

RECEIVED

Jun 23 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Ralph King Anderson, III

ALC Case No. 24-ALJ-04-0131-AP
Appellate Case No. 2024-002046

CHARLES N. VANDROSS, # 316095,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,


RESPONDENT.

MOTION TO DISMISS APPEAL

On March 5, 2025, Respondent submitted a motion to remand this matter to the Administrative Law Court (ALC) to then remand the case back to the Department for issuance of a corrected Step 2 grievance response regarding Appellant's grievance. The motion to remand was granted by Order dated May 13, 2025. The ALC remanded the matter to the Department by Order dated June 6, 2025. The Department issued and served an appealable corrected Step 2 grievance response to Appellant on June 12, 2025 (see attached). Appellant can file a new appeal with the ALC if he is unsatisfied with the corrected grievance response. Accordingly, Respondent respectfully requests that this appeal be dismissed as moot.

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

June 23, 2025

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2

Office Use Only

INMATE NAME: Charles Vandross
SCDC NUMBER: 316095
INSTITUTION: Kershaw
HOUSING UNIT: MB-43-B
WORK ASSIGNMENT: _____

Grievance No. ACI-0329-23
Code: General mylws
Policy _____
Disc. Hear. _____
Class _____
PREA _____
Date Received: _____
IGC Initials: _____
Date Received: 6-12-25
IGA Initials: ZGB

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):

In accordance with SCDC Policy GA-01 12, "Inmate Grievance System," due to the nature of allegations you have raised in your grievance, it has been forwarded to the Inmate Grievance Branch Central Office and Office of General Counsel for a response.

Inmate's signature has been adopted from SCDC 10-5, Step 1 Inmate Grievance Form.

Grievant Signature N/A Date N/A

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

SEE REVERSE SIDE FOR RESPONSIBLE OFFICIAL'S DECISION & REASON

Responsible Official Signature Paul Vincent Date 6/12/25

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Charles Vandross 6-12-25
Grievant Signature Date

Elaine Miller 6-12-25
IGC Signature Date

(SEE REVERSE SIDE FOR INSTRUCTIONS)

INSTRUCTIONS FOR COMPLETING STEP 2 GRIEVANCE FORM

1. Complete form in its entirety, writing only in the space provided for inmate use.
2. State your specific reason for further appeal. Do not submit any new issues for review. No additional pages will be permitted.
3. Submit this completed form with your copy of the Step 1 form by placing in the Grievance Box within five (5) days of your receipt of the Warden's decision. Do not write in the space provided for the responsible official.
4. The decision rendered by the responsible official exhausts the appeal process of the SCDC Inmate Grievance Procedure.

Charles Nemon Vandross, # 316095 – ACI-0329-23

In your grievance, you claim that you are entitled to prevailing wage backpay for work in Prison Industries beginning in 2006. Our records reflect that the work program in which you participated was not a Prison Industries Enhancement Program job subject to the prevailing wage statute. Instead, the work you performed was a service job that is covered under a different statute. Accordingly, you were not entitled to prevailing wage pay for your service work, and your grievance is therefore denied and considered resolved.

You may appeal this decision under the South Carolina Administrative Procedures Act to the South Carolina Administrative Law Court. In order to appeal, you must complete the attached Notice of Appeal Form and submit it as instructed on the Form within 30 days of receipt

RECEIVED

Jun 23 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Ralph King Anderson, III

ALC Case No. 24-ALJ-04-0131-AP
Appellate Case No. 2024-002046

CHARLES N. VANDROSS, # 316095,

APPELLANT,

v.

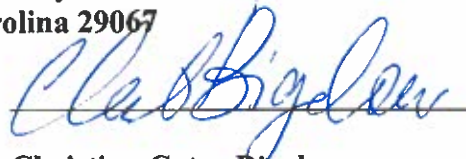
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

CERTIFICATE OF SERVICE

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

Charles N. Vandross, # 316095
Kershaw Correctional Institution
MB-0043
4848 Gold Mine Highway
Kershaw, South Carolina 29067



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

June 23, 2025



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Office of General Counsel

HENRY McMASTER, Governor
JOEL E. ANDERSON, Interim Director

RECEIVED

Jun 23 2025

SC Court of Appeals

OFFICE OF GENERAL COUNSEL

June 23, 2025

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

RE: Charles N. Vandross, # 316095 v. South Carolina Department of Corrections
Appellate Case No. 2024-002046

Dear Ms. Kitchings:

Enclosed please find the Respondent's **Motion to Dismiss as Moot** in the above captioned appeal, along with **Proof of Service**.

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

Sincerely,

Christina C. Bigelow
Deputy General Counsel
South Carolina Department of Corrections

cc: Charles N. Vandross, # 316095
Kershaw Correctional Institution
MB-0043
4848 Gold Mine Highway
Kershaw, South Carolina 29067