

State OF South Carolina
In The Court of Appeals

Marco Bates, #249552, Appellant,

v.

South Carolina Department of Corrections,
Respondent.

Appellate Case No. 2025-002328

The Record on Appeal and All Final
Brief(s)

RECEIVED

MAY 18 2026

SC Court of Appeals

Introduction

Comes now, the above captioned Appellant Marco Bates #249552, respectfully and humbly want to bring to the South Carolina Appellate Court's attention. That Appellant is not well versed in the South Carolina Appellate Court's rules. Appellant has compiled the Record on Appeal and all final brief(s) to the best of his ability. Appellant does not have the resources to fully comply with the South Carolina Appellate Court Rules, rule 267 with the binding and cover color requirements.

Appellant, also want to bring to the Court's attention, that Appellant mailed his Final Brief to the South Carolina Administrative Law Court Judge Crystal M. Rookard on Sep. 4, 2025 and it was filed Sep. 8, 2025 (see Exhibit (A)). However, Appellant never received a clocked-stamped-dated copy of the aforementioned final brief. Appellant only received a clocked-stamped-dated copy of the cover sheet. (see Exhibit (A)). Appellant can not provide a copy of the aforementioned final brief to the South Carolina Appellate Court's.

Lastly, Appellant filed his last and/or final brief on April 6, 2026 to the South Carolina Court of Appeals. The one (1) bound copy of the record on appeal and all final briefs is as follows:

- (1). Record on Appeal
- (2). Exhibit (A)
- (3). Supplemental Brief, last brief sent to the Administrative Law Court
- (4). Appellant Reply Brief, last brief sent to the S.C. Court of Appeals

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2

INMATE NAME: Marco Bates
SCDC NUMBER: 249552
INSTITUTION: Tyger River
HOUSING UNIT: _____
WORK ASSIGNMENT: _____

Office Use Only
Grievance No. LEEC-0922-24
Code: General TYRCS-1688-24
Policy _____
Disc. Hear. _____
Class _____
PREA _____
Date Received: _____
IGC Initials: _____
Date Received: 3/10/25
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 _____ Date _____

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

SEE REVERSE SIDE FOR RESPONSIBLE OFFICIAL'S DECISION & REASON

Responsible Official Signature Bartley J. Smith Date 3/10/2025

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.

Marco Bates 3-13-25
Grievant Signature Date

[Signature] 3/13/25
IGC Signature Date

(SEE REVERSE SIDE FOR INSTRUCTIONS)

SCDC 10-5A (Rev. May 2015)

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.

Marco Bates, # 249552 – TYRCI-0688-24

In your grievance, you claim that you are entitled to prevailing wage backpay for work at Lee Correctional as a Material Handling Equipment Operator from October 1998 through May 2001. Our records show that the work program in which you participated was not a Prison Industries Enhancement Program job ("PIE" job) subject to the prevailing wage statute. The work you performed at Lee Correctional was a traditional/service job that is covered under a different statute. Accordingly, you were not entitled to the prevailing wage for your service work, and your grievance is therefore denied.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FORM

STEP 1

Lee CI - 0922-24

8/26/24

INMATE NAME: <u>Marcos Bates</u>	OFFICE USE ONLY
SCDC NUMBER: <u>249552</u>	Grievance No. <u>TY92-068-24</u>
INSTITUTION: <u>Tyger River</u>	Code: General <u>My/1/5</u>
HOUSING UNIT: <u>48-223</u>	Policy _____
WORK ASSIGNMENT: <u>laundry worker</u>	Disc. Hear. _____
	Class. _____
	PREA _____
	Date Received <u>8/22/24</u>
	IGC Initials <u>Q</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 KTS&I or Kiosk reference number.) SCDC policy ADM 15.13

entitle me to receive proper inmate pay by... gaining employment in the Community Work Program, Prison Industries Private Sector Program, Prison Industries Service Program, or any other program funded entirely by an outside entity.

From 10-26-98 to 5-30-01 I worked as a Material Handling Equipment Operator at Lee Corr. Inst. Prison Industries. I never received "the prevailing wages" for work of similar nature, required by law and SCDC policy.

§24-3-430(1)... Inmate labor in private industry authorized; requirements and conditions. says... 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.

Marcos Bates

Grievant Signature

8-20-24

Date

ACTION REQUESTED: To receive monies that I'm owed from prevailing wages for work of similar nature required by law and SCDC policy.

ACTION TAKEN BY IGC: ☐ PROCESSED ☐ UNPROCESSED ☐ OTHER
Closed at Tyger River forwarded to Lee for processing. 8/28/24

IGC Signature

Date

(CONTINUE ON REVERSE SIDE)

WARDEN'S DECISION AND REASON:

Warden Signature

Date

- ☐ I accept the Warden's decision and consider the matter closed.
- ☐ I do not accept the Warden's decision and wish to appeal.

Grievant Signature

Date

IGC Signature

Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to filing with Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk request to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response page. Grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

INMATE SEARCH DETAIL REPORT

BATES, MARCO DELANEY (00249552)



INMATE DESCRIPTION

SEX: [REDACTED]
 RACE: [REDACTED]
 HEIGHT: [REDACTED]
 WEIGHT: [REDACTED]
 AGE: [REDACTED]
 CITIZENSHIP: [REDACTED]
 BUILD: [REDACTED]
 COMPLEXION: [REDACTED]
 HAIR COLOR: [REDACTED]
 EYE COLOR: [REDACTED]
 PICTURE DATE: [REDACTED]
 SUP. RE-ENTRY DATE: [REDACTED]

INMATE SENTENCE AND LOCATION

SCDC ID: 00249552
 SID: SC00576581
 OFFENDER TYPE: ADULT-STRAIGHT SENTENCE
 ADMISSION DATE: 05/11/1998
 LOCATION: TYGER RIVER
 DORM-ROOM-BUNK: 8B-0223-B
 SECURITY / CUSTODY: 2 / GENERAL POPULATION
 EWC LEVEL: 3F5
 EEC LEVEL:
 PROJECTED RELEASE DATE: NOT ELIGIBLE
 PROJECTED PAROLE ELIGIBILITY: NOT ELIGIBLE
 SUP. FURLOUGH ELIGIBILITY: NOT ELIGIBLE

CURRENT OFFENSES

OFFENSE	SENTENCE TYPE	YRS	MOS	DYS	COUNTY	START DATE	V/NV	CAT	INDICT	STATUS
MURDER	ADULT-STRAIGHT SENTENCE	LIFE SENTENCE			SPARTANBURG	04/18/1997	V	5	97GS422599	ACTIVE
FIREARMS PROVISION	ADULT-STRAIGHT SENTENCE	5	0	0	SPARTANBURG	04/18/1997	N	3	97GS422599	ACTIVE
DISCH. FIREARM IN DWELL	ADULT-STRAIGHT SENTENCE	10	0	0	SPARTANBURG	04/18/1997	N	3	98GS422419	ACTIVE

ESCAPES

NO ESCAPES DURING CURRENT INCARCERATION

DISCIPLINARY SANCTIONS

SANCTIONS NOT AVAILABLE IN THE AUTOMATED SYSTEM PRIOR TO JANUARY 2009

DATE	DESCRIPTION
01/02/2025	POSS. OR/ATTEMPT TO POSSESS CELL PHONE LOSS OF CANTEEN PRIVILEGES FOR 90 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 90 DAYS LOSS OF TELEVISION PRIVILEGES FOR 360 DAYS LOSS OF VISITATION PRIVILEGES FOR 90 DAYS
08/17/2022	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT LOSS OF CANTEEN PRIVILEGES FOR 110 DAYS DISC. DETENTION FOR 20 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 110 DAYS LOSS OF TELEVISION PRIVILEGES FOR 360 DAYS LOSS OF VISITATION PRIVILEGES FOR 110 DAYS
01/04/2022	EXHIBITIONISM AND PUBLIC MASTURBATION LOSS OF CANTEEN PRIVILEGES FOR 120 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 120 DAYS LOSS OF VISITATION PRIVILEGES FOR 120 DAYS
10/12/2018	EXHIBITIONISM AND PUBLIC MASTURBATION LOSS OF CANTEEN PRIVILEGES FOR 45 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 45 DAYS LOSS OF TELEVISION PRIVILEGES FOR 360 DAYS LOSS OF VISITATION PRIVILEGES FOR 45 DAYS
09/25/2017	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT LOSS OF CANTEEN PRIVILEGES FOR 180 DAYS

