

The South Carolina Court Appeals
42:15. Record on appeal VC
from court form 14, SCACR) 2/1/20

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
[In the Supreme Court]

APPEAL FROM Administrative Law Court

Judge Robert Reibold

Case No. 25-ALC-Co-579

Mr. Robert Graham Jr. Appellant

Case No. 2025-002411

RECEIVED

JUL 09 2026

V

SC Court of Appeals

South Carolina Department of Corrections

RECORD ON APPEAL

Mr. Robert Graham Jr.
HEAD RIVER CORP. INC.
4460 Broad River Rd.

Columbia SC
29210

Christina C. Bigelow
4444 Broad River Rd.
P.O. Box 21784

Columbia SC
29211

The South Carolina Court of Appeals **RECEIVED**

JUN 10 2026

SC Court of Appeals

Date Jun 8 2026

June 2026



Article 1 Section 2

JENNY ABBOTT KITCHINGS
CLERK

POST OFFICE Box 11629

COLUMBIA SOUTH CAROLINA 29211

Notice/Motion
In Volving SCAC

2/2(a)(b)
Supplemental
Jurisdiction

RE: Mr. Robert Graham, Jr. #178039 v. SCDC
Appellant case NO. 2025-002411

ORDER

Dear Madam Kitchings:

Enclosed here with in response - to the
Court's instructions May 15, 2026, construing appella-
nt's document titled as memorandum of law, on
May 20, 2026, April 8, 2026 pursuant SCAC 2(a), 2/2(a)(b), you'll

find Appellant's initial brief incorporated
are documents of the same.

(Please return my copies) filed
Accordingly, please under clerical under-
takings Appellant is entitled to
evidentiary hearing due to controver-
sies and issues not in Court's filings.

By Mr. Robert Graham Jr.
Very truly, respectfully yours,
Appellant pro se,

5

In The South Carolina Court of Appeals
Appeal From Robert Riebold
Administrative Law Judge.

Case No. 2025-00241

Mr. Robert Graham, Jr. #1780395

V.

South Carolina Department of Corrections

INITIAL BRIEF OF Appellant

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JUN 10 2026

SC Court of Appeals

Mr. Robert Graham Jr
Appellant pro se,
Post Office Box 11629
Columbia, SC
2025 29 211

5

Appellate court of South Carolina court Appellate
Certificate of Service

C/A No. 2025-00241 ORDER

Mr. Robert Graham, Jr #178039

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SC Court of Appeals

Article I Section 22
Notice / motion
Supplemental
Jurisdiction

South Carolina Department of corrections
Date Jun 8 2026

(Attached herewith)

I Mr. Robert Graham 28 U.S.C. A 177b
herby certify that a copy of
off-lit (Initial Brief) documents titled as
memorandum of law, as filed April 29 2026,
may 8, 2026, Notice motion Supplement the
record, pursuant 212 (a) (b) filed may 8,
2026, Supplemental Jurisdiction, motion for
appointment of counsel, due to complicated
violations in "bad faith" and controlling laws,
by respondent (Sede) "Free speech" in
performance retributions from Sept 2025. To
on, Jun 8 2026. (Copies of brief) To
to South Carolina

Clark
Jasmine D. Smith
Post Office Box 11624
Columbia, SC
29201

Robert Graham (Sede)
Christina C. Bogle
4444 Broad River Rd.
PO Box 21787
Columbia, SC
29201

The SOUTH CAROLINA COURT OF APPEALS

Robert Graham Jr., #178039, Appellant,
Mar 16, 2026.

Notes
1/16/26

v.
South Carolina Department of Corrections,
Respondent.

