

State of South Carolina
IN the Court of Appeals

Appeal from the Administrative Law Court
Administrative Law Judge Crystal M. Rockard
ALC CASE No: 23-ALJ-04-0602-AP

RECEIVED

JAN 08 2025

SC Court of Appeals

GARY Woodside, #265980, Appellant,

v.

South CAROLINA Department of CORRECTIONS, Respondent.

Appellate Case No. 2024-001913

Appellants Motion to Deny
Respondent's Motion to Dismiss

Gary Woodside
GARY Woodside, #265980
TyRCI, U10-117
200 PRISON Rd.
ENOREE, S.C. 29335
Appellant, pro se

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from the Administrative Law Court
Hon. Crystal M. Rookard, Presiding

Docket No.: 23-ALJ-04-0602-AP

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SC Court of Appeals

GARY Woodside, # 265980, Appellant,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, Respondent.

Appellate Case No. 2024-001913

APPELLANT'S MOTION TO DENY

RESPONDENT'S MOTION TO DISMISS

IN this case, Appellant comes before this Honorable Court, Respectfully Requesting that the Respondent's Motion to Dismiss Appeal be denied in the above captioned case now before the court.

The Respondent is claiming to have paid all of the back pay owed to Appellant on October 17, 2024 for his work in Prison Industries, as calculated by S.C.D.C.

The Respondent served Appellant a Memorandum from the Office of General Counsel dated December 23, 2024; entitled 'Prison Industries Payment: Final Agency Decision' explaining the payment and providing him with the opportunity to appeal the time period calculated or the amount he was paid.

Appellant respectfully informs this Honorable Court that the Respondent's claim is false.

Appellant was seen by an Attorney hired by the Respondent at the Tyger River C.I. on July 25, 2024 to hear S.C.D.C.'s offer. Appellant denied the offer, claiming it was nowhere near what was owed and informed his long-term pay would not be put in his account, or his pay adjusted to reflect the correct amount thereafter.

Appellant was called out of work on September 9, 2024 to be seen by S.C.D.C.'s Attorney for another settlement offer.

Appellant did not stay for an offer, was not seen by an Attorney, and did not sign any contract negotiations, taking a settlement.

It is at this time, Appellant respectfully requests that this Honorable Court require that the Respondent supplement the record on appeal to reflect the following:

- 1.) Show a contract between the Respondent and the Appellant;
- 2.) Show a negotiated settlement amount having been placed in Appellant's E. H. Cooper Account;
- 3.) Instructions for the Respondent to calculate Appellant's hours, both regular and over-time hours of labor worked and adjust Appellant's rate of pay to conform to the average mean wage of \$19.56 an hour outlined by the Department of Employment Workforce (D.E.W.) and the Occupational Employment Workforce (O.E.W.) statistics; paying Appellant all of his back pay from March 10, 2022 to the present date without any reprisal.
- 4.) Deny Respondent's Motion to Dismiss.

Respectfully submitted,

Cathy Woodside

Cathy Woodside, #265980

TyRCI, 110-117

200 Prison Rd.

Enoree, S.C. 29335

Appellant, prose

Dated:

JANUARY 03, 2025

STATE of South CAROLINA
IN the Court of Appeals

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South CAROLINA Department of Corrections, Respondent.

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CERTIFICATE OF SERVICE

I, GARY Woodside, #265980, do certify that on the 03 day of JANUARY, 2025 served a copy of Appellant's Motion to Deny Respondent's Motion to Dismiss upon all parties by depositing a copy hereof in the United States Mail, postage paid at the Tyger River C.I. Mailroom addressed to all parties.

Gary Woodside
Gary Woodside, #265980
Appellant, pro se

Other Counsel of Record:

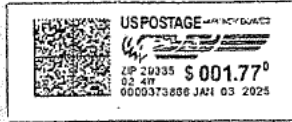
Christina Catoe Bigelow
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P.O. Box 21787
Columbia, S.C. 29221-1787

Hon. Jenny A. Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 3 DAY
of Jan, 2025
[Signature]
NOTARY PUBLIC FOR South CAROLINA
my Commission Expires: 4/14/2026



Long Woodside #265780
TYRCI, 10-117
200 Prison Rd.
Eunice, S.C. 29335



Received
JAN 08 2025
Tyger River Mailroom

Honorable Janny A. Hitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, S. Carolina
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