INMATE SEARCH DETAIL REPORT

BATES, MARCO DELANEY (00249552)

DISCIPLINARY SANCTIONS

SANCTIONS NOT AVAILABLE IN THE AUTOMATED SYSTEM PRIOR TO JANUARY 2009

DATE	DESCRIPTION
	LOSS OF TELEPHONE PRIVILEGES FOR 180 DAYS
	LOSS OF TELEVISION PRIVILEGES FOR 360 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 180 DAYS
12/16/2016	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT
	LOSS OF CANTEEN PRIVILEGES FOR 240 DAYS
	DISC. DETENTION FOR 60 DAYS
	LOSS OF TELEVISION PRIVILEGES FOR 360 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 240 DAYS
09/20/2016	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT
	LOSS OF CANTEEN PRIVILEGES FOR 210 DAYS
	DISC. DETENTION FOR 60 DAYS
	LOSS OF TELEPHONE PRIVILEGES FOR 210 DAYS
	LOSS OF TELEVISION PRIVILEGES FOR 360 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 210 DAYS
09/20/2016	POSS. OR/ATTEMPT TO POSSESS CELL PHONE
	LOSS OF CANTEEN PRIVILEGES FOR 110 DAYS
	DISC. DETENTION FOR 20 DAYS
	LOSS OF TELEPHONE PRIVILEGES FOR 110 DAYS
	LOSS OF TELEVISION PRIVILEGES FOR 360 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 110 DAYS
08/17/2016	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT
	LOSS OF CANTEEN PRIVILEGES FOR 180 DAYS
	DISC. DETENTION FOR 40 DAYS
	LOSS OF TELEPHONE PRIVILEGES FOR 180 DAYS
	LOSS OF TELEVISION PRIVILEGES FOR 360 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 180 DAYS
02/01/2016	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT
	LOSS OF CANTEEN PRIVILEGES FOR 160 DAYS
	DISC. DETENTION FOR 40 DAYS
	LOSS OF TELEPHONE PRIVILEGES FOR 160 DAYS
	LOSS OF TELEVISION PRIVILEGES FOR 360 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 160 DAYS
09/21/2015	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT
	LOSS OF CANTEEN PRIVILEGES FOR 135 DAYS
	DISC. DETENTION FOR 30 DAYS
	LOSS OF TELEPHONE PRIVILEGES FOR 135 DAYS
	LOSS OF TELEVISION PRIVILEGES FOR 365 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 135 DAYS
09/18/2015	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT
	LOSS OF CANTEEN PRIVILEGES FOR 110 DAYS
	DISC. DETENTION FOR 20 DAYS
	LOSS OF TELEPHONE PRIVILEGES FOR 110 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 110 DAYS
09/18/2015	POSS. OR/ATTEMPT TO POSSESS CELL PHONE
	LOSS OF CANTEEN PRIVILEGES FOR 135 DAYS
	DISC. DETENTION FOR 30 DAYS
	LOSS OF TELEPHONE PRIVILEGES FOR 135 DAYS
	LOSS OF TELEVISION PRIVILEGES FOR 365 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 135 DAYS

INMATE SEARCH DETAIL REPORT

BATES, MARCO DELANEY (00249552)

DISCIPLINARY SANCTIONS

SANCTIONS NOT AVAILABLE IN THE AUTOMATED SYSTEM PRIOR TO JANUARY 2009

DATE	DESCRIPTION
02/19/2015	POSS. OR/ATTEMPT TO POSSESS CELL PHONE LOSS OF CANTEEN PRIVILEGES FOR 100 DAYS DISC. DETENTION FOR 10 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 100 DAYS LOSS OF TELEVISION PRIVILEGES FOR 365 DAYS LOSS OF VISITATION PRIVILEGES FOR 100 DAYS
10/18/2014	POSS. OR/ATTEMPT TO POSSESS CELL PHONE LOSS OF CANTEEN PRIVILEGES FOR 85 DAYS DISC. DETENTION FOR 85 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 85 DAYS LOSS OF VISITATION PRIVILEGES FOR 85 DAYS
06/28/2014	DISRESPECT
02/22/2013	POSSESSION OF A WEAPON LOSS OF CANTEEN PRIVILEGES FOR 270 DAYS DISC. DETENTION FOR 90 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 270 DAYS LOSS OF TELEVISION PRIVILEGES FOR 680 DAYS LOSS OF VISITATION PRIVILEGES FOR 270 DAYS
05/01/2011	POSS. OR/ATTEMPT TO POSSESS CELL PHONE LOSS OF CANTEEN PRIVILEGES FOR 540 DAYS DISC. DETENTION FOR 180 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 540 DAYS LOSS OF VISITATION PRIVILEGES FOR 540 DAYS
05/14/2010	POSSESSION OF CONTRABAND LOSS OF CANTEEN PRIVILEGES FOR 30 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 30 DAYS LOSS OF VISITATION PRIVILEGES FOR 30 DAYS
03/24/2009	USE, POSS NARC, MARIJ, UNAUTH DRUG, INHALANT LOSS OF CANTEEN PRIVILEGES FOR 405 DAYS DISC. DETENTION FOR 45 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 405 DAYS LOSS OF VISITATION PRIVILEGES FOR 405 DAYS

MOVEMENT

MOVEMENT DATE	TO LOCATION	STATUS	REASON
05/08/2025	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
05/08/2025	CENTRAL OFFICE ANNEX	INCARCERATED	
12/30/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
12/30/2024	CENTRAL OFFICE ANNEX	INCARCERATED	
12/27/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
12/27/2024	KIRKLAND	INCARCERATED	
10/07/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
10/07/2024	CENTRAL OFFICE ANNEX	INCARCERATED	
08/28/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
08/28/2024	CENTRAL OFFICE ANNEX	INCARCERATED	
08/16/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
08/16/2024		AUTH ABSENCE (AWL)	
08/05/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
08/05/2024	CENTRAL OFFICE ANNEX	INCARCERATED	

INMATE SEARCH DETAIL REPORT

BATES, MARCO DELANEY (00249552)