Re: Pending motion in A COURT ORDER
of counsel, motion supplement record, RECEIVED
now Affirmed in support of... APR 20 2026

C/A No. 2025-002411

SC Court of Appeals
Declaration / Ver-
fication

Memorandum of

(LAW),

Dear Hon. Jasmine D. Smith, 28 U.S.C. A 1446

Herewith consistent - with proper motions /
filed pending before this court. on / or about
mar 15, 2026, I submitted notice - motion
to supplement the record - under extraordinary,
unusual circumstances, due to know
fault of appellant for appointment of
counsel. Finally, on mar 15 2026. Let

Johnson under the "Security camera."
gave appellant his legal mail from
this court which she had in her
possession since - Monday 12, 2026.

Please kindly, return appellant's
copy of same. Truly Yours,
15/ Robert Graham Jr.

STATEMENT OF FACTS

2024

This honorable court pursuant to motion, affidavits per, the entire record of this case from Sept 2025 - to now Mar 16, 2026. Where appellant has suffered egregious, collusive, tactical, calculated nonprocedural penal abuse of power discretion. Controlling laws prohibits, protects the liberty interest of appellants "free speech" fundamental access to and from this court without reprisal, retaliation, see, South eastern site prep. LLC v. Atlantic coast Builders and Contractors, LLC

procedural History

The motions pending before this court reflects and "proffers" the same retaliation, reprisal from the grievance administrative process - from prison correction - where the court of administration decline to rule according to law and facts of appellants appeal. Simply by saying, it had no jurisdiction, contrary to Art 1 section 22.

Standard of Review

Appellant does not shed such fundamental interjection - from the criminal ^{pg 3045} ~~manifestly~~ of SDC employees, basic first Amendment rights at the front gate herein after referred to as (BRCT), Broad River Correctional Institution from unlawful detainment, unlawful preventing him from basic rights by allowing employees, non certified at that to have his legal mail in her possession being Lit. Johnson, moreover - purposely holding it beyond SDC on policy for allotted time to give appellant his "legal mail" note. Coffin v. Reichard, 143 F.2d 443, 445 (CA-6, 1944)

Thus not only is appointment of counsel mandatory to secure appellants protected Second ~~due~~ - process 14th Amendment rights to be granted. Emergency evidentiary, hearing, fully reviewing the record and scope of appellants claims for redress. Deposing camera pursuant to deposition SCAAC, Rules of discovery.

Memorandum OF LAW

569 F.2d 208 United States Court of

Appeals 4th Circuit, obstructing correspondence i.e., appellants legal mail: Violation of 18 U.S.C.A. 1702 United States v. Ashford, 530 F.2d 792, 795 (8 Cir 1976) 18. U.S.C.A. 1702 in pertinent part: (whoever) takes any letter or unauthorized depository, custody of any mail-room carrier, person to whom it was directed, with the sign to obstruct the correspondence, or pry into the business or secrets of another, shall be fined not more than \$2,000 dollars or imprisoned not more than five years or both the language i.e., meaning in shall

wording constitute mandatory ~~to~~ part of U.S. postmaster General of U.S. 2d 398, Key 2, The use of mail system is just as much part of "free speech" as the appellants right to use his tongue. U.S.C.A. Const. Amend. 1

Trulock v. French 275 F.3d

405 4th circuit decided FRCP, SCACR, 12 (b)

(b) Allegations beyond mere speculation, con-

jecture, conclusion, survives the previous

test when affidavit is attached under penalty

of perjury personal knowledge understood

in mind. Hence, irreparable damages will incur,

It is so MOTIONED

By Robert G. ~ 3-16-76
2026

28. U. S. C. A 174b
I ~~understand~~ ^{present} personal affairs
don't's under the penalties of perjury
personal hands on knowledge, belief,
experience and the claims are correct
and true (Verbatim) under Sole mind.

Copies of same forwarded to beneath,
(Party's), caused to be served from (ECI)
(Appellate Court)

Clark
South Carolina Appellate Court
Jasmena D. Smith
Post Office Box 11629
COLUMBIA, SOUTH CAROLINA
29211.

