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**Feb 12 2026**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Robert L. Reibold

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ALC Case No. 25-ALJ-04-0212-AP  
Appellate Case No. 2025-002434

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ROGER DALE BURKE, # 304613

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

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**MOTION TO HOLD APPEAL IN ABEYANCE PENDING PAYMENT**

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The sole issue raised by Appellant on appeal is that the Administrative Law Court (ALC) erred by not ordering the Department to pay Appellant the agreed-upon amount of \$7,030.11. Upon review of the record in this case and the ALC's order, Respondent now agrees to construe the ALC's order as requiring it pay Appellant that amount. Undersigned counsel has initiated the process for a check to be requested from the State Treasurer's Office and paid into Appellant's E.H. Cooper Account. Accordingly, Respondent respectfully requests that this Court hold this appeal in abeyance pending the payment into Appellant's account. Once the funds are deposited, Respondent will move to dismiss the appeal 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**

February 12, 2026

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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 Hold Appeal in Abeyance** to Appellant, addressed as follows:

**Roger Dale Burke, # 304613  
Broad River Correctional Institution  
MTB-2111  
4460 Broad River Road  
Columbia, South Carolina 29210**



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

February 12, 2026



**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

February 12, 2026

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

**RE: Roger Dale Burke, # 304613 v. South Carolina Department of Corrections**  
**Appellate Case No. 2024-002434**

Dear Ms. Kitchings:

Enclosed please find the Respondent's **Motion to Hold Appeal in Abeyance Pending Payment** 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: Roger Dale Burke, # 304613  
Broad River Correctional Institution  
MTB-2111  
4460 Broad River Road  
Columbia, South Carolina 29210