MOVEMENT			
MOVEMENT DATE	TO LOCATION	STATUS	REASON
07/18/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
07/18/2024	CENTRAL OFFICE ANNEX	INCARCERATED	
05/08/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
05/08/2024	CENTRAL OFFICE ANNEX	INCARCERATED	
04/24/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
04/24/2024	RICHLAND CO	AUTH ABSENCE (AWL)	
04/01/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
04/01/2024	CENTRAL OFFICE ANNEX	INCARCERATED	
02/23/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
02/23/2024	CHARLESTON CO	AUTH ABSENCE (AWL)	
02/06/2024	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
02/06/2024	RICHLAND CO	AUTH ABSENCE (AWL)	
10/09/2023	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
10/09/2023	CENTRAL OFFICE ANNEX	INCARCERATED	
10/02/2023	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
10/02/2023	CENTRAL OFFICE ANNEX	INCARCERATED	
09/08/2023	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
09/08/2023	CHARLESTON CO	AUTH ABSENCE (AWL)	
07/21/2023	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
07/21/2023	RICHLAND CO	AUTH ABSENCE (AWL)	
07/03/2023	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
07/03/2023	SPARTANBURG CO	AUTH ABSENCE (AWL)	
05/01/2023	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
05/01/2023	KIRKLAND	INCARCERATED	
04/06/2023	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
03/03/2023	LIEBER	INCARCERATED	ADMINISTRATIVE
03/03/2023	CHARLESTON CO	AUTH ABSENCE (AWL)	
11/28/2022	LIEBER	INCARCERATED	ADMINISTRATIVE
11/28/2022	CENTRAL OFFICE ANNEX	INCARCERATED	
11/14/2022	LIEBER	INCARCERATED	
11/14/2022	RICHLAND CO	AUTH ABSENCE (AWL)	
10/25/2022	LIEBER	INCARCERATED	ADMINISTRATIVE
10/25/2022	CENTRAL OFFICE ANNEX	INCARCERATED	
10/06/2022	LIEBER	INCARCERATED	ADMINISTRATIVE
10/06/2022	KIRKLAND	INCARCERATED	
04/15/2022	LIEBER	INCARCERATED	ADMINISTRATIVE
04/15/2022	KIRKLAND	INCARCERATED	
04/27/2021	LIEBER	INCARCERATED	ADMINISTRATIVE
04/27/2021	CENTRAL OFFICE ANNEX	INCARCERATED	
10/29/2019	LIEBER	INCARCERATED	ADMINISTRATIVE
10/29/2019	KIRKLAND	INCARCERATED	
03/28/2018	LIEBER	INCARCERATED	ADMINISTRATIVE
03/28/2018	KIRKLAND	INCARCERATED	
07/18/2017	LIEBER	INCARCERATED	ADMINISTRATIVE
07/17/2017	KIRKLAND	INCARCERATED	
07/10/2017	LIEBER	INCARCERATED	ADMINISTRATIVE
07/10/2017	KIRKLAND	INCARCERATED	
05/15/2017	LIEBER	INCARCERATED	ADMINISTRATIVE
05/15/2017	KIRKLAND	INCARCERATED	

INMATE SEARCH DETAIL REPORT

BATES, MARCO DELANEY (00249552)

MOVEMENT			
MOVEMENT DATE	TO LOCATION	STATUS	REASON
05/03/2016	LIEBER	INCARCERATED	ADMINISTRATIVE
05/03/2016	KIRKLAND	INCARCERATED	
06/24/2013	LIEBER	INCARCERATED	ADMINISTRATIVE
06/24/2013	RICHLAND CO	AUTH ABSENCE (AWL)	
06/11/2013	LIEBER	INCARCERATED	ADMINISTRATIVE
06/11/2013	RICHLAND CO	AUTH ABSENCE (AWL)	
04/08/2013	LIEBER	INCARCERATED	ADMINISTRATIVE
04/08/2013	KIRKLAND	INCARCERATED	
09/11/2012	LIEBER	INCARCERATED	ADMINISTRATIVE
09/10/2012	KIRKLAND	INCARCERATED	
07/10/2012	LIEBER	INCARCERATED	ADMINISTRATIVE
07/10/2012	KIRKLAND	INCARCERATED	
11/29/2011	LIEBER	INCARCERATED	ADMINISTRATIVE
11/28/2011	KIRKLAND	INCARCERATED	
09/26/2011	LIEBER	INCARCERATED	ADMINISTRATIVE
09/26/2011	RICHLAND CO	AUTH ABSENCE (AWL)	
12/04/2008	LIEBER	INCARCERATED	
12/04/2008	RICHLAND CO	AUTH ABSENCE (AWL)	
05/22/2008	LIEBER	INCARCERATED	ADMINISTRATIVE
05/22/2008	RICHLAND CO	AUTH ABSENCE (AWL)	
03/24/2008	LIEBER	INCARCERATED	ADMINISTRATIVE
03/24/2008	RICHLAND CO	AUTH ABSENCE (AWL)	
02/01/2008	LIEBER	INCARCERATED	ADMINISTRATIVE
02/01/2008	RICHLAND CO	AUTH ABSENCE (AWL)	
09/18/2006	LIEBER	INCARCERATED	ADMINISTRATIVE
09/18/2006	KIRKLAND	INCARCERATED	
05/11/2006	LIEBER	INCARCERATED	ADMINISTRATIVE
05/11/2006	KIRKLAND	INCARCERATED	
02/08/2006	LIEBER	INCARCERATED	ADMINISTRATIVE
11/21/2005	PERRY	INCARCERATED	
11/21/2005	RICHLAND CO	AUTH ABSENCE (AWL)	
10/18/2005	PERRY	INCARCERATED	
10/18/2005	RICHLAND CO	AUTH ABSENCE (AWL)	
12/17/2004	PERRY	INCARCERATED	RETURN FROM COURT
12/15/2004	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
11/09/2004	PERRY	INCARCERATED	RETURN FROM COURT
11/08/2004	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
09/23/2004	PERRY	INCARCERATED	RETURN FROM COURT
09/21/2004	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
04/08/2004	PERRY	INCARCERATED	RETURN FROM COURT
04/05/2004	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
03/24/2004	PERRY	INCARCERATED	
03/24/2004	RICHLAND CO	AUTH ABSENCE (AWL)	
02/10/2004	PERRY	INCARCERATED	
02/10/2004	ANDERSON CO	AUTH ABSENCE (AWL)	
02/02/2004	PERRY	INCARCERATED	ADMINISTRATIVE
02/02/2004	KIRKLAND	INCARCERATED	
12/01/2003	PERRY	INCARCERATED	ADMINISTRATIVE
12/01/2003	KIRKLAND	INCARCERATED	

INMATE SEARCH DETAIL REPORT

BATES, MARCO DELANEY (00249552)

MOVEMENT			
MOVEMENT DATE	TO LOCATION	STATUS	REASON
11/19/2003	PERRY	INCARCERATED	ADMINISTRATIVE
11/19/2003	KIRKLAND	INCARCERATED	
11/12/2003	PERRY	INCARCERATED	RETURN FROM COURT
11/10/2003	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
09/08/2003	PERRY	INCARCERATED	ADMINISTRATIVE
09/08/2003	KIRKLAND	INCARCERATED	
07/25/2003	PERRY	INCARCERATED	ADMINISTRATIVE
07/24/2003	KIRKLAND	INCARCERATED	
04/10/2002	PERRY	INCARCERATED	ADMINISTRATIVE
01/11/2002	KERSHAW	INCARCERATED	ADMINISTRATIVE
08/22/2001	MCCORMICK	INCARCERATED	ADMINISTRATIVE
08/21/2001	KIRKLAND	INCARCERATED	
07/24/2001	MCCORMICK	INCARCERATED	ADMINISTRATIVE
07/24/2001		AUTH ABSENCE (AWL)	
05/30/2001	MCCORMICK	INCARCERATED	ADMINISTRATIVE
07/25/2000	LEE	INCARCERATED	ADMINISTRATIVE
07/24/2000	PERRY	INCARCERATED	RETURN FROM COURT
07/22/2000	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
06/22/2000	LEE	INCARCERATED	ADMINISTRATIVE
06/21/2000	KIRKLAND	INCARCERATED	
05/03/2000	LEE	INCARCERATED	ADMINISTRATIVE
05/03/2000	RICHLAND CO	AUTH ABSENCE (AWL)	
04/06/2000	LEE	INCARCERATED	ADMINISTRATIVE
04/06/2000	GREENVILLE CO	AUTH ABSENCE (AWL)	FUNERAL/DEATH BED VISIT
08/31/1998	LEE	INCARCERATED	ADMINISTRATIVE
07/16/1998	PERRY	INCARCERATED	ADMINISTRATIVE
06/02/1998	PERRY R&E	INCARCERATED	ADMINISTRATIVE
05/11/1998	KIRKLAND	INCARCERATED	R&E PROCESSING
05/11/1998	PERRY R&E	INCARCERATED	NEW ADMISSION