(SCDC)
Christina B. Brown
4444 Broad Road
Columbia SC
29211

BLS 5073
3-16-2020
(Mailed)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

DISCIPLINARY REPORT AND HEARING RECORD

Case#: 16 Inmate Name: ROBERT GRAHAM SCDC#: 178039
Living Area: MTB 2093 A Job: Custody: ME
Offense Date: 05/13/26 Offense Time: 08:47 AM PM Institution: BRCI

Offense Description:

905 Creating and/or Assisting With A Social Networking Site: The facilitation, conspiracy, aiding, or abetting in the creation or updating of an internet web site or social networking site. Photos of the inmate taken within an SCDC facility and/or of inmate in SCDC uniform may be used to support this charge.

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JUN 08 2026

SC Court of Appeals

Charging Officer/Employee: T. FLEMING

Title: CAPT.

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 48 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

☐ I GIVE UP MY RIGHT TO 48-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING RHU/GPH SEGREGATION ONLY
☒ I DO WANT MY ACCUSER PRESENT AT MY HEARING ☐ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT MY ACCUSER PRESENT AT MY HEARING ☐ I DO NOT WANT A COUNSEL SUBSTITUTE
Date & Time Notified: 5/13/26 10:15 AM/PM By (Print): T. Fleming
Inmate Signature: [Signature] SCDC#: [Blank] Date: 5/11

HEARING INFORMATION:

Hearing Date: 5/22/26 Hearing Time: 9:49 am/pm Medclass: NMH Reading Level:

DD: Assigned Counsel Substitute: Mr. Rice

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE, IF ANY; (3) WITNESSES; (4) DOCUMENTATION; (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING; OR (7) IF HEARING WAS DELAYED.

OFFENSE CODES	905	27
INMATE PLEA (G, NG)	NG	
Findings (G, NG, DS) (NGMI) (GMI)	G	

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER (EXPLAIN IN DETAIL):

SANCTIONS:

Loss of Privileges (Days): _____ Reprimand: _____ Loss of Good Time (Days): _____
Property: 102 Extra Duty (Hours): 100 Restitution: \$ _____
Canteen: _____ Visit Suspension (Days): 100 Cell Restriction (Days): _____
Disciplinary Detention (Days): _____ Phone (Days): 100 Other: _____ (Days): _____

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Nature of offense

CREDIT FOR PHD TIME SERVED: ☐ YES ☒ NO IF YES, DAYS: _____

DATE INMATE PLACED IN RHU: _____ DATE INMATE RELEASED FROM RHU: 5/27/26

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature]

HEARING OFFICER (PRINT NAME): J. Edmon

APPROVED/DD MODIFICATION ONLY: _____ REASON: _____

White - Institutional Record

Canary - Inmate (Service Disciplinary Report)

Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)

SCDC Form 19-69 (Revised November 2025)

**(Note - When there is restitution, a copy of this form should be forwarded to Financial Accounting)

⑥ The SOUTH CAROLINA COURT OF APPEALS
Mr. Robert Graham Jr. **RECEIVED** Appellant, 10
vs. JUN 02 2026 may 27, 2026. 2)

South Carolina Department of Corrections
C/A No. 2025-002411
Memorandum OF LAW SC Court of Appeals
(COURT ORDER)
Notice / Motion
pursuant
Rule 212(a)(b)

Copy
The price of being
whistle blower - Declaration / Veri-
fication 28, U.S.C.A
1746

please return my (copy)
Dear Hon. Clerk. Jasmine D. Smith.
Herewith consistent with SCA CR, 212,
Appellant moves this court and Judge
for leave to supplement the record,
Amending pursuant applicable rules - the
(d)(b) hearing held against Appellant today,
in re press, further, no allegations for
filing, reporting in the above entitled
matter misconduct. The inspection of the
the hearing administration Evans.
In lieu of judicial economy, court cost.
consolidation will save time appellant court
under takings - with similar kind forth.
controlling law substantive procedural conduct.
Robert Graham Jr.

