

The South Carolina Court of Appeals

Steven Harvey, #240138, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2024-001910

ORDER

On appeal, Appellant challenges an order of the Administrative Law Court affirming the dismissal of his Step 2 grievance requesting to be paid the prevailing wage for his work as an inmate. On March 12, 2025, Respondent moved to dismiss the appeal as moot because SCDC issued a second final agency decision in which it calculated wages owed to Appellant and Appellant filed an appeal with the Administrative Law Court from that second final agency decision.¹ Appellant did not file a return. After careful consideration, we deny the motion to dismiss. As stated in our February 10, 2025 order, nothing in this order prohibits Respondent from seeking permission from this court to remand the appeal for issuance of a new final agency decision. *See* Rule 205, SCACR (providing upon service of a notice of appeal, the appellate court shall have exclusive jurisdiction over the appeal). Within twenty days of the date of this order, Appellant shall serve and file his initial reply brief, in which he may address Respondent's mootness argument, should he choose to file a reply brief.



FOR THE COURT

¹ We note Respondent moved to dismiss this appeal as moot on January 17, 2025, arguing Respondent's issuance of a second final agency decision in which it calculated wages owed to Appellant rendered this appeal moot; this court denied the motion to dismiss on February 10, 2025.

Columbia, South Carolina

cc:
Steven Harvey, 240138
Christina Catoe Bigelow, Esquire

FILED
Apr 22 2025