

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Robert L. Reibold, Administrative Law Judge

Administrative Law Court Docket No. 25-ALJ-04-0251-AP

Appellate Case No. 2025-002405

Charles Hughes, #242931,

Appellant,

V.

South Carolina Department of Corrections,

Respondent.

RECORD ON APPEAL

Charles Hughes, #242931
Tyger River Correctional
Institution Unit 1-A-214
200 Prison Road
Enoree, S.C. 29335

Appellant, Pro Se

Christina Catoe Bigelow, Esquire
Office of General Counsel
South Carolina Department of Corrections
P.O. Box 21787
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(803) 896-8508

Attorneys for Respondent

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**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Charles Hughes, #242931,

Appellant,

v.

South Carolina Department of Corrections,

Respondent.

Docket No. 25-ALJ-04-0251-AP

FINAL ORDER AND DECISION

STATEMENT OF THE CASE

This matter is pending before the South Carolina Administrative Law Court (“ALC” or “Court”) pursuant to an appeal filed by Charles Hughes (“Appellant”), an inmate incarcerated with the South Carolina Department of Corrections (“Department” or “SCDC”). Appellant asserts that he has worked in the Prison Industries program and was not paid appropriately for his work. He initially filed a Step 1 Grievance on June 19, 2023 seeking a pay increase to prevailing wages and back pay. Because Appellant’s complaint involved a complaint about prevailing wages, the Department forwarded the grievance to Step 2 of the grievance process. On October 27, 2023, the Department denied Appellant’s grievance on procedural rather than substantive grounds. It concluded that Appellant failed to report a problem with his pay pursuant to inmate pay policy 15.13, under which Appellant’s grievance was untimely.

On November 17, 2023, Appellant appealed to the Administrative Law Court. The appeal assigned to Administrative Law Judge Deborah Durden.¹ The Department later sought remand in order to issue a supplemental Step 2 decision on the merits of Appellant’s claim. Judge Durden remanded the matter to the Department on February 10, 2025. The remand order required that the Department issue its supplemental Step 2 Grievance decision within ninety days.

On May 1, 2025, the Department issued a new Step 2 decision stating:

In your grievance, you inquire about your Prison Industries 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 regarding

¹ The prior matter was designated as Docket No. 23-ALJ-04-0597-AP.

FILED

10/27/2025

SC Admin. Law Court

prevailing wage/inmate pay. We will be happy to work with your attorneys on this matter when they reach out to us.

Appellant received that decision on May 5, 2025. On May 23, 2025, Appellant filed a Notice of Appeal² in which he summarized his grounds for appeal as follows:

SCDC was granted a Remand for "Additional Information". At the end of their deadline, they respond with "we cannot communicate with you". Lawyers cannot represent inmates in the Grievance stage. SCDC is well aware of this. I am requesting the case be reinstated to the Administrative Law Court."

This matter was assigned to the undersigned on June 5, 2025.

On August 14, 2025, the Department filed the Record on Appeal and the Department's cover letter and certificate of service indicate it was mailed to Appellant.³ On September 4, 2025, Appellant filed his brief. On September 23, 2025, the Department filed its brief⁴ and Appellant filed his reply brief on September 30, 2025. As of the date of this Order, the Court has not received any filings from Ms. Brown or Winslow Law related to this appeal.⁵

ISSUES ON APPEAL

Appellant's brief designates the following "Issues":

The South Carolina Department of Corrections is knowingly in violation of S.C. Law 24-3-430, as well as Federal Law 18 U.S.C.A. 1761 § Transportation or Importation. All Laws dealing with inmate labor require the payment of prevailing wage as to not take jobs

² Appellant included a "Motion to Reinstate Case to Administrative Law Court" with his Notice of Appeal and included the docket number of the matter previously assigned to Judge Durden. The prior action associated with Docket No. 23-ALJ-04-0597-AP was concluded upon remand and cannot be reinstated. In effect, the October 27, 2023 Step 2 Grievance decision underlying that appeal was voided upon remand and the May 1, 2025 Step 2 Grievance replaced it. To the extent Appellant's motion might be considered part of this appeal, it is denied.

³ The Record on Appeal contains a July 14, 2025 letter from Allie Brown, Esq. at Winslow Law merely addressed "To Whom it May Concern" and containing a subject line of "Clients(s): SCDC Inmate Representation RE Lost Wages." The letter states:

Please be advised that we represent the following inmates that are still incarcerated and that have also been released on the following page. Please direct SCDC to cease all communications with these inmates regarding the above referenced matter. From this point forward all communication should go through my office. If you have any questions, please do not hesitate to contact our office.