procedural History

8/20/26

Supplemental Jurisdiction

Appellant consistent with Exhibit marked A) whose known from Perry Correctional - Character-based program - Founded three (3) LLC "As, noted in South Carolina DEPARTMENT OF CORRECTIONS, INCIDENT REPORT, simply, wrote (PITS) request to staff request. Asking to be considered after (only) arriving here at the herein after, referral (BRCI), Broad River Correctional Institution on or about Sept 9, 2026, for consideration to use his state registered "created businesses to assist with reentry, program, fear to peer, academic, infrastructure, to bring the same entrepreneurial, authorships, publishing books for "Trailblazers" program. Here at the (BRCI), The next thing aggrieved "appellant" here, is that he's to appear be fore (dho), hearing may 27, 2026, for "Charge 905

creating Social media Networking Sites.
GRAMMAR WRITINGS LLC publishing company
copyright © was established 2020 All Rights Reserved

Statement of Law / Facts

Rule 12(b) insufficient to confer jurisdiction.
Order Granting supplement of the
Record / Amending subsequent record

on appeal. Ten (10) day motion, response,
JA re Rothgeb 2019 WL 1316724 (trial
order) this matter came before the court on
April 20, 2026. Filed into the record:
with similar, reprisal, interference,
bad faith "abuse of power, Penal"
authority in clear-violations of statu-
tory" controlling law's, Verbatim - As
now, presented in exhibit" marked, A, B,
(1) Employee num. & D #: 034434
full Name): Captain. Fleming, Date re-
ported May 13, 2026, Date of incident,
Time of incident: May 13, 2026

Legal STANDARD, appellants, motions
to supplement record herewith, is
also premised upon (BRC) (BRC)
is lacking jurisdiction to charge
appellant May 27, 2027, for (social media)
or Brubaker writing LLC publication
of prison ~~is~~ books under his program
that was done at (another prison), in
Perry Correctional from 2015-2020,

Standard of Review, Supplemental amendment.

13081
R.C.
may 27, 2016

SCACR Art 1 Section 22 Administrative article 1

Section 22, Lack of Jurisdiction
(1) SCACR 12(B)(1)
Statutes does not authorize
SCDC (BR CI), staff, penalize appellant
simply for making a request to be
considered to [continue] reentry, under
his former 'success' at Perry Correctional,
for creating in ~~fr~~ structure of more than
thirty (30) prisoners - now, noted published
authors, owning their books and all their
royalty statements, know memorandum
or (notice) has ever been posted warning
appellant before being found guilty today
may 27, 2016, losing ninety (90) day's phone
privileges - meaning they're going to turn
off appellants phone U.S.C. A. const.
A mend. 14, and art 1, Section 22
Total depriving appellant of due process
equal protection of the law. Right to
report misconduct from from repeats.

Amended complaint

13876
12/31/82

Ballard v. Carlson, United States Court of
Appeals, 4th circuit, Aug 10, 1989 82 F.2d
9314 Fed. R. Serv. 3d 591
notice / motion to Amend, notice /
motion for leave to supplement, notice /
motion for "Emergency hearing, is on
this issue - but, not limited. The actions
above noted, exhibits already filed in
the record, failure of (BCCI) failure to
notify appellant in memorandum, or other-
wise - that [requesting] consideration to
[continue] in the "trail blazer" program with
the same program under his LCC at
(BCCI) could not only get him with a up,
but charged under 905 - not clarifying -
what would be the charge" was abuse
of power or neglect of duty, re-
prisal for reporting Lt. Johnson
for malfeasance, tampering, who is also
in sexual relations with mental health
MS. Owens who served the newest
retaliation for 905 under Graham LCC

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JUN 02 2026

28 U.S.C.A 174 SC Court of Appeals

C/A No. 2025-002411

(POA) will submit affidavit in support.

