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Oct 28 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Ralph King Anderson, III

ALC Case No. 23-ALJ-04-0451-AP
Appellate Case No. 2024-001077

TERRANCE MCCALL, # 339911,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

MOTION TO DISMISS APPEAL AS MOOT

Appellant submitted a Motion for Entry of Default Judgment, stating that he was still awaiting the settlement funds that he had agreed to on August 16, 2024. The settlement funds were placed in Mr. McCall's E.H. Cooper account on October 3, 2024. Accordingly, Appellant's Motion for Entry of Default Judgment is now moot, as is the appeal itself.

Therefore, Respondent respectfully requests that this case be dismissed as moot since the parties have settled the matter of Appellant's inmate pay.

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**

BY:



CHRISTINA C. BIGELOW

Deputy General Counsel

Office of General Counsel

S.C. Department of Corrections

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ATTORNEY FOR RESPONDENT

October 28, 2024

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RESPONDENT.

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on this date, she mailed a copy of the **Motion to Dismiss Appeal as Moot** to Appellant, addressed as follows:

**Terrance McCall, # 339911
Livesay Correctional Institution
N6-0010
Post Office Box 580
Una, South Carolina 29378**



Christina Catoe Bigelow
Office of General Counsel
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October 28, 2024



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Division of Legal Counsel & Compliance

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

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SC Court of Appeals

OFFICE OF GENERAL COUNSEL

October 28, 2024

The Honorable Jenny A. Kitchings
Clerk of Court, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Terrance McCall, # 339911 v. South Carolina Department of Corrections
Appellate Case No. 2024-001077

Dear Ms. Kitchings:

Pursuant to this Court's letter dated October 11, 2024 requiring status updates regarding settlement every sixty days, I am advising the Court that the settlement funds in question were deposited in Mr. McCall's E.H. Cooper Account on October 3, 2024.

Accordingly, per the attached **Motion to Dismiss Appeal as Moot**, the Department is requesting that the matter be dismissed. A **Proof of Service** is attached as well.

Sincerely,

Christina Catoe Bigelow
Deputy General Counsel
South Carolina Department of Corrections

cc: Terrance McCall, # 339911
Livesay Correctional Institution
N6-0010
Post Office Box 580
Una, South Carolina 29378