This letter is dated well after the Department's May 1, 2025 Step 2 response stating that Appellant was represented. Consequently, it is unclear when the Department first believed Appellant was represented.

⁴ Again, the Department's cover letter and certificate of service indicate the Department's brief was mailed to Appellant. There is no indication the Record on Appeal or Department's brief were served upon Ms. Brown or Winslow Law.

⁵ In the absence of a Notice of Appearance or any other filing by legal counsel to this Court, the Court deems Appellant to be proceeding in this matter on a *pro se* basis.

away from the free market. Yet the Department is only paying inmates the current minimum wage. Forcing the inmates to file suits against the Department, to make them comply with the Law.

In response, the Department asserts it is not permitted to communicate with Appellant regarding his prevailing wage claim because he is represented by legal counsel who has not given consent to such communication. In reply, Appellant again argues the merits of his wage claim and challenges the Department on its communication position. Specifically, he alleges “Respondent is aware that Appellant cannot be represented by Counsel in the Administrative Law Court. That is why it sent a copy of Respondent’s Brief to Appellant, and not Appellants Counsel.”

STANDARD OF REVIEW

The Respondent is an “agency” under the Administrative Procedures Act (APA). *See* S.C. Code Ann. §§ 1-23-310(2), -505(2), -600(A) & (E) (Supp. 2024). Accordingly, the APA’s standard of review governs appeals from decisions of the Respondent. *See id.* §§ 1-23-380 & -600(E). The standard used by appellate bodies to review agency decisions is provided by Section 1-23-380(5) of the South Carolina Code. That section states:

The court may not substitute its judgment for the judgment of the agency as to the weight of the evidence on questions of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

- (a) in violation of constitutional or statutory provisions;
- (b) in excess of the statutory authority of the agency;
- (c) made upon unlawful procedure;
- (d) affected by other error of law;
- (e) clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or
- (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

§ 1-23-380(5); *see also* § 1-23-600(E) (directing administrative law judges to conduct appellate review in the same manner prescribed in § 1-23-380).

A decision is supported by “substantial evidence” when the record as a whole allows reasonable minds to reach the same conclusion as the agency. *Friends of the Earth v. Pub Serv. Comm’n of S.C.*, 387 S.C. 360, 366, 692 S.E.2d 910, 913 (2010). The fact that the record presents the possibility of drawing two inconsistent conclusions from the evidence does not prevent the

agency's findings from being supported by substantial evidence. *Waters v. S.C. Land Res. Conservation Comm'n*, 321 S.C. 219, 226, 467 S.E.2d 913, 917 (1996). In applying the substantial evidence rule, "a reviewing court will not overturn a finding of fact by an administrative agency 'unless there is no reasonable probability that the facts could be as related by a witness upon whose testimony the finding was based.'" *Sea Pines Ass'n for Prot. of Wildlife, Inc. v. S.C. Dep't of Natural Res.*, 345 S.C. 594, 603-04, 550 S.E.2d 287, 292 (2001) (quoting *Lark v. Bi-Lo, Inc.*, 276 S.C. 130, 136, 276 S.E.2d 304, 307 (1981)). When the evidence conflicts on an issue, the court's substantial evidence standard of review defers to the findings of the fact-finder. *Risher v. S.C. Dep't of Health & Envtl. Control*, 393 S.C. 198, 210, 712 S.E.2d 428, 435 (2011).

DISCUSSION

As discussed in more detail below, the Court is constrained to affirm the Department's decision for two reasons: (1) the Court is precluded from reviewing the substantive arguments presented by Appellant concerning his pay at Tyger River Correctional because the Department has not yet issued a final decision addressing those arguments; and (2) Appellant failed to appeal the actual basis of the Department's decision.

I. Absence of a Final Decision on the Merits of Appellant's Wage Claims

The Court cannot address any issue on which the Department has not issued a final decision. See S.C. Code Ann. § 1-23-380 ("[a] party who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision in a contested case is entitled to judicial review pursuant to this article and Article 1") (emphasis added). The Court does not fault Appellant. He sought a decision from the Department regarding his wage claim, but, unfortunately, he has not yet received one. Accordingly, the Court cannot address Appellant's substantive arguments regarding wages and back pay while at Tyger River Correctional. The Court sits in an appellant capacity and the only relief which it can afford to any appellant on appeal is to affirm, remand, modify or reverse a final decision of an agency. See S.C. Code Ann. § 1-23-380(5) ("[t]he court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions" and other statutory criteria are satisfied) (emphasis added). The Court cannot act as a fact finder in the first instance.