EARNED WORK CREDITS				
JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LEVEL
LAUNDRY HELPER	01/22/2025			3F5
LAUNDRY HELPER	06/18/2024	01/21/2025	ASLT/DRUG/MAJOR DISC	2F5
WARDKEEPER	08/20/2023	06/17/2024	LATERAL TRANSFER	2F5
WARDKEEPER	05/31/2023	08/19/2023	CUSTODY REVIEW	3F5
WARDKEEPER	04/24/2023	05/18/2023	PLACED IN ST/SP CUSTODY	3F5
FOOD SERVICE AIDE	09/27/2022	04/06/2023	INSTIT TRANSFER	5F5
FOOD SERVICE AIDE	04/08/2022	09/26/2022	ASLT/DRUG/MAJOR DISC	3F5
FOOD SERVICE AIDE	09/14/2020	04/07/2022	ASLT/DRUG/MAJOR DISC	2F5
GENERAL WORKER	02/18/2020	09/13/2020	LATERAL TRANSFER	2F5
GENERAL WORKER	09/13/2018	02/17/2020	POLICY CHANGE 2020	3F5
LIBRARY HELPER	10/19/2016	08/02/2017	DISCIPLINARY/LOCK-UP	3F5
WARDKEEPER ASSISTANT	07/12/2007	10/18/2016	LATERAL TRANSFER	3F5
PLUMBER HELPER	01/15/2007	07/11/2007	COMPLETED EDUC PROGRAM	3F5
PLUMBER HELPER	01/11/2007	01/14/2007	CUSTODY REVIEW	5F5
WARDKEEPER ASSISTANT	04/07/2006	01/10/2007	LATERAL TRANSFER	5F5
WARDKEEPER ASSISTANT	04/23/2004	07/23/2005	PLACED IN ST/SP CUSTODY	3F5
LAUNDRY ROOM ATTENDANT	01/16/2004	03/04/2004	PLACED IN ST/SP CUSTODY	3F5

INMATE SEARCH DETAIL REPORT

BATES, MARCO DELANEY (00249552)

EARNED WORK CREDITS

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LEVEL
CUSTODIAN HELPER	07/31/2002	04/24/2003	INMATE REQUEST	3F5
CUSTODIAN HELPER	04/13/2002	07/18/2002	PLACED IN ST/SP CUSTODY	3F5
FOOD SERVICE AIDE	04/12/2002	04/12/2002	LATERAL TRANSFER	3F5
WARDKEEPER	01/17/2002	04/10/2002	INSTIT TRANSFER	3F5
WARDKEEPER ASSISTANT	12/10/2001	01/11/2002	INSTIT TRANSFER	3F5
WARDKEEPER ASSISTANT	10/11/2001	12/04/2001	PLACED IN ST/SP CUSTODY	3F5
GENERAL WORKER	05/31/2001	10/10/2001	UNSAT JOB PERFORM	3F5
MATERIAL HANDLING EQ OP	08/02/2000	05/30/2001	INSTIT TRANSFER	3F5
MATERIAL HANDLING EQ OP	10/26/1998	07/25/2000	INSTIT TRANSFER	3F5
CUSTODIAN HELPER	09/03/1998	10/25/1998	INMATE REQUEST	3F5

EARNED EDUCATION CREDITS

NO EARNED EDUCATION CREDITS DURING CURRENT INCARCERATION

CERTIFICATES

CERTIFICATE DESCRIPTION	RECEIVED DATE
OJT CUSTODIAL SERVICES I	11/14/2023
PLUMBING II	06/13/2007
PLUMBING I	10/17/2006

PROGRAMS

NO PROGRAMS DURING INCARCERATION(S)

DIALOG: PACI100D SCDC INMATE FINANCIAL SYSTEM
MAP: PACI100M P I PRIVATE SECTOR ACCOUNTING
APPL: DCPACSYA ACCOUNT SUMMARY

DATE: 05/28/25

USER: [REDACTED]

=====

SCDC #.> 249552	CURRENT LOCATION: TYGER RIVER							
BATES, MARCO DELANEY	OFFENDER STATUS.: INCARCERATED							
LEGAL NAME:								
SEL	DATE	LOC	REF NUM	DEPOSIT	W/D	DESC	VOID	END BAL

THERE ARE NO TRANSACTIONS FOR THIS ACCOUNT

RESPONSE:

PFKEYS: 3=PAYROLL DEPOSITS 4=OTHER DEPOSITS 5=VOID VICTIM ASST 6=CHECK REQUESTS
2=ADJUSTMENT ENTRY 10=PACACCT MENU 22=IFS MENU 23=SCDC MAIN MENU 24=SIGNOFF

PAYROLL DETAIL RECORDS FOR INMATE MARCO BATES 249552

PAY DATE	HOURS	PAY RATE	PAY AMOUNT	LOC
11/09/1998	65.25	.35	22.83	PRISON INDUSTRIES EAST
11/23/1998	7.00	1.13	7.91	PRISON INDUSTRIES EAST
11/23/1998	41.25	.66	27.22	PRISON INDUSTRIES EAST
11/23/1998	18.75	.35	6.56	PRISON INDUSTRIES EAST
12/07/1998	26.00	1.21	31.46	PRISON INDUSTRIES EAST
12/07/1998	24.75	.63	15.59	PRISON INDUSTRIES EAST
12/21/1998	45.75	.62	28.36	PRISON INDUSTRIES EAST
01/04/1999	10.00	.88	8.80	PRISON INDUSTRIES EAST
01/18/1999	9.75	1.38	13.45	PRISON INDUSTRIES EAST
01/18/1999	50.75	.60	30.45	PRISON INDUSTRIES EAST
02/01/1999	19.50	.68	13.26	PRISON INDUSTRIES EAST
02/01/1999	32.75	.58	18.99	PRISON INDUSTRIES EAST
02/15/1999	37.50	.52	19.50	PRISON INDUSTRIES EAST
03/01/1999	19.00	.57	10.83	PRISON INDUSTRIES EAST
03/01/1999	35.25	.63	22.20	PRISON INDUSTRIES EAST
03/15/1999	34.50	.61	21.04	PRISON INDUSTRIES EAST
03/15/1999	32.50	.67	21.77	PRISON INDUSTRIES EAST
03/29/1999	66.00	.48	31.68	PRISON INDUSTRIES EAST
04/12/1999	56.75	.52	29.51	PRISON INDUSTRIES EAST
04/26/1999	49.50	.47	23.26	PRISON INDUSTRIES EAST
05/10/1999	68.75	.70	48.12	PRISON INDUSTRIES EAST
05/24/1999	39.50	.48	18.96	PRISON INDUSTRIES EAST
06/07/1999	37.50	.50	18.75	PRISON INDUSTRIES EAST
06/07/1999	28.25	.53	14.97	PRISON INDUSTRIES EAST
06/21/1999	64.00	.63	40.32	PRISON INDUSTRIES EAST
07/05/1999	43.25	.75	32.43	PRISON INDUSTRIES EAST
07/19/1999	29.25	.65	19.01	PRISON INDUSTRIES EAST
08/02/1999	46.00	.46	21.16	PRISON INDUSTRIES EAST
08/02/1999	28.50	.25	7.12	PRISON INDUSTRIES EAST
08/16/1999	73.50	.54	39.69	PRISON INDUSTRIES EAST
08/30/1999	72.25	.81	58.52	PRISON INDUSTRIES EAST
09/13/1999	55.50	1.07	59.38	PRISON INDUSTRIES EAST
09/27/1999	41.75	1.02	42.58	PRISON INDUSTRIES EAST
10/11/1999	51.50	.86	44.29	PRISON INDUSTRIES EAST
10/11/1999	13.50	.35	4.72	PRISON INDUSTRIES EAST
10/25/1999	74.00	.96	71.04	PRISON INDUSTRIES EAST
11/08/1999	65.75	.37	24.32	PRISON INDUSTRIES EAST
11/22/1999	.00	.00	1.28	PRISON INDUSTRIES EAST
11/22/1999	16.25	.46	7.47	PRISON INDUSTRIES EAST
12/06/1999	58.25	.68	39.61	PRISON INDUSTRIES EAST
12/20/1999	67.50	.70	47.25	PRISON INDUSTRIES EAST
01/03/2000	.00	.00	.34	PRISON INDUSTRIES EAST
01/03/2000	16.50	.51	8.41	PRISON INDUSTRIES EAST
01/17/2000	53.75	.66	35.47	PRISON INDUSTRIES EAST
01/17/2000	13.75	.35	4.81	PRISON INDUSTRIES EAST
01/31/2000	30.50	.71	21.65	PRISON INDUSTRIES EAST
01/31/2000	7.50	.35	2.62	PRISON INDUSTRIES EAST
02/14/2000	30.00	.78	23.40	PRISON INDUSTRIES EAST
02/14/2000	7.25	.35	2.53	PRISON INDUSTRIES EAST
02/28/2000	44.25	.77	34.07	PRISON INDUSTRIES EAST

