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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Robert L. Reibold, Administrative Law Judge

Case No. 2025-001423

James Edward Johnson, Jr. #353643,

Appellant

v.

South Carolina Department of Corrections,

Respondent.

REPLY BRIEF OF APPELLANT

Pursuant to Rule 208(a)(3), SCACR

James Edward Johnson, Jr., SCDC #353643

Evans Correctional Institution

610 Highway 9 West

Bennettsville, SC 29512

Appellant, *Pro Se*

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STATEMENT OF THE CASE

Appellant, James Edward Johnson, Jr., files this Reply Brief pursuant to Rule 208(a)(3), SCACR, strictly in response to new matters and critical admissions contained within the Respondent's Brief that was received on November 17, 2025. This Reply is necessary to address the fundamental disconnect between Respondent's factual admissions and its legal arguments, and to highlight its consequential failure to rebut the primary errors assigned by Appellant.

ARGUMENTS

I. RESPONDENT'S ADMISSION IN ITS OWN STATEMENT OF THE CASE PROVES THE ADMINISTRATIVE LAW COURT'S FUNDAMENTAL ERROR.

The entirety of Respondent's legal argument – that the Administrative Law Court (ALC) correctly dismissed an appeal that “lacked a claim” violating a state-created liberty or property interest – is catastrophically undermined by a single sentence in its own Statement of the Case.

Respondent admits “Appellant's subsequent submissions, were not considered by the ALC prior to the issuance of its dismissal order.” This admission is not a minor procedural footnote; it is the cornerstone of this appeal. Appellant's *Initial Brief* demonstrated that these “subsequent submissions” contained the very amendments and arguments that articulated the violations of state-created liberty or property interest which Respondent now claims were “lacked.”

A. The Admission Proves the Procedural Defect.

Respondent concedes the ALC acted on an incomplete record, refusing to consider the documents that would have perfected the appeal. A tribunal cannot fairly

determine that a pleading “lacks” a claim when it has intentionally excluded from its review the documents that supply that claim. This failure violates fundamental due process. See S.C. Const. Art. I, § 22 (“No person shall be finally bound by a judicial or quasi-judicial decision of an administrative agency affecting private rights except on due process grounds...”).

B. Respondent’s Legal Argument is Rendered Illogical.

Respondent now asks this Court to affirm a dismissal for failure to state a claim, while simultaneously admitting the ALC never actually looked at the documents that stated the claim. This is a logical fallacy. The legal argument is premised on a hypothetical scenario – that the ALC reviewed the full record and found it wanting – which Respondent’s own facts confirm never occurred. Therefore, Respondent’s central argument is a non-sequitur and provides no basis for affirmation. This Reply directly responds to this new, flawed argument by demonstrating that Respondent’s own brief provides the factual proof that eviscerates its legal position.

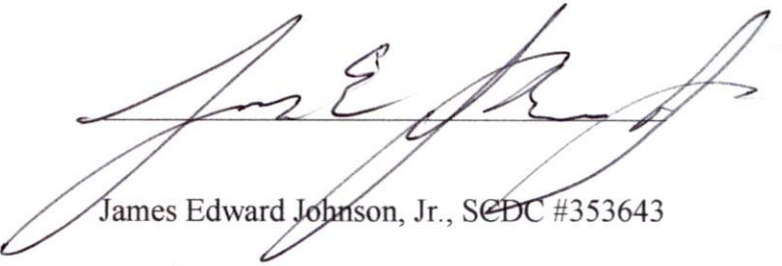
II. RESPONDENT’S FAILURE TO ADDRESS APPELLANT’S CORE LEGAL ARGUMENTS CONSTITUTES AN ABANDONMENT OF ANY DEFENSE TO THEM.

Beyond its self-defeating admission, Respondent’s Brief fails entirely to engage with the legal arguments presented in Appellant’s Initial Brief. Appellant’s Brief assigned specific error to the ALC’s refusal to consider the submissions, arguing it constituted:

- A violation of due process
- A misapplication of the definition of practicing law
- A denial of the right to a meaningful administrative appeal

Respectfully submitted,

November 24, 2025

A handwritten signature in black ink, appearing to read "James E. Johnson, Jr.", written over a horizontal line.

James Edward Johnson, Jr., SCDC #353643

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Bennettsville, SC 29512

Appellant, *Pro Se*