II. Failure to Appeal Actual Basis of Step 2 Decision

The Court could address arguments regarding the Department's apparent refusal to issue a Step 2 decision because Appellant is represented by counsel. That issue falls squarely within the decision issued by the Department. Appellant, however, failed to appeal that issue. It is not identified in the Statement of Issues on Appeal in Appellant's original brief and the brief contains no argument regarding communication with counsel. *See* Rule 60(B)(1), SCALCR. ("**Statement of Issues on Appeal**. A statement of each of the issues presented for review. The statement shall be concise and direct as to each issue and may be written in question form. Broad general statements may be disregarded by the Court. Ordinarily, no point will be considered that is not set forth in the statement of issues on appeal.") (emphasis in original); *see also First Sav. Bank v. McLean*, 314 S.C. 361, 363, 444 S.E.2d 513, 514 (1994) (considering an issue abandoned because the appellant failed to provide pertinent argument or supporting authority).⁶

ORDER

IT IS THEREFORE ORDERED that the Department's May 1, 2025 Step 2 Grievance decision is **AFFIRMED**.⁷

AND IT IS SO ORDERED.



The Honorable Robert L. Reibold
Administrative Law Judge

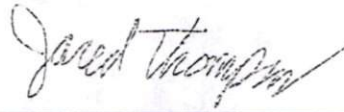
October 27, 2025
Columbia, South Carolina

⁶ The Court does not overlook the limited arguments of Appellant contained in his Notice of Appeal and reply brief; however, those are not the instruments by which Appellant must make his appeal and satisfy his burden. *See* Rule 60(B)(1), SCALCR (reflecting it is the brief and not the notice of appeal that presents the issues and arguments for substantive consideration on appeal); *Chet Adams Co. v. James F. Pedersen Co.*, 307 S.C. 33, 37, 413 S.E.2d 827, 829 (1992) (holding an issue was waived when the appellant raised it for the first time in its reply brief); *ABB, Inc. v. Integrated Recycling Grp. of SC, LLC*, 432 S.C. 545, 553, 854 S.E.2d 171, 175 (Ct. App. 2021) (“[A] party cannot raise an issue for the first time in an appellate reply brief.”).

⁷ In deciding this appeal on the grounds stated herein, the Court makes no endorsement of the Department's position in the Step 2 decision and, given the deficiencies in Appellant's attempted appeal, the Court did not rely on the Department's brief as a basis for this ruling.

CERTIFICATE OF SERVICE

I, Jared Thompson, hereby certify that I have on this date served this order upon all parties to this cause by depositing a copy hereof in the United States mail, postage paid, or by electronic mail, to the address provided by the party(ies) and/or their attorney(s).



Jared Thompson
Judicial Law Clerk

October 27, 2025
Columbia, South Carolina

Exhibit D,

*Order Granting Motion
to Remand*

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Charles Hughes, #242931,

Appellant,

v.

South Carolina Department of Corrections,

Respondent.

Docket No. 23-ALJ-04-0597-AP

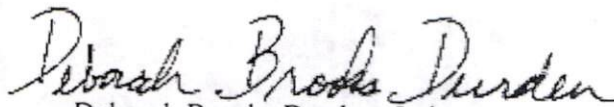
Grievance No. TYRCI 0434-23

**ORDER GRANTING RESPONDENT'S
MOTION FOR REMAND**

This matter is before the South Carolina Administrative Law Court (Court) pursuant to the Notice of Appeal filed November 17, 2023, by Charles Hughes (Appellant), an inmate incarcerated with the South Carolina Department of Corrections (Respondent or Department). Appellant's grievance concerned his wages. On January 23, 2025, Respondent filed a Motion to Remand with this Court, stating that during the appeals process, additional information was discovered. Respondent seeks to issue a supplemental Step Two Grievance decision based upon the full record of Appellant's work history. This Court did not receive any opposition to the motion.

IT IS THEREFORE ORDERED that Respondent's Motion for Remand is **GRANTED**. The Department's supplemental decision must be issued within 90 days of this Order. Should Appellant desire review of the Department's decision, or failure to issue a timely decision, on remand, he will be required to file a separate notice of appeal from that determination.

AND IT IS SO ORDERED.