total hours 1,860.75

02/28/2000	21.75	.35	7.61 PRISON INDUSTRIES EAST
03/13/2000	36.25	.60	21.75 PRISON INDUSTRIES EAST
03/13/2000	18.50	.35	6.47 PRISON INDUSTRIES EAST
03/27/2000	37.25	.60	22.35 PRISON INDUSTRIES EAST
04/10/2000	.00	.00	1.05 PRISON INDUSTRIES EAST
04/10/2000	11.00	.70	7.70 PRISON INDUSTRIES EAST
04/24/2000	37.00	.72	26.64 PRISON INDUSTRIES EAST
05/08/2000	27.00	.79	21.33 PRISON INDUSTRIES EAST
05/08/2000	27.25	.35	9.53 PRISON INDUSTRIES EAST
05/22/2000	50.00	.75	37.50 PRISON INDUSTRIES EAST
05/22/2000	7.50	.35	2.62 PRISON INDUSTRIES EAST
06/05/2000	53.25	.73	38.87 PRISON INDUSTRIES EAST
06/05/2000	9.75	.35	3.41 PRISON INDUSTRIES EAST
06/19/2000	64.75	.81	52.44 PRISON INDUSTRIES EAST
07/03/2000	39.75	.86	34.18 PRISON INDUSTRIES EAST
07/17/2000	33.00	.92	30.36 PRISON INDUSTRIES EAST
07/31/2000	18.75	.87	16.31 PRISON INDUSTRIES EAST
08/14/2000	.00	.00	8.75 PRISON INDUSTRIES EAST
08/28/2000	49.75	.84	41.79 PRISON INDUSTRIES EAST
09/11/2000	53.00	.92	48.76 PRISON INDUSTRIES EAST
09/11/2000	2.00	.61	1.22 PRISON INDUSTRIES EAST
09/25/2000	11.50	.91	10.46 PRISON INDUSTRIES EAST
09/25/2000	46.00	.51	23.46 PRISON INDUSTRIES EAST
10/09/2000	30.25	.76	22.99 PRISON INDUSTRIES EAST
10/09/2000	13.75	.53	7.28 PRISON INDUSTRIES EAST
10/23/2000	33.00	.82	27.06 PRISON INDUSTRIES EAST
11/06/2000	29.50	.82	24.19 PRISON INDUSTRIES EAST
11/20/2000	22.00	.85	18.70 PRISON INDUSTRIES EAST
12/04/2000	15.75	.85	13.38 PRISON INDUSTRIES EAST
12/18/2000	.00	.00	8.75 PRISON INDUSTRIES EAST
01/01/2001	.00	.00	8.75 PRISON INDUSTRIES EAST
01/15/2001	35.00	.89	31.15 PRISON INDUSTRIES EAST
01/29/2001	32.50	.90	29.25 PRISON INDUSTRIES EAST
02/12/2001	16.50	1.03	16.99 PRISON INDUSTRIES EAST
02/26/2001	.00	.00	3.77 PRISON INDUSTRIES EAST
02/26/2001	5.25	.95	4.98 PRISON INDUSTRIES EAST
03/12/2001	23.75	.90	21.37 PRISON INDUSTRIES EAST
03/12/2001	19.00	.35	6.65 PRISON INDUSTRIES EAST
03/26/2001	44.75	.91	40.72 PRISON INDUSTRIES EAST
03/26/2001	4.50	.35	1.57 PRISON INDUSTRIES EAST
04/09/2001	24.75	.86	21.28 PRISON INDUSTRIES EAST
04/09/2001	24.50	.57	13.96 PRISON INDUSTRIES EAST
04/23/2001	66.00	.90	59.40 PRISON INDUSTRIES EAST
04/23/2001	5.00	.45	2.25 PRISON INDUSTRIES EAST
05/07/2001	53.25	.90	47.92 PRISON INDUSTRIES EAST
05/07/2001	6.50	.51	3.31 PRISON INDUSTRIES EAST
05/21/2001	63.00	.95	59.85 PRISON INDUSTRIES EAST
05/21/2001	2.00	.50	1.00 PRISON INDUSTRIES EAST
06/04/2001	23.25	.82	19.06 MCCORMICK DEFAULT

total: 1,248.75 N = 99

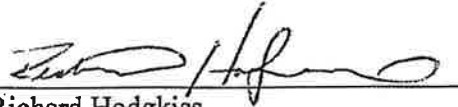
Over All total: 3,109.50

\$34,670.93

Bates #249552 (25C0139-AP) - Record on Appeal - Page 15 of 16

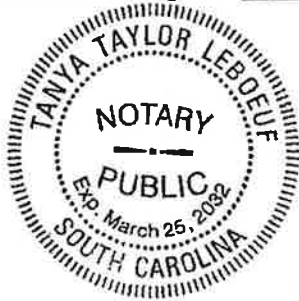
inmate Bates was paid service wages at various time from 1998 through June 2001. Inmates assigned to the program were furniture assemblers.

Accordingly, inmate Bates did not work for a designated PIE or PIECP while at MCCI.


Richard Hodgkiss
Director of Support Services and Industries
South Carolina Department of Corrections

Sworn to before me this 16th day
of July 2025


Notary Public for South Carolina
My Commission Expires: 3-25-2032



July 16, 2025

(2)

Exhibit (A)

Filed: Sep, 8, 2025

Hon. Crystal M. Rookard
South Carolina Administrative Law Court
Edgar A. Brown Building, Suite 224
1205 Pendleton St.
Columbia, SC 29201

Exhibit (A)

Sep. 4, 2025

Re: Marco Bates #249552 v. South Carolina Department of Corrections
Case No. 25-ALJ-04-0139-AP; Grievance No. LEECI-0922-24

Dear Judge Rookard:

Please find enclosed an original and one copy of Appellant's Final Brief on the above referenced case. Please file the original and return a clocked-stamped dated copy to me in the enclosed self-addressed stamped envelope.

Sincerely,

Marco Bates #249552

Marco Bates #249552-02-220
Tyger River Corr. Inst.
200 Prison Rd.
Enoree, SC 29335

CC: Department of General Counsel
South Carolina Department of Corrections
P.O. Box 21787
Columbia, SC 29221



(3)

Supplemental Brief

Last brief sent to the S.C. Administrative Law Court

Filed: Oct. 1, 2025

State of South Carolina
Administrative Law Court

Marco Bates #249552
Appellant;

V.

South Carolina Department of Corrections
Respondent.

Case No. 25-C-0139

Grievance No. LC I-0922-24

Hon. Crystal M. Rookard

Supplemental Brief

This matter is before the South Carolina Administrative Law Court Judge Crystal M. Rookard from a Notice of Appeal filed March 26, 2025 by Appellant. The Appeal was assigned to Judge Crystal M. Rookard on April 10, 2025. Respondent filed a Motion to Dismiss on May 30, 2025, in which the ALC denied on June 16, 2025. Appellant filed a brief on June 19, 2025. And then, Respondent filed the Record on Appeal on July 17, 2025. Appellant filed two motions: (1) a "Motion to Dismiss Affidavit of Richard Hodg Kiss," and (2) a "Rule 38 Motion for Relief for Failure to Comply with the Rules" on July 29, 2025. On August 22, 2025, Respondent filed a brief and a second Motion to Dismiss. Appellant filed a Reply Brief on Sep. 8, 2025.