6 pages
9-2-26
R. J. [unclear]

~~I Robert Ambrose~~ ^{Certified beneath for} appellant, under penalty of perjury, sound mind, verification, certification below, pages included 1-10, exhibits A, B, Notice/Motions are true and correct verbatim.

(BRCT) SCDC, through for hidden, known Nepotism-relationships as proffered in this gesture, has [framed] created non-existence - controlling law statutory, policy or otherwise. A bogus 905 charge - simply, for appellant as "proffered" in attached in ex, A, B, Away to cut off his access to continue contacting power of attorney, Cathy Harris whose also power of attorney (BRCT) SCDC criminal misconduct of

(1) Jenny [unclear] / Jasmine Smith
Post Office Box 11629
Columbia SC 29211
H. Robert [unclear]
Christina Brown
444 Broad River Rd
Columbia SC 29201

9

P/2010

The South Carolina Court of Appeals
Mr. Robert Graham, Jr., #178039, Appellant
V.

1st
2nd
3rd
4th
5th
6th
7th
8th
9th
10th
11th
12th

South Carolina Department of Corrections
Respondent.

Appellant case No. 2025-00240

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ORDER

JUN 08 2026

DATE June 5, 2026

(SCDC) (BCT) Virtual

Notice/Motion

SC Court of Appeal

A.d.m. 11: Section Supplemental Jurisdiction
To: ~~Please return copy~~ dictation (Verbatim)
Department: Jenny Kitchens, Clerk
pursuant to SCACR 212(c)

Appellant now, under duress, retaliation, continual abuses of power and/or administrative powers, in bad faith, ~~CONTRARY~~ TO CON TROLLING-LAWS, Attached herewith exhibit marked case #16 Appellant's same Sept 925 creating social media-hearing officer J. Edmunds The claims are consistent and similar to same acts before the court in lev of judicial economy.

42:13. Motion to supplement
~~ment the record on~~ ON APPEAL
STATEMENT OF FACTS

the appellant. Mr. Robert Graham Jr.
pursuant to SCACR Rule 212 (A),
hereby moves the court for an
order allowing the to supplement
ment the Record on Appeal in
order to address the record
on matters filed before it but/
not limited

Leave to do so is under
Rule 212(c)(b)

Legal standard, A. d. M. II:

Section 7.1 states on director
written policies is knowingly know-
ing being violated by charging
the hearing officer, Major F.
Gilliland Lt Johnson, Mental
health counselor - Owens.

Napoleism

on or off job - the most logical
reasonable thing is to
terminate one or both

A.D.M. 11: Section 7.1 ¹⁰⁷³⁻⁵⁻²⁰⁰⁷
families employed - Sexual relationships - Appellant writing up Lt Johnson and having public interest drawn to his case before this court for her mail tampering, interference with his "FREE SPEECH" obstructing his legal mail and/or access to and from this court - Now, Appellant is being targeted, retaliated against.

- (1) Appellant cannot penal or admonish truthfully be written up or charged at (BRC) for 905 when it wasn't done at (BRC)
- (2) The incident report previously filed before this court in Court's viewing of exhibit 22 enclosed you'll find charge stacking, the allegations got far more broad over reaching and deliberate.

(3) www.youtube.com/Reel
philosophy - was approved while
appellant was at Perry correctional
institute. The social media vid's
now appears on YouTube - where
more than a hundred prisoners
did documentaries for school
children a deterrent from them
coming to prison.

~~100~~ day phone restriction

(4) Appellant only asked as ad-
mitted by Captain Fleming, in
a request to her (LTS) for
consideration to continue at
Broad River - what he clearly was
allowed to do at Perry correctional
under program, "education, readily
conserving tax dollars" Appellant
is clearly being targeted, ~~framed~~
ed (5) Appellant was just given
his exhibit 22 appeal case # 16
on Jun 4, 2026 - policy requires
J. Edmond have it to him
in 5 days - the hearing was
5-27-2026, Timmy has appeal

do to know fault of his own has
been thwarted, abused, and due
to Nepotism, reprisal, penal
and administrative controlling
laws and policy violations.