Deborah Brooks Durden, Judge
S.C. Administrative Law Court

February 10, 2025
Columbia, South Carolina

FILED

02/10/2025

SC Admin. Law Court

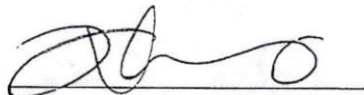
STATE OF SOUTH CAROLINA
IN THE ADMINISTRATIVE LAW COURT

Exhibit C,
SCDC's Motion to
Remand

Charles Hughes, #242931)	Docket No.: 23-ALJ-04-0597-AP
)	[Grievance No.: TYRCI 434-23]
Appellant,)	
)	<i>Hon. Deborah Brooks Durden</i>
v.)	
)	
South Carolina Department of Corrections,)	MOTION TO REMAND
)	
Respondent.)	
<hr/>		

Respondent now moves to remand this matter back to the South Carolina Department of Corrections (“Department”) to issue a supplemental final agency decision. On June 19, 2023, Appellant filed a Step One Grievance. The Step One Grievance response was issued on June 26, 2023, and the grievance was forwarded to the Step 2 level of the appeal process due to the nature of Appellant’s appeal. The Step Two Grievance response was issued on October 27, 2023. Additional information was discovered during the appeals process. Therefore, the Department requests this case be remanded back to the Department to issue a supplemental Step Two Grievance decision. Should Appellant continue to disagree with the final agency decision, Appellant will have the opportunity to appeal that supplemental Step Two Grievance decision. Accordingly, Respondent hereby respectfully requests that this Court remand the matter back to the Department for issuance of a supplemental final agency decision.

Respectfully submitted,



Kensey Evans
Deputy General Counsel
South Carolina Department of Corrections
PO Box 21787
Columbia, South Carolina 29221-1787
Phone: (803) 896-8508

January 23, 2024
Columbia, South Carolina

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Exhibit A,

INMATE GRIEVANCE FORM

Step 1 Grievance

STEP 1

INMATE NAME: <u>Charles Hughes</u>	OFFICE USE ONLY
SCDC NUMBER: <u>242931</u>	Grievance No. <u>TURCT 0434-23</u>
INSTITUTION: <u>Tyger River</u>	Code: General <u>My/WS</u>
HOUSING UNIT: <u>V1-A214</u>	Policy _____
WORK ASSIGNMENT: <u>Prison Industries</u>	Disc. Hear. _____
	Class. _____
	PREA _____
	Date Received <u>6/22/23</u>
	IGC Initials <u>JC</u>

STATEMENT OF GRIEVANCE (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.)

The Tyger River Correctional Institutions Prison Industries Program, is not in compliance with the South Carolina Code of Laws. Specifically Code 24-3-430, which states that inmates shall receive prevailing wage. As of June 17, 2023, I am earning the states minimum wage rate. This is an ongoing issue, that the Institution is aware of, and has yet to correct.

Charles Hughes 6.19.23
 Grievant Signature Date

ACTION REQUESTED: I would like my pay increased to the current prevailing wage rate, as well as compensation for monies that have been withheld from me since I started on January 19, 2023?

ACTION TAKEN BY IGC: PROCESSED UNPROCESSED OTHER

Due to the nature of your appeal, it has been forwarded to the Step 2 level of appeal process. Please refer to the attached Prevailing Wage Memo provided by SCDC Office of General Counsel/Inmate Grievance Branch for additional information regarding your appeal. JC 6/26/23

 IGC Signature Date

(CONTINUE ON REVERSE SIDE)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2

Exhibit B,
Step 2 Grievance
Office Use Only

INMATE NAME: Charles Hughes
SCDC NUMBER: 242931
INSTITUTION: TYRU
HOUSING UNIT: _____
WORK ASSIGNMENT: _____

Grievance No. Tyru-0434-23
Code: General mylws
Policy _____
Disc. Hear. _____
Class _____
PREA _____
Date Received: _____
IGC Initials: _____
Date Received: 11/14/23
IGA Initials: IGB

RECEIVED
JUL 14 2023
INMATE GRIEVANCE

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 Bates J. Vincent Date 10-27-23

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 11/1/23

IGC Signature [Signature] Date 11/1/23

(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.

Hughes, Charles 242931, TYRCI-0434-23

In your grievance, you are requesting adjustments to your inmate pay pursuant to Torrence v. South Carolina Department of Corrections (2021). The South Carolina Court of Appeals' opinion in Lorrence was filed on June 30, 2021. You submitted your Step 1 Grievance regarding this matter on June 22, 2023, approximately two years after the Court of Appeals issued its opinion. Accordingly, your grievance is untimely under SCDC Policy ADM-15.13, section 12.1. This policy states as follows:

12. PROBLEMS WITH PAY:

12.1 Inmates must report any problems in their pay to their institution's inmate pay designee utilizing the Automated Request to Staff Member (ARTSM) within 15 days of the payroll date error. The inmate should maintain a record of the ARTSM reference number. The inmate pay designee will review the case and determine whether any additional pay is owed. Payroll corrections will be limited to the following:

- If the inmate fails to notify the Agency in writing and within 15 days, no back pay will be given.
- The pay rate will be adjusted to the proper rate amount for future payrolls in accordance with these procedures.
- The inmate may receive additional pay owed for the previous two (2) pay periods only.

