Ann - 24-3-430(D) (Supp. 2007).

There is no language in the above statutes that purport to vest SCDC with authority to "deprive" Tucker/Appellant of any wages for not following a "self-imposed" policy which requires an inmate to alert an inmate pay designee to any problem with his pay within 15 day of receiving his pay, nor any language even suggesting that the deprivation of wages already earned, is a purpose of the statute. See Wicker, (" We concur

with the ALJ and the circuit court , that there is simply nothing in the statutory scheme authorizing the S.C. Dept. of Corrections to pay Tucker/Applicant a training wage and work wage less than the prevailing wage") Id., 360 S.C. at 424, 602 S.E.2d at 58.

Art I, § 22 of the South Carolina Constitution states in pertinent part:

" No person shall be finally bound by a judicial or quasi-judicial decision of an administrative agency.. nor shall be deprived of liberty or property unless by a mode of procedure prescribed by the General Assembly, and he shall have in all such instances the right to judicial review."

SCDC Policy ADM-15.13 (12.1), is most certainly not a "mode of procedure prescribed by the General Assembly," and SCDC's Policy is void as applied in this context whereas SCDC attempts to do through its policy, What Statute's, Case Law, and the Constitution of the State of South Carolina prohibits.

Tucker/Appellant had no assurance of the right until after the Remittitur was sent down to the lower court in August of 2022., making the Court of Appeal ruling in Torrence II final. The South Carolina Department of Corrections, has not been prejudiced, It has a continuing obligation to pay Tucker / Appellant the prevailing wage for his training and labor he has already performed and of which he has a vested right.

Tuckers substantial rights have been prejudiced where wages Tucker/Appellant had already trained and labored for were taken from him, SCDC has systematically denied Tucker / Appellant all information e.g. Dates and Hours worked in ( PIP ),

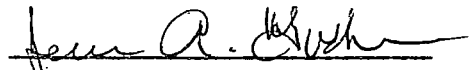
CONCLUSION

For the forgoing reasons, Tucker/Appellant request that this Honorable Court Grant the following relief:

1. issue an Order finding ( SCDC ) actions in withholding Tucker/Appellant wages and depriving me of due process is unlawful and in excess of its authority.,
2. Order ( SCDC ) officials to provide Tucker/Appellant with all relevant information and documents necessary to determine the difference between the amount Tucker, has already been paid, and the actual prevailing wages owed to him for the type of job/labor he performed in PIP.

April 10, 2024.

Respectfully Submitted,



James A. Tucker # 260993  
Allendale Corr. Inst. F-3, A-12  
1057 Revolutionary Trail  
FairFax, South Carolina

29827


STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

James A. Tucker # 260993 )  
Appellant, ) Docket No. 23-C0544  
 ) Case No. ACI-0239-23  
VS. )  
 )  
 ) Certificate of Service  
S.C. Dept. of Corrections )  
Respondent, )  
 )

---

I hereby certify that the original and a copy of the objection to the Respondent's motion to dismiss were served upon the following counsels of record by placing the same in the United States mail with sufficient postage affixed thereto, as follows below on this:

April 10, 2024.

  
James A. Tucker # 260993

CC: S.C. Administrative Law Court  
1205 Pendleton Street, Suite 224  
Columbia, South Carolina - 29201

S,C, Dept of Corrections  
Office of General Counsel  
4444 Broad River Rd, /P.O. Box 21787  
Columbia, South Carolina - 29221-1787