These misconducts continue Ver-
batim to deprive appellant
his secured free speech

See, south ~~approximate~~ eastern site
Prop, LLC, Atlantic coast Build-
ers and contractors, LLC, denial
of access to the court is
most fundamental, U.S. c. A.

14, U.S. c. A. / Amendment

Thus, Notice / motion for
leave to supplement, Amend,
pursuant to SCACR 212 if
not granted would fail to pro-
tect appellants "free speech"

access to the court, interference
with fundamental due process,
equal protection clause - 14
Amendment

JUN 08 2026

28. U.S.C. A 1776

SC Court of Appeals

1/28/26
Vick

Notice/motion Amend.
 I, Mr. Robert Gil under the penalty
 of perjury declare upon oath, with
 sound mind, personal knowledge,
 information, experience - the
 foregoing is true - correct.
 Verbatum Notice/motion for -
 leave order supplement the
 record will enable - appellant
 to have a fair impartial com-
 plete appeal - with claims of
 material issue not included in
 the record - issues relevant
 from Sept 2016 - Jun 2026,
 calling up complete administrative
 violations article 1 Section 22,
 where the same issues - now,
 presented were ignored and
 not adjudicated -

cc: D
 Christine Bragdon
 444 Broad River
 Columbia SC 29201
 (S) Mr. Robert Gil
 under duress

South Carolina Appellate Court
 Jasmine D. Smith
 PO Box 11624
 Columbia SC 29211

SC Court of Appeals

Docket No. 256579

Reference No: PCI-0686-25

zníša 2 brief

Hon. ^{Pgs 1 of 9}Rebald

RESPONDENT

STATEMENT OF ISSUES

(1) whether the respondents intentionally, knowingly, willingly, deliberately within meaning of 16-5-10 conspiracy statute depriving, appellant of 1st and 14th Amendment rights i.e. civil human rights by violations of statutory meaning, wording, language of 16-16-20(b)(1) - altering, scheming, removing data, names and their personal identification code numbers was violated of the process

AUG 15 2025

(2) TRU lock 275, 3d 405 PCI MAILROOM
 was apparent subject to violations confidentiality
 retaliation by (ZGC), mcknight. Refusing to
 send criminal allegations in Orleans to chief branch
 for inspection general review hindering. Inter
 frustrating significant harassment - where
 threatened to change him for reporting harassment
 having in fact of numerous staff harassment
 computer clock - 25-04027112 in Section 4
Section 3 to gain unfair and V-
 unforgive in various breach of same

~~AUG 15~~ 2025

112 K-

3) whether [redacted] individual Author; 25-040271404
under "STAFF" heading as C. Early, Warden,
admitting (IGC) McKnight threatening to [charge]
appellant and violation [Confidentiality] Section 4.1
Section 3 admitting her guilt, when he under
"STAFF" identification came on computer list -
assuring appellant it had been resolved

4) whether (IGC) McKnight, was in [direct violation]
of Section 15. GRIEVANCES ALLEGING CRIMINAL
ACTIVITY: Any grievance which alleges criminal activity
shall be referred "immediately" to the Agency INMATE
GRIEVANCE Branch Coordinator/designee,
when ACTION TAKEN BY (IGC), processed in box
at bottom of the STEP 1 Grievance, she tried to
get him to first file RTSM to Amy Hall at
H@) Ernest substantial hardship had he obeyed.

