

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable Robert L. Reibold, Administrative Law Judge

Case No. 25-ALJ-04-0162-AP

Christopher Santiago, #304243,

Appellant,

v.

South Carolina Department of Corrections

Respondent.

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REPLY BRIEF

Appellate Case No. 2025-001744

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Christopher Santiago 304243  
Kirkland Corr. Inst. F2-235  
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OCT 10 2025

SC Court of Appeals

Appellant, pro se.

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P.O. Box 21787  
4444 Broad River Road  
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Respondent.

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## INTRODUCTION

In his opening brief, the appellant, Christopher Santiago, an inmate in the custody of the South Carolina Department of Corrections ("SCDC" or "department"), maintained that the Administrative Law Court ("ALC") erred in dismissing his administrative appeal when it stated that Santiago's grievance did not implicate a state-created property interest and that his request for a money transfer was not preserved for review. Santiago argued that his ~~request~~ grievance implicated a state-created property interest in his inmate trust account and that, since the refund he requested in his grievance would require SCDC to transfer money back to his inmate trust account, the issue of a money transfer was preserved for review.

The dismissal order that Santiago appeals from contains a number of misleading arguments, inaccuracies, and mischaracterizations. Santiago refuted these in his opening brief. But SCDC, in its Brief of Respondent, restates several of these errors. Other than that, the Department's brief offers nothing new for the Court to consider, and it makes no reference to the Record

on Appeal to support its position.

I. IT IS INDISPUTABLE THAT SANTIAGO HAS A STATE-CREATED PROPERTY INTEREST IN HIS INMATE TRUST ACCOUNT.

"[I]nmates have a protected property interest in their inmate accounts." Millholland v. S.C. Dep't of Corr., 436 S.C. 547, 549, 873 S.E.2d 784, 785 (Ct. App. 2022).

Since this Court has already decided this issue in Millholland, citation of that precedent should suffice. Santiago cited Millholland in his response to SCDC's motion to dismiss. (R. p. 18, lines 17-18.) Because this issue has already been decided, it does not need to be relitigated here. When the ALC dismissed Santiago's administrative appeal and stated that no state-created property interest was implicated, the ALC made a reversible error of law. (R. p. 25, lines 26-27.)

II. SCDC'S BRIEF ATTEMPTS TO MISLEAD THE COURT WITH A CATCH-22 ABOUT REFUND POLICY.

On page five of their brief, SCDC states that Santiago is not entitled to a refund because he did not cite a (nonexistent) refund policy. This Court

should not be misled. Part of the problem that Santiago wanted solved in his grievance was that SCDC does not provide refunds to inmates when money is transferred (e.g., by fraud or by computer error) from their inmate trust accounts to their tablet accounts. That is why his grievance states, "ACTION REQUESTED: Refund the money that was taken from my inmate trust account. ... SCDC must provide a way for inmates to get refunds from unauthorized orders." (R. p. 2, lines 27-30.)

In other words, SCDC's brief creates a catch-22: SCDC failed to create an explicit refund policy then argued that Santiago's claim is without merit because he did not cite such a policy. The Department ignores the fact that his grievance is asking for the policy to be created: "SCDC must provide a way for inmates to get refunds from unauthorized orders." (R. p. 2, lines 29-30.) It is an issue of law for the ALC to determine what process is due in this situation.

### III. SCDC'S BRIEF REPEATS THE ALC'S INACCURACIES AND MISCHARACTERIZATIONS.

A. Santiago's money was neither "stolen" nor "charged." SCDC transferred it to Santiago's Tablet Time and Phone Debit accounts and refused to transfer it back to his inmate trust account.

On page two of their brief, and again on page five, SCDC incorrectly states that Santiago's funds were "stolen." Also on page five, SCDC wrongly states that the money was "charged." Santiago disputes these same inaccuracies in his Brief of Appellant. (Br. of App., p. 10, lines 6-26). Nowhere in his grievances does Santiago allege that his funds were "stolen" or "charged," and SCDC has not cited the record to support its argument otherwise.

B. SCDC's brief revives the ALC's red herring about tablet rights.

On page six of their brief, SCDC parrots the ALC's irrelevant argument that Santiago has no right to use a tablet. But "[i]t is irrelevant whether Santiago has a property right to a tablet because another inmate using another tablet cracked Santiago's PIN. It had nothing to do with Santiago's tablet." (Br. of App., p. 12, lines 1-4.)

C. Santiago raised his request for a refund / transfer to SCDC in his grievance; therefore, the issue is preserved for review.

On page five of their brief, SCDC, again repeating errors from the ALC's dismissal order without citing the record, wrongly states that Santiago did not request funds from his Tablet Time and Phone Debit accounts to be transferred back to his inmate trust account. Santiago has already refuted this in his Brief of Appellant, where he explained that in order for SCDC to refund his money, they would have to transfer it back to his trust account. (Br. of App., pp. 14-15.) This issue is preserved for review.

D. SCDC Misstates Santiago's position on the actions that gave rise to his claims.

Finally, on page five of their brief, SCDC repeats the ALC's mistaken belief that Santiago was grieving the actions of a private actor. Santiago has already refuted this in his opening brief: "Santiago's claim arose when SCDC moved money out of his account without his knowledge or consent and refused to put it back." (Br. of App., p. 11.)

Those were state actions, not the actions of a private actor.

### CONCLUSION

Because Santiago's grievance implicated his state-created property interest in his inmate trust account, the ALC erred in dismissing his administrative appeal. The issues are preserved for review, and the ALC's dismissal order is clearly erroneous in light of the record.

For the reasons stated above, and for the reasons stated in his Brief of Appellant, Santiago respectfully requests that this Court reverse the ALC's dismissal order and remand the case for a hearing to determine what process is due.

Respectfully submitted,

*Chris Jolley*

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October 07, 2025

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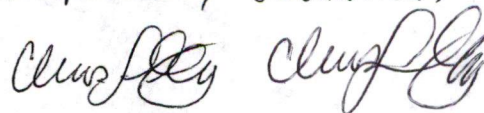
PROOF OF SERVICE

I hereby certify that I, Christopher Santiago, on  
October 08, 2025, in Columbia, South Carolina,  
served a copy of the foregoing REPLY BRIEF

on all parties to this matter by depositing it in the  
United States Mail, postage paid, by placing it in the  
prison mailbox or the mailroom at Kirkland Correctional  
Institution and addressed as follows:

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Respectfully submitted,



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Re: Record on Appeal and Final Briefs for  
Santiago v. SCDC, Appellate Case No. 2025-001744.

Dear Clerk of Court:

Enclosed for filing are my Record on Appeal and Final Briefs for the above case. I mailed my Initial Reply Brief earlier this week.

Sincerely,

*Chris Santiago*

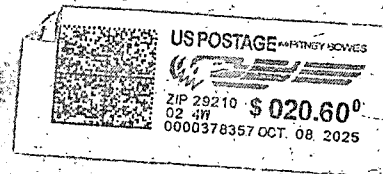
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