

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Administrative Law court

Honorable S. Phillip Lenski, Administrative Law Judge

South Carolina Department of Corrections, Respondent
v.

Matthew Brown, #370550 Appellant

Appellate Case No. 2025-001627

Initial Brief of Appellant

RECEIVED

OCT 24 2025

SC Court of Appeals

Very truly yours,

Matthew Brown

Matthew Brown #370550, Appellant

Allendale Correctional Institution

1057 Revolutionary Trail

Fairfax, S.C. 29824

TABLE OF CONTENTS

Table of Contents _____ i
Table of Authorities _____ ii
Statement of Issues on Appeal _____ 1
Statement of the Case _____ 2

Arguments

I.

The Administrative Law Court judge erred in allowing the South Carolina Department of Corrections to charge a RX copay for chronic medications such as high blood pressure and cholesterol medications due to being a ward to the state in accordance with SCDC Policy / Procedure HS-18.17.4.11: Medical co-payment as well as under the 8th Amendment under the United States Constitution and the 14th Amendment of the United States Constitution and South Carolina Constitution _____ 3

Conclusion _____ 4

TABLE OF AUTHORITIES

Cases

Estelle v. Gamble, 429 U.S. 97, 106, 97 S.Ct. 285, 50 L.Ed. 2d 251 (1976) — 3

Amendments

Eighth Amendment of the U.S. Constitution ————— 3

Fourteenth Amendment of the S.C. Constitution ————— 3

Fourteenth Amendment of the U.S. Constitution ————— 3

Other Authorities

SCDC Policy/Procedure Its-18.17.4.11 ————— 3

Eighth Amendment of the U.S. Constitution

The Eighth Amendment states in pertinent part... shall not...
cruel and unusual punishment inflicted.

Fourteenth Amendment of the U.S. Constitution

The Fourteenth Amendment states in pertinent part... "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property without due process of Law." — S.C. Constitution Article I, § 3 The S.C. Constitution states in pertinent part... "nor shall any person be deprived of life, liberty, or property without due process of Law."

STATEMENT OF ISSUES ON APPEAL

1) Did the Administrative Law Judge err in allowing the South Carolina Department of Corrections to charge a Rx copay for chronic medications such as high blood pressure and cholesterol medications due to being a ward to the state in accordance with S.C.D.C. Policy / Procedure HS-18.17.4.11: medical co-payment as well as under the 8th Amendment under the United States Constitution and the 14th Amendment of the United States Constitution and South Carolina constitution?

STATEMENT OF THE CASE

In April of 2025, the Appellant filed an appeal from S.C. Department of corrections Grievance No: ACT 0050-25. Matthew Brown is an inmate housed at Allendale C.I. that is prescribed blood pressure and cholesterol medications. Brown has been charged an RX copay for these medications since approximately May-2024. These medications are considered as chronic illness and therefore Appellant should not be charged a copay for these medications. According to S.C.D.C Policy / Procedure HS-18.17.4.11 "No copayment will be charged for certain medications." Chronic medications such as blood pressure and cholesterol fall under this category and Appellant should not be assessed an RX copay for these two medications.

On February 3, 2025, the Appellant submitted a request to staff member to medical in regards to being charged an RX-copay of \$10.00 each month. on February 4, 2025, the Health care Authority (HCA) Registered Nurse Pamela Demick responded "You are incorrect chronic care chronic is no charge, not medication." on February - 11, 2025, Appellant filed a Step one Grievance. The step one Grievance was received and denied on February 18, 2025. The Step Two Grievance was received by Appellant on March 27, 2025, and was denied. Then on March 27, 2025, Appellant filed a Notice of Appeal. on April 10, 2025, Judge Lenski was appointed as the assigned judge over the case.

On July 9, 2025, Judge Lenski denied the Notice of Appeal.

ARGUMENTS

1. The Administrative Law court judge erred in allowing the South Carolina Department of corrections to charge a RX copay for chronic medications such as high blood pressure and cholesterol medications due to being a ward to the state in accordance with S.C.D.C. Policy / Procedure HS-18.17.4.11: Medical Copayment as well as under the 8th Amendment under the United States Constitution and the 14th Amendment of the United States Constitution and South Carolina Constitution.

Appellant contends that he is entitled to a state-created liberty interest and property interest for being charged a RX co-pay of \$10.00 per month for chronic medications of blood pressure and cholesterol when S.C.D.C. Policy / Procedure HS-18.17.4.11 clearly states "No copayment will be charged for certain medications." Blood pressure medication and cholesterol medication are considered chronic medications and fall under this category.

This falls under adequate levels of medical care according to due process and equal protection under the 14th Amendment of the United States Constitution and South Carolina Constitution. It's an 8th Amendment violation for cruel and unusual punishment under the United States Constitution. Jail and prison officials may not interfere or fail to carry out treatment that a doctor or other medical official has prescribed or ordered for you. Such conduct amounts to deliberate indifference (see: Estelle v. Gamble, 429 US. 97, 106, 97 Sct. 285, 50 L. Ed. 2d 251 (1976)).

CONCLUSION

Based on the above arguments, Appellant respectfully prays that this court enter judgment, that the act's and omissions described herein violate his rights under the constitution and laws of the united States and order the Respondents to provide medical Rx co-pay reimbursement of \$10.00 per month since May 2024 as mentioned in this appeal.

Matthew Brown

Matthew Brown, #370550, Appellant
Allendale Correctional Institution
1057 Revolutionary Trail
Fairfax, S.C. 29827

this 22nd day of October, 2025