5) WHETHER, STAFF is persons for purposes of W.S.C.A.
1983 under color of state employee's

6) WHETHER, the filing of a grievance is the first
stage process for initiation of confinement
SCDC 383 Fapp 44; and if so, does it
create a significant hardship of duress,
interference with doing so when Respondents,
have names identification replacing them
with "STAFF" from challenging conditions
of confinement in various of exhaustion
access to court. (2)

STATEMENTS OF CASE

may it please the court.

on or about ~~May~~ May 5, 2025, appellant filed "Emergency Governance" and engaged in conversation of (EGC) on the computer ~~EGC~~ Kiosk" it was of first notation. He observed for the very first time, that the names and identification badge numbers had been "altered" removed, replaced with "TITLES" "STAFF" I submitted RFSM on or about the same time for resolve, with no end insight; Response" Appellant filed Governance July 18, 2025 outlining in its body his allegations; and grounds constitutional criminal conspiracies by respondents in violation 16-16-20 (b)(1) 16-5-10 civil human rights violations requesting the names and identification badge numbers be placed back - And; he would ^{not} pursue further criminal prosecution, or process the ~~step~~ ^{no} Governance **further**... trying to come to immediate resolve at the institutional level" This ended appellant into being threatened, harassed, retaliated against by (EGC) for being charged by reporting her refusal to process the allegation as noted 7/31/2025 Kiosk" computer 25-04 @ 27112 Author: filed "Staff" posing to be C. Early, Warden. That my complaint against her reprisal had been resolved. Though the ~~step~~ ^{no} never disclosed what action was taken (B)

ARGUMENT ONE

16-16-20 (b) (1) Verbatim
If the state statutory laws contains language
expressly forbidding respondents from taking actions
of discretion contrary to appellant preserved protected
secured privileges, rights, immunities, customs, ~~usage~~
freedoms being deprived 1st Amendment right of
free speech redress access to courts under
the two (2) components of 14th Amendment due
process equal protection from state & federal.
C. Early, Susan Duff, A.W. Clutter Holbrook
classification from removing names and their
government identification codes from state computer
clock system as mandated in 16-16-20 (b) (1)
including (ABC), McKnight: then it stands to
reason doing such has intentionally, knowing,
willful, deliberate conspiracy to cause harm,
duress, frustration, abandonment, deprivation of
secured right, protected right to act outside
statutory boundaries "safeguards" of protection
to prevent them from hindering, interfering with
appellants exhaustion (PLEA) which is established
to be before this court criminal in nature.

See, 86 S.C.T. 1152 United States v. Cecil

RAY PRICE, misdeemeanor, under color law
statute, ordinance, regulation or custom, of will-
fully subjecting [any] inhabitant of any state
to the privation of any right, status as properly
stated by witness those of willful deprivation, under
color of law, of life and liberty without due process
of law 18 U.S.C. § 242 as ~~presented~~ pres-
ented in this initial brief Verbatim 16-16-20 (b)
(4)

Argument #2

Trivlock V. 275 F.3d 405

sec policy, Verbatim strictly forbids retaliation / reprisal Section 4.1 Section 3

The record before this honorable court not only promotes allegations "supplant" for exercising of this court's power to hear these claims but moreover to take exceptions to the person posing of "staff" Author; 25-04-027404 c. Early, warden. Reading admitted (EGC) retaliated, harassed, threatened to charge applicant for reporting her refusal to a bidding by policy Section 15 & but, that. He'd resolved the same, placing significant fear of applicant going to lockup, transference, for which he's witnessed Respondents do consistently, with other prisoners reporting misconduct of "staff" especially, with him raising criminal charges, it is most clear before this court (EGC) become so enflamed, hostile only to protect her co-workers from criminal prosecution" it is insulting to the intelligence of this court for respondents to dare perjury themselves violate ethical professional rules of conduct by suggesting the computer kiosk sec can't change names, or identify person codes - or the mysterious "title" staff, as Author - could have never-ever been added for which. (EGC) threats was to hide the fact that, she herself name is altered removed viduation 10-16-2000

ARGUMENT # 3

Inmate grievance (IGC) was in direct violation of well known - established policy section 15 where it reads