

July 6, 2026

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

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SC Court of Appeals

RE: Roger Curtis, #143635 v. S.C. Department of Corrections
Appellate Case No. 2025-002575

Dear Ms. Kitchings:

I respectfully submit this correspondence letter to preserve my objection to the Court's Order granting Appellant South Carolina Department of Corrections' ("SCDC" or "Department") Motion for Extension of Time to file its' Appellant's Brief.

On June 18, 2026, SCDC filed its Motion for Extension of Time. On that same day, the Court entered an Order granting the motion.

Respectfully, I was deprived of the opportunity afforded by South Carolina Appellate Court Rules ("SCACR"), Rule 240(e), to oppose the motion before the Court ruled. SCACR Rule 240(e) expressly provides that an opposing party has ten (10) days after service of a motion within to file a response. Because the Court granted the motion on the very day it was filed, the Rule 240(e) response period expired before I had any meaningful opportunity to present my position.

I recognize that the Court possesses discretion to enlarge or limit filing return deadlines pursuant to SCACR Rule 240(e). However, the exercise of that discretion should not nullify the procedural protections afforded to the opposing party under Rule 240(e). Fundamental principles of the due process require notice and a meaningful opportunity to be heard before judicial action affecting a party's rights or interests. See Matthews v. Eldridge, 424 U.S. 319 (1976); Goldberg v. Kelly, 397 U.S. 254 (1970).

Although the Court has already granted the requested extension, I respectfully request that this correspondence be made part of the appellate record to reflect my objection to the procedure employed. The same day disposition prevented me from filing a timely response as contemplated by SCACR Rule 240(e).

Additionally, I respectfully oppose any further motions by Appellant seeking additional extensions of time to file its Appellant's Brief. The procedural history demonstrates that Appellant has had ample opportunity to prepare its brief. After the Court requested memoranda addressing appealability, both parties timely submitted those memoranda. On May 20, 2026, the Court directed SCDC to serve and file its Initial Brief and Designation of Matter within thirty (30) days. Thus, SCDC has had substantial time to prepare its arguments. Absent extraordinary circumstances, further extensions would unnecessarily delay the resolution of this appeal and prejudice the prompt administration of justice.

This appeal concerns an Administrative Law Court order directing SCDC to calculate wages owed under the Prison Industry Enhancement Certification Program (PIECP) and to issue a substantive supplemental Step Two Grievance response reflecting those calculation. Continued delay only postpones the final resolution of issues that have already been litigated extensively.

Accordingly, I respectfully request that: 1) This objection be noted in the appellate record; 2) The Court recognize that Respondent Roger Curtis was not afforded the response period provided by SCACR Rule 240(e), before the motion was granted; and 3) The Court deny any future motions for extension of time absent a showing of exceptional or extraordinary circumstances.

Thank you for your consideration of this matter.

Respectfully Submitted,



Roger Curtis, #143635

Tyger River Correctional
Institution Unit 8-B-223B
200 Prison Road
Enoree, S.C. 29335

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEAL

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APPEAL FROM THE ADMINISTRATIVE LAW COURT
Samuel L. Johnson, Administrative Law Court Judge SC Court of Appeals

Administrative Law Court Docket No. 24-ALJ-04-0161-AP

Appellate Case No. 2025-002575

Roger Curtis, #143635

Respondent,

v.

South Carolina Department of Corrections,

Appellant.

PROOF OF SERVICE

I certify that I have served a copy the the Respondent's letter to the Court, objecting to the Appellant's Motion to Extend Time to file its brief, already granted, upon the Appellant by depositing a copy of it in the United States mail, postage prepaid on today's date, to the Appellant's Counsel of Record and the addressed as follows:

Mr. Andrew F. Lindemann, Esquire
P.O. Box 6923
Columbia, S.C. 29260

Mr. Barton Jon Vincent, Esquire
General Counsel
South Carolina Department of Corrections
4444 Broad River Road
Columbia, S.C. 29221-1787

July 6, 2026

/s/ Roger D. Curtis
Roger Curtis, #143635
Tyger River Correctional
Institution Unit 8-B-223
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Respondent, Pro Se

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