Standard of Review

A claim that implicates a state-created liberty or property interest is not required for the ALC to have subject-matter jurisdiction over the appeal. The ALC may not grant an inmate relief from an erroneous administrative decision, however, unless the inmate demonstrates the error deprived him of due process. (See *Allen v. SCDC*, 886 S.E.2d 671 (2023).

In *SCDC v. Mitchell*, 659 S.E.2d 233, 235 (Ct. App. 2008), the Court of Appeals rejected SCDC's contention that the ALC should have dismissed the appeal because the claim did not implicate a state-created liberty or property interest and holding the ALC "clearly had subject-matter jurisdiction to hear the appeal."

The South Carolina Supreme Court found that where the State has created a statutory right to the payment of a prevailing wage, it cannot thereafter deny that right with



out affording due process of law. (See *Wicker v. SCDL*, 602 S.E. 2d 56 (2004)). The State has established, by statute, a right of inmates to compensation for work performed for private parties, it cannot deny that right after they earned the wage, without affording due process of law. (See *Platt v. MacDougall*, 713 F.2d 1032 (1985)).

Argument/Discussion

Appellant aver that he worked in a Prison Industries Program at the Lee Correctional Institution from Oct. 26, 1998 to May 30, 2001 as a Material Handling Equipment Operator. Appellant aver that he never (did not) work at a furniture and upholstery plant at McCormick Correctional Institution.

On Aug. 30, 2024, Appellant wrote a Request To Staff Member to the Inmate Grievance Coordinator (IGC) requesting to know why was grievance # TyRCI-D688-24 was forwarded to Lee Correctional Institution? On Sep. 4, 2024, Ms. Crumley, IGC, responded in the "Disposition By Staff Member" saying: "It simply means exactly what it says. The grievance took place at Lee therefore, the grievance was forwarded to Lee for processing. Tiger River cannot respond to a situation that did not happen at Tiger River." This disposition by staff member Ms. Crumley, the Inmate Grievance Coordinator at Tiger River Corr. Inst. substantiate the Record on Appeal and Appellant's assertion that he worked at a Prison Industries Program at the Lee Correctional Institution as a Material Handling Equipment Operator from Oct. 26, 1998 to May 30, 2001. (See Exhibit (A)).

In Appellant's Step Two grievance, it was forwarded to the Inmate Grievance Branch Central Office and to the Office of General Counsel for a response. The Responsible Official's Decision and Reason states: "... Our records show that the work program, in which you participated was not a Prison Industries Enhancement Program job ("PIE" job) subject to the prevailing wage statute. The work you performed at Lee Correctional was a traditional/service job that is covered under a different statute".... (See Record on Appeal - Page 1 of 16 and Page 2 of 16). This evidence also substantiate the Record on Appeal and Appellant's assertion of him working as a Material Handling Equipment Operator at Lee Correctional Institution.

Appellant submits to the Court, a Record Summary Report by the South Carolina Department of Corrections dated Aug. 17, 2020 of Appellant's movement history but not limited to his History of Earned Work Credit Assignments. (See Exhibit(B)).

In Appellant's History of Movements, it shows the date that Appellant entered Prison at the Reception and Evaluation at Perry Corr. Inst. on May 11, 1998. On Aug. 31, 1998 there was a Administrative transfer of Appellant to Lee Corr. Inst. And then, Appellant had another Administrative transfer to McCormick Corr. Inst. on May 30, 2001. So, from Aug. 31, 1998 to May 30, 2001 Appellant was housed at Lee Corr. Inst. Appellant was then housed at McCormick Corr. Inst. from May 30, 2001 to Jan. 11, 2002 for eight (8) months until he had a Administrative transfer to Kershaw Corr. Inst. on Jan. 11, 2002. (See Exhibit(B)).

In Appellant's History of Earned Work Credit Assignments, it shows the start date of Oct. 26, 1998 and the End date of May 30, 2001 that Appellant working as a Material Handling Equipment Operator during the time he was housed at Lee Corr. Inst. From May 31, 2001 to Oct. 10, 2001, Appellant worked as a General Worker, from Oct. 11, 2001 to Dec. 4, 2001, Appellant worked as a WardKeeper Assistant and then was placed on lock-up on Dec. 4, 2001. Appellant was hired again as a WardKeeper from Dec. 10, 2001 to Jan. 11, 2002 when he was transferred to Kershaw Corr. Inst. Appellant aver that he never (did not) work at a furniture and upholstery plant while housed at McCormick Corr. Inst. (See Exhibit(B)).

Based upon Appellant's additional brief and the additional supplemental document(s) that have been provided to the Administrative Law Court, Appellant have explained to the best of his knowledge of why the Record on Appeal, the additional brief, and the supplemental document(s) support his argument. § 24-3-430(D)(1995) mandates that, "the wages for participating inmates to be no less than the prevailing wage for work of a similar nature in the private sector." This statute was enacted by the South Carolina Legislature and became effective on July 1, 1995. § 24-1-295 is not applicable to Appellant because at the time this statute was enacted on July 20, 2001, Appellant was no longer working because his employment ended on May 30, 2001.

Conclusion

Appellant asks this Court to rule in his favor because Appellant has carried his burden of proof that he is entitled to all backpay at the rate of \$11.15 per hour for a total of 3,109.50 (three thousand one hundred and nine hours and fifty minutes) pursuant to § 24-3-430(D) (1995). Appellant would also like to withdraw his "Rule 38 Motion for Relief for Failure to Comply with the Rules" at this time and rule on the merits of the case. At this time, Appellant reiterate his position in asking the Court to dismiss the affidavit of Richard HodgKiss because the Record on Appeal is void of any documentation and/or contract agreement that Appellant worked at a furniture and upholstery plant at McCormick Corr. Inst. Richard HodgKiss' affidavit is blatant fraud upon the Court. Appellant is entitled to Relief.

Respectfully Submitted,

Marco Bates #249552

Marco Bates #249552-UZ-220

200 Prison Rd. Tyger River Corr Inst.

Endree, SC 29335

Dated: Oct. 1, 2025

State of South Carolina
Administrative Law Court

Marco Bates #249552

Appellant,

v.

South Carolina Department of Corrections
Respondent.

Case No. 25-ALT-04-D139-AP

Grievance No. Lee CI-1922-24

Certificate of
Service

The undersigned does hereby certify that he has served a copy of the foregoing Supplemental Brief upon the parties whose names and addresses appear below, by depositing a copy of the same in the United States Mail, postage prepaid on this 1st day of Oct., 2025.

parties served:

Hon. Crystal M. Rookard
S.C. Administrative Law Court
Edgar A. Broun Building, Suite 224
1205 Pendleton St.
Columbia, SC 29201

Department of General Counsel
S.C. Department of Corrections
P. O. Box 21787
Columbia, SC 29221

Respectfully Submitted,

Marco Bates #249552

Marco Bates #249552-U2-220
200 Prison Rd. Tiger River Corr. Inst.
Enoree, SC 29335

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
REQUEST TO STAFF MEMBER**

Exhibit(A)

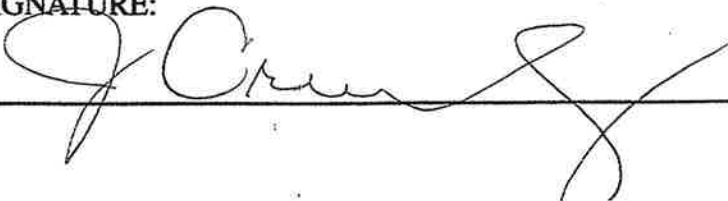
TO: NAME: <i>IGC Grievance Office</i>	TITLE:	DATE: <i>8-30-24</i>
INMATE'S NAME: <i>Marco Bates</i>		SCDC #: <i>249552</i>
INSTITUTION: <i>Tyger River</i>		LIVING QUARTERS: <i>U8-223</i>

On 8-20-24 I submitted ^{MB} a grievance (grievance # TyRCI-0688-24). And, the action taken by the IGC was... "closed at Tyger River forward to Lee for processing on 8-28-24.