SCDC Policy ADM-15.13 (12.1) (Issue Date June 3, 2014).

Therefore, your grievance is denied.

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.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2

Exhibit E,
SCDC's Supplemental Decision
Office Use Only

INMATE NAME: Charles Hughes
SCDC NUMBER: 242931
INSTITUTION: Tyger River
HOUSING UNIT: Unit 1 214
WORK ASSIGNMENT: _____

Grievance No. TYRCL-0431-23
Code: General myllws
Policy _____
Disc. Hear. _____
Class _____
PREA _____
Date Received: _____
IGC Initials: _____
Date Received: 5-1-25
IGA Initials: IGB

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 [Signature] Date 5-1-25

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.

[Signature] 5.5.25
Grievant Signature Date

[Signature] 5/5/25
IGC Signature Date

(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.

Charles Hughes 242931

TYRCI-0434-23

In your grievance, you inquire about your Prison Industries 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 regarding prevailing wage/inmate pay. We will be happy to work with your attorneys on this matter when they reach out to us.

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.

State of South Carolina
In The Administrative Law Court

Exhibit F,
Appellant's Final Brief

Charles Hughes, 242931

Appellant,

v.

South Carolina Department
of Corrections

Respondent,

Docket No: 25-ALT-04-0251-AP

Grievance No: TYRCI 434-23

Hon. Robert L. Riebold

Final Brief

Statement of Case

Appellant filed Notice of Appeal on May 23, 2025. Siteing no mention was made of "Additional Information", and that inmates cannot be represented by Counsel on grievances. June 5, 2025 Administrative Law Court assigned case to Honorable Robert L. Riebold. August 13, 2025 Respondent filed Record on Appeal containing Step 1, Step 2, Supplemental Step 2 Grievances, and letter from Winslow Law LLC. September 4, 2025



Appellant filed Original Brief stating Respondent will not address the issue of violating the Law. September 22, 2025 Respondent filed Respondents Brief stating jurisdiction, and Appellant counsel.

Jurisdiction

The argument that there is no jurisdiction in this case is without merit. This is a case of monies owed by one party to another. The Respondent is violating S.C. code Law 24-3-430(d). (No inmate participating in the program may earn less than an hourly rate equal to the Federal minimum wage for work of similar nature in the private sector.) The proper steps are Grievance, and then Notice of Appeal to the Administrative Law Court.

Standard of Review

The Administrative Agency's findings are self-serving. Respondent is in violation of State and Federal Laws dealing with Prison

Industries Enhancement Program ("PIECP") Respondent has been aware of this violation since the ruling in *Torrence v. South Carolina Department of Corrections*, 433 S.C. 633.

Argument

SCDC is fully aware of its violation. Instead of obeying the Law, it has changed it. However new wording does not alter the meaning. Obviously one cannot pay less than the minimum.

Guidelines for ("PIECP") are out of States control. To participate States must be within guidelines.

SCDC claims they cannot communicate with Appellant in this matter. Respondent is aware that Appellant cannot be represented by Counsel in the Administrative Law Court. That is why it sent a copy of Respondent's Brief to Appellant, and not Appellants Counsel.

Conclusion

Appellant is asking this Court to see the willful violation of the Law by Respondent, as well as Respondent's attempts to cover up its violations, and Rule in favor of Appellant by granting its request to increase current wages to that of prevailing wage, as well as reimbursement for the difference owed from back wages?

Respectfully Submitted

September 29, 2025

Charles Hughes
Charles Hughes #242931
TYRCI U1-A214
200 Prison RD
Enoree, S.C. 29335

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Robert L. Reibold, Administrative Law Judge

Administrative Law Court Docket No. 25-ALJ-04-0251-AP

Appellate Case No. 2025-002405

Charles Hughes, #242931,

Appellant,

v.

South Carolina Department of Corrections,

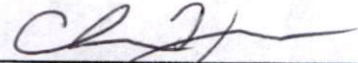
Respondent.

CERTIFICATE OF APPELLANT

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

February 13, 2026

/s/



Charles Hughes, #242931
Tyger River Correctional
Institution 1-A-214
200 Prison Road
Enoree, S.C. 29335

Appellant, Pro Se