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Jul 11 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-04-0551-AP
Appellate Case No. 2024-002045

SANDTONYO BARBER, # 291757,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

MOTION TO DISMISS APPEAL

On April 9, 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 June 4, 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 July 3, 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

July 11, 2025



SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2

Office Use Only

INMATE NAME Sandtonyo Barber
SCDC NUMBER 291757
INSTITUTION Tyger River
HOUSING UNIT: _____
WORK ASSIGNMENT _____

Grievance No TYRCI-0233-23
Code: General _____
Policy _____
Disc Hear _____
Class _____
PREA _____
Date Received _____
IGC Initials _____
Date Received _____
IGA Initials _____

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 Barton Shivers Date 7/1/2025

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.

Grievant Signature [Signature] Date 7/3/25

IGC Signature [Signature] Date 7/3/25

(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.

Sandtonyo Barber, # 291757 – TYRCI-0233-23

This matter has been remanded from the Court of Appeals and the Administrative Law Court for a corrected Step 2 response. In your grievance, you inquire about prevailing wage pay. The Office of General Counsel has been notified that you are represented by the Winslow Law Firm on the issue of inmate pay. Since you are represented by counsel, we cannot communicate with you directly regarding prevailing wage pay. However, we have engaged with your attorney, Allie Brown, and we intend to work together to resolve this matter outside of the court system.

Therefore, your grievance is 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 (Form) and submit it as instructed on the Form within 30 days of receipt.

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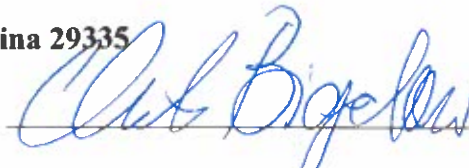
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

CERTIFICATE OF SERVICE

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

Sandtonyo Barber, # 291757
Tyger River Correctional Institution
8B-0215
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

July 11, 2025



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Office of General Counsel

HENRY McMASTER, Governor
JOEL E. ANDERSON, Interim Director

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SC Court of Appeals

OFFICE OF GENERAL COUNSEL

July 11, 2025

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

RE: Sandtonyo Barber, # 291757 v. South Carolina Department of Corrections
Appellate Case No. 2024-002045

Dear Ms. Kitchings:

Enclosed please find the Respondent's **Motion to Dismiss** 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: Sandtonyo Barber, # 291757
Tyger River Correctional Institution
8B-0215
200 Prison Road
Enoree, South Carolina 29335