I'm requesting to know what does that exactly mean for me? And does the time limit (SCDC policy) still apply to said grievance ^{MB} ~~even~~ even though the grievance (#TyRCI-0688-24) was forwarded to Lee Corr. Inst.?

DISPOSITION BY STAFF MEMBER:

It simply means exactly what it says. The grievance took place at Lee therefore, the grievance was forwarded to Lee for processing. Tyger River can not respond to a situation that did not happen at Tyger River. Due to the nature of your grievance, it will be held in abeyance, and you will be notified of the Decision once it is made. Therefore, time frames do not apply. All Prevailing Wage grievances are held in abeyance until further notice.

DATE: <i>9/4/24</i>	SIGNATURE: 
-------------------------------	---

Exhibit(B)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

RECORD SUMMARY REPORT DATED 08/17/20

C0644

BATES, MARCO DELANEY FBI # 891720FA3 SID# SC00576581 SCDC # 249552

OFFENDER TYPE.: ADULT-STRAIGHT SENTENCE

INSTITUTION ...: LIEBER CORRECTIONAL INST.

SECURITY/CUST.: 2 ADULT-STRAIGHT SENTENCE

CURR INCARC SENT...: 999 YRS 0 MOS 0 DYS

CENTRAL MONITORING.: YES SEPREQ

SOCIAL SECURITY #...: XXXX

DORM.....: AB0047B

RACE....: B SEX...: M

PROJ MAXOUT DATE: 99/99/9999

PROJ PAROLE DATE: 00/00/0000

EWC JOB...: GENERAL WORKER

EDUC PGM.: NO CURR EDUC PROGRAM

EWC LEVEL: 2F5 EEC LEVEL:

ASSIGNMENT...: BUILDING #3

CURRENT PROGRAM...: NO CURRENT PROGRAM

AGE...: 50 DATE OF BIRTH...: 11/11/50

PREVIOUS NUMBERS:

00186126

00179626

00201148

CURRENT OFFENSES	SENTENCE			COUNTY	SENTENCE			V/NV	CATEGORY
	YRS	MOS	DYS		START				
DISCH. FIREARM IN DWELL	10	0	0	SPARTANBUR	4/18/1997	N		3	
FIREARMS PROVISION	5	0	0	SPARTANBUR	4/18/1997	N		3	
MURDER	999	99	999	SPARTANBUR	4/18/1997	V		5	

PRIOR COMMITMENTS OVER 90 DAYS:

5/25/94 *DANGEROUS DRUGS-NEC

1 YRS 0 MOS 0 DYS

8/12/93 CONTEMPT OF COURT

1 YRS 0 MOS 0 DYS

4/17/92 *ASSAULT & BATTERY

0 YRS 0 MOS 120 DYS

8/ 8/91 *ASSAULT & BATTERY

0 YRS 0 MOS 118 DYS

DETAINERS (HOLD, WANTED, NOTIFY):

DRIVING WITHOUT A LICENS HOLD

JUDGE PASLAY

CATEG: 1

NO DETAINERS

ESCAPES:

NO ESCAPE HISTORY

CRIMINAL CHARGES:

NO CRIMINAL CHARGES HISTORY

ASSAULTIVE DISCIPLINARIES:

2/22/13 POSSESSION OF A WEAPON CONVICTED MAJOR

3/ 2/ 7 POSSESSION OF A WEAPON CONVICTED MAJOR

7/23/ 5 STRIKE I/M W/NO WEAPON CONVICTED MAJOR INMATE

NON-ASSAULTIVE DISCIPLINARIES:

10/12/18 EXHIBITIONISM AND PUBLIC CONVICTED MAJOR

2/15/18 USE, POSS NARC, MARIJ, UNAU NOT GUILTY MAJOR

1/ 9/18 EXHIBITIONISM AND PUBLIC NOT GUILTY MAJOR

9/25/17 USE, POSS NARC, MARIJ, UNAU CONVICTED MAJOR

6/25/17 POSS. OR/ATTEMPT TO POSS DROPPED MAJOR

6/25/17 POSS. OR/ATTEMPT TO POSS DROPPED OVERT

12/16/16 USE, POSS NARC, MARIJ, UNAU CONVICTED MAJOR

9/20/16 USE, POSS NARC, MARIJ, UNAU CONVICTED MAJOR

9/20/16 POSS. OR/ATTEMPT TO POSS CONVICTED MAJOR

8/17/16 USE, POSS NARC, MARIJ, UNAU CONVICTED MAJOR

2/ 1/16 USE, POSS NARC, MARIJ, UNAU CONVICTED MAJOR

9/21/15 USE, POSS NARC, MARIJ, UNAU CONVICTED MAJOR

9/18/15 USE, POSS NARC, MARIJ, UNAU CONVICTED MAJOR

9/18/15 POSS. OR/ATTEMPT TO POSS CONVICTED MAJOR

2/19/15 POSS. OR/ATTEMPT TO POSS CONVICTED MAJOR

10/18/14 POSS. OR/ATTEMPT TO POSS CONVICTED MAJOR

6/28/14 DISRESPECT CONVICTED MAJOR

6/28/14 REFUSING OR FAILING OBEY NOT GUILTY MAJOR

5/ 9/12 USE OBSCENE, VULGAR, PROFA OTHER

2/17/12 POSS. OR/ATTEMPT TO POSS DROPPED MAJOR

BATES, MARCO DELANEY FBI # 891720FA3 SID# SC00576581 SCDC # 249552 (CONTINUED)

5/ 1/11	POSS. OR/ATTEMPT TO POSS	CONVICTED	MAJOR	
5/14/10	POSSESSION OF CONTRABAND	CONVICTED	MAJOR	
2/22/10	OUT OF PLACE	CONVICTED	ADMIN	
3/24/ 9	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR	
2/26/ 9	USE, POSS NARC, MARIJ, UNAU	DROPPED	MAJOR	
7/21/ 7	POSS. OR/ATTEMPT TO POSS	DROPPED	MAJOR	
9/21/ 4	VIOLATIONS WRITE/POST IN	CONVICTED	ADMIN	
7/20/ 4	VIOLATIONS WRITE/POST IN	CONVICTED	ADMIN	
6/27/ 4	POSSESSION OF CONTRABAND		OTHER	
6/ 9/ 4	VIOLATIONS WRITE/POST IN	CONVICTED	MAJOR	
3/ 4/ 4	POSSESSION OF CONTRABAND	CONVICTED	MAJOR	
12/ 4/ 1	FIGHTING WITHOUT A WEAP	DROPPED	CHARG	
5/19/94	THREATENING TO INFLECT H	CONVICTED	MAJOR	00201148
3/19/94	USE OBSCENE, VULGAR, PROFA	CONVICTED	MINOR	00201148
3/19/94	REFUSING OR FAILING OBEY	CONVICTED	MINOR	00201148

HISTORY OF MOVEMENTS:

