

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

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SC Court of Appeals

John Dale Taylor, #169451, )  
)  
Appellant, )  
)  
vs. )  
)  
South Carolina Department of Corrections, )  
)  
Respondent. )  
)  
\_\_\_\_\_ )

Docket No. 23-ALJ-04-0632-AD

ORDER GRANTING  
RESPONDENT'S MOTION TO  
REMAND

This matter is before the South Carolina Administrative Law Court (ALC or court) pursuant to the Notice of Appeal filed on November 6, 2023 by John Dale Taylor (Appellant), an inmate in the custody of the South Carolina Department of Corrections (Department or Respondent). After the Appellant's Step 1 and Step Grievances were filed and denied, the Appellant filed an appeal with the court appealing the Department's denial of his grievance as untimely because it was not submitted within fifteen (15) days of the payroll date error in accordance with Department policy.

On October 9, 2024, the Department filed a Motion to Remand requesting the court remand this matter back to the Department to issue a supplemental final agency decision. The Department explained that during the appeals process, additional information was discovered, therefore the Department is requesting the case be remanded back to the Department to issue a supplemental Step Two Grievance decision. On October 16, 2024 the Appellant filed his response in opposition to the motion asking the court to deny the Department's Motion to Remand because the Department's unsupported assertion that additional information was discovered is inadequate without providing the court or the Appellant with the alleged new information. However, in the Department's motion, the Department explained that should the Appellant continue to disagree with the final agency decision, the Appellant will have the opportunity to appeal the supplemental Step 2 Grievance decision. Therefore, based on the foregoing,

**IT IS HEREBY ORDERED** that the Respondent's Motion to Remand is **GRANTED**.

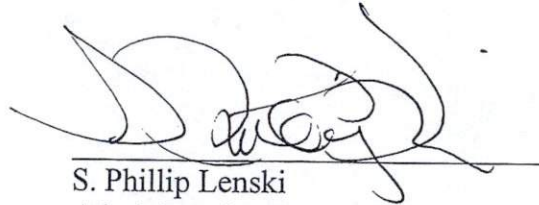
**IT IS FURTHER ORDERED** that this case is **REMANDED** to the Department to issue

State of South Carolina  
FILED  
JAN 14 2025  
Administrative Law Court

a supplemental final agency decision within ninety (90) days of this Order.

Should the Appellant desire review of the Department's decision or the Department's failure to issue a timely decision on remand, the Appellant will be required to file a separate notice of appeal from that determination.

**AND IT IS SO ORDERED.**



S. Phillip Lenski  
Administrative Law Judge

January 14, 2025  
Columbia, South Carolina

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States Mail, postage paid, or in the interagency Mail Service addressed to the party(ies) or their attorney(s).

This 14<sup>th</sup> day of January 2025

Judicial Law Clerk