

The South Carolina Court of Appeals

Alonzo Hawes, #344461, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2024-001418

ORDER

The Administrative Law Court (ALC) dismissed Appellant's appeal for failure to exhaust his administrative remedies. According to the ALC, Respondent denied Appellant's Step 2 Grievance concerning whether he was paid a prevailing wage as untimely. On November 22, 2024, Respondent moved to dismiss this appeal as moot. According to Respondent, it sent "a settlement offer for full authority to Appellant regarding this matter on October 29, 2024, and Appellant rejected the offer." Respondent then served Appellant with a "Final Agency Decision setting forth its wage calculations and providing him with the opportunity to appeal the time period and/or calculations" Respondent argues "the underlying issue in this appeal—Appellant's request to be paid the prevailing wage for his work in Prison Industries—is now moot because [Respondent] has issued an appealable Final Agency Decision regarding Appellant's Prison Industries Pay." Appellant filed a return, opposing dismissal. Appellant notes Respondent "already issued a final and appealable decision concerning [Appellant's] prevailing wage claim." After careful consideration, we deny Respondent's motion to dismiss this appeal as moot without prejudice to Respondent arguing this point in its brief and Appellant responding to the argument in his reply brief.



FOR THE COURT

Columbia, South Carolina

cc:

Alonzo Hawes, 00344461

Barton Jon Vincent, Esquire

Christina Catoe Bigelow, Esquire

FILED
Dec 31 2024