10/29/19	LIEBER	INCARCERATED	ADMINISTRATIVE
10/29/19	KIRKLAND	INCARCERATED	MEDICAL
3/28/18	LIEBER	INCARCERATED	ADMINISTRATIVE
3/28/18	KIRKLAND	INCARCERATED	MEDICAL
7/18/17	LIEBER	INCARCERATED	ADMINISTRATIVE
7/17/17	KIRKLAND	INCARCERATED	MEDICAL
7/10/17	LIEBER	INCARCERATED	ADMINISTRATIVE
7/10/17	KIRKLAND	INCARCERATED	MEDICAL
5/15/17	LIEBER	INCARCERATED	ADMINISTRATIVE
5/15/17	KIRKLAND	INCARCERATED	MEDICAL
5/ 3/16	LIEBER	INCARCERATED	ADMINISTRATIVE
5/ 3/16	KIRKLAND	INCARCERATED	MEDICAL
6/24/13	LIEBER	INCARCERATED	ADMINISTRATIVE
6/24/13	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
6/11/13	LIEBER	INCARCERATED	ADMINISTRATIVE
6/11/13	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
4/ 8/13	LIEBER	INCARCERATED	ADMINISTRATIVE
4/ 8/13	KIRKLAND	INCARCERATED	MEDICAL
9/11/12	LIEBER	INCARCERATED	ADMINISTRATIVE
9/10/12	KIRKLAND	INCARCERATED	MEDICAL
7/10/12	LIEBER	INCARCERATED	ADMINISTRATIVE
7/10/12	KIRKLAND	INCARCERATED	MEDICAL
11/29/11	LIEBER	INCARCERATED	ADMINISTRATIVE
11/28/11	KIRKLAND	INCARCERATED	MEDICAL
9/26/11	LIEBER	INCARCERATED	ADMINISTRATIVE
9/26/11	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
12/ 4/ 8	LIEBER	INCARCERATED	MEDICAL
12/ 4/ 8	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
5/22/ 8	LIEBER	INCARCERATED	ADMINISTRATIVE
5/22/ 8	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
3/24/ 8	LIEBER	INCARCERATED	ADMINISTRATIVE
3/24/ 8	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
2/ 1/ 8	LIEBER	INCARCERATED	ADMINISTRATIVE
2/ 1/ 8	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
9/18/ 6	LIEBER	INCARCERATED	ADMINISTRATIVE
9/18/ 6	KIRKLAND	INCARCERATED	MEDICAL
5/11/ 6	LIEBER	INCARCERATED	ADMINISTRATIVE
5/11/ 6	KIRKLAND	INCARCERATED	MEDICAL
2/ 8/ 6	LIEBER	INCARCERATED	ADMINISTRATIVE
11/21/ 5	PERRY	INCARCERATED	MEDICAL
11/21/ 5	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
10/18/ 5	PERRY	INCARCERATED	MEDICAL

BATES, MARCO DELANEY FBI # 891720FA3 SID# SC00576581 SCDC # 249552 (CONTINUED)

12/15/ 4	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
11/ 9/ 4	PERRY	INCARCERATED	RETURN FROM COURT
11/ 8/ 4	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
9/23/ 4	PERRY	INCARCERATED	RETURN FROM COURT
9/21/ 4	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
4/ 8/ 4	PERRY	INCARCERATED	RETURN FROM COURT
4/ 5/ 4	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
3/24/ 4	PERRY	INCARCERATED	MEDICAL
3/24/ 4	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
2/10/ 4	PERRY	INCARCERATED	MEDICAL
2/10/ 4	ANDERSON CO	AUTH ABSENCE (AWL)	MEDICAL
2/ 2/ 4	PERRY	INCARCERATED	ADMINISTRATIVE
2/ 2/ 4	KIRKLAND	INCARCERATED	MEDICAL
12/ 1/ 3	PERRY	INCARCERATED	ADMINISTRATIVE
12/ 1/ 3	KIRKLAND	INCARCERATED	MEDICAL
11/19/ 3	PERRY	INCARCERATED	ADMINISTRATIVE
11/19/ 3	KIRKLAND	INCARCERATED	MEDICAL
11/12/ 3	PERRY	INCARCERATED	RETURN FROM COURT
11/10/ 3	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
9/ 8/ 3	PERRY	INCARCERATED	ADMINISTRATIVE
9/ 8/ 3	KIRKLAND	INCARCERATED	MEDICAL
7/25/ 3	PERRY	INCARCERATED	ADMINISTRATIVE
7/24/ 3	KIRKLAND	INCARCERATED	MEDICAL
4/10/ 2	PERRY	INCARCERATED	ADMINISTRATIVE
1/11/ 2	KERSHAW	INCARCERATED	ADMINISTRATIVE
8/22/ 1	MCCORMICK	INCARCERATED	ADMINISTRATIVE
8/21/ 1	KIRKLAND	INCARCERATED	MEDICAL
7/24/ 1	MCCORMICK	INCARCERATED	ADMINISTRATIVE
7/24/ 1	PRISMA HEALTH T	AUTH ABSENCE (AWL)	MEDICAL
5/30/ 1	MCCORMICK	INCARCERATED	ADMINISTRATIVE
7/25/ 0	LEE	INCARCERATED	ADMINISTRATIVE
7/24/ 0	PERRY	INCARCERATED	RETURN FROM COURT
7/22/ 0	SPARTANBURG CO	AUTH ABSENCE (AWL)	TO COURT
6/22/ 0	LEE	INCARCERATED	ADMINISTRATIVE
6/21/ 0	KIRKLAND	INCARCERATED	MEDICAL
5/ 3/ 0	LEE	INCARCERATED	ADMINISTRATIVE
5/ 3/ 0	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
4/ 6/ 0	LEE	INCARCERATED	ADMINISTRATIVE
4/ 6/ 0	GREENVILLE CO	AUTH ABSENCE (AWL)	FUNERAL/DEATH BED VISIT
8/31/98	LEE	INCARCERATED	ADMINISTRATIVE
7/16/98	PERRY	INCARCERATED	ADMINISTRATIVE
6/ 2/98	PERRY R&E	INCARCERATED	ADMINISTRATIVE
5/11/98	KIRKLAND	INCARCERATED	R&E PROCESSING
5/11/98	PERRY R&E	INCARCERATED	NEW ADMISSION

HISTORY OF EARNED WORK CREDIT ASSIGNMENTS:

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LVL
GENERAL WORKER	02/18/20	0/ 0/ 0		2F5
GENERAL WORKER	09/13/18	2/17/20	POLICY CHANGE 2020	3F5
LIBRARY HELPER	10/19/16	8/ 2/17	DISCIPLINARY/LOCK-UP	3F5
WARDKEEPER ASSISTANT	07/12/07	10/18/16	LATERAL TRANSFER	3F5
PLUMBER HELPER	01/15/07	7/11/ 7	COMPLETED EDUC PROGRAM	3F5
PLUMBER HELPER	01/11/07	1/14/ 7	CUSTODY REVIEW	5F5
WARDKEEPER ASSISTANT	04/07/06	1/10/ 7	LATERAL TRANSFER	5F5
WARDKEEPER ASSISTANT	04/23/04	7/23/ 5	PLACED IN ST/SP CUSTODY	3F5
LAUNDRY ROOM ATTENDA	01/16/04	3/ 4/ 4	PLACED IN ST/SP CUSTODY	3F5
CUSTODIAN HELPER	07/31/02	4/24/ 3	INMATE REQUEST	3F5
CUSTODIAN HELPER	04/13/02	7/18/ 2	PLACED IN ST/SP CUSTODY	3F5

BATES, MARCO DELANEY FBI # 891720FA3 SID# SC00576581 SCDC # 249552 (CONTINUED)

WARDKEEPER ASSISTANT	12/10/01	1/11/ 2	INSTIT TRANSFER	3F5
WARDKEEPER ASSISTANT	10/11/01	12/ 4/ 1	PLACED IN ST/SP CUSTODY	3F5
GENERAL WORKER	05/31/01	10/10/ 1	UNSAT JOB PERFORM	3F5
MATERIAL HANDLING EQ	08/02/00	5/30/ 1	INSTIT TRANSFER	3F5
MATERIAL HANDLING EQ	10/26/98	7/25/ 0	INSTIT TRANSFER	3F5
CUSTODIAN HELPER	09/03/98	10/25/98	INMATE REQUEST	3F5

HISTORY OF EARNED EDUCATION CREDITS:

EEC	START	END	TERMINATION
DESCRIPTION	DATE	DATE	REASON

NO SCHOOL ASSIGNMENTS

***** END OF REPORT *****

