

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Crystal M. Rookard

ALC Case No. 23-ALJ-04-0602-AP
Appellate Case No. 2024-001913

GARY WOODSIDE, # 265980,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

REPLY TO APPELLANT’S MOTION TO DENY THE MOTION TO DISMISS

Respondent filed a Motion to Dismiss this appeal on December 23, 2024. The basis for the Motion to Dismiss was that Respondent had already calculated Appellant’s prison industries backpay and placed those funds in his account on October 17, 2024. Furthermore, Appellant was served with a Final Agency Decision on December 23, 2024, explaining this and providing him the opportunity to appeal the calculations or time period.

Appellant submitted a Motion to Deny the Motion to Dismiss on January 3, 2025, claiming that the statements in Respondent’s Motion to Dismiss were “false” because he never accepted any settlement offer and never signed any contract.

Appellant is apparently of the mistaken belief that SCDC needed his signature on a document in order to calculate his backpay and place those funds in his account. We did not. We calculated the wages for the proper time period and paid him the calculated backpay on October 17, 2024 (see attached redacted printout from Appellant’s prison industries account)¹. This is exactly what Appellant stated he was seeking in his Brief, where he stated that SCDC should be ordered to “pay Appellant all of the back pay to the present date.” (Initial Brief of Appellant, page 5).²

As outlined in the Motion to Dismiss, the issue of Appellant’s backpay is now moot, since the proper method for Appellant to challenge SCDC’s calculations is by appealing the Final Agency Decision that was served on him on December 23, 2024. As stated in the Motion to Dismiss, the Court of Appeals is not, in the context of this appeal, the appropriate court to address the calculations of Appellant’s backpay because those calculations were not part of the record below. As such, they could not be considered by this Court in this appeal. See SCACR, Rule 210 (c) and (h). Accordingly, Respondent again respectfully requests that this matter be dismissed as moot.

¹ The version being sent to Appellant has NOT been redacted.

² The calculations stopped on May 21, 2024, because on that date, the inmate pay statute, S.C. Code 24-3-430(D), was amended to remove the requirement that inmates be paid the “prevailing wage” going forward. The statute now states as follows: “No inmate participating in the program may earn less than an hourly rate equal to the **federal minimum wage** for work of similar nature in the private sector” (emphasis added).

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**

BY: 

CHRISTINA C. BIGELOW
Deputy General Counsel
Office of General Counsel
S.C. Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-8508

ATTORNEY FOR RESPONDENT

January 13, 2025

DIALOG: PACI110D SCDC INMATE FINANCIAL SYSTEM
MAP: PACI110M PI PRIVATE SECTOR ACCOUNTING
APPL: DCPACSYA DETAIL ACCOUNT INQUIRY

DATE: 01/10/25
USER: C057846

SCDC #.> 265980
WOODSIDE JR,GARY WAYNE

CURRENT LOCATION: TYGER RIVER
OFFENDER STATUS.: INCARCERATED

TRANS LOCATION..:	0161	TYGER RIVER	
REFERENCE NUMBER:	PAYROLL	GROSS PAY.....:	██████████
FED TAX WHLD....:	11382.24	FICA TAX WHLD.....:	2760.12
STATE TAX WHLD..:	2237.19	OTHER PAY DEDUCTIONS..:	
NET PAY.....:	██████████		
HOURS WORKED....:	50.00		
PAYROLL DATE....:	10/16/24		
TRANSACTION TYPE:	DP	DEPOSIT	
PAYMENT TYPE....:	DP	DEPOSIT	
PAYEE ID.....:			
DESCRIPTION.....:			
AMOUNT	██████████		
PLANT CODE	345	ENDING BALANCE...:	██████████

LAST UPDATED BY: PACPAYU DATE: 10/17/24

INQUIRY COMPLETE - PRESS CLEAR
RESPONSE:

PFKEYS: CLEAR=ACCOUNT SUMMARY 10=PACACCT MENU 24=SIGNOFF 9=VOID ENTRY

RECEIVED

Jan 13 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Crystal M. Rookard

ALC Case No. 23-ALJ-04-0602-AP
Appellate Case No. 2024-001913

GARY WOODSIDE, # 265980,

APPELLANT,

v.

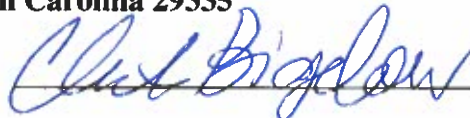
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on this date, she mailed a copy of the Respondent's **Reply to Appellant's Motion to Deny the Motion to Dismiss** to Appellant, addressed as follows:

**Gary Woodside, # 265980
Tyger River Correctional Institution
10B-0117
200 Prison Road
Enoree, South Carolina 29335**



Christina Catoe Bigelow
Deputy General Counsel
S. C. Department of Corrections
Post Office Box 21787
Columbia, S. C. 29221
(803) 896-8508

January 13, 2025



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Division of Legal Counsel & Compliance

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

RECEIVED

Jan 13 2025

SC Court of Appeals

January 13, 2025

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

RE: Gary Woodside, # 265980 v. South Carolina Department of Corrections
Appellate Case No. 2024-001913

Dear Ms. Kitchings:

Enclosed please find Respondent's **Reply to Appellant's Motion to Deny the Motion to Dismiss** in the above referenced matter, along with **Proof of Service**. A copy of the same is being mailed to Appellant today.

Thank you for your attention to this matter, and please do not hesitate to contact me should there be any questions or concerns.

Sincerely,

Christina Catoe Bigelow
Deputy General Counsel
South Carolina Department of Corrections
S.C. Bar No. 73562

cc: Gary Woodside, # 265980
Tyger River Correctional Institution
10B-0117
200 Prison Road
Enoree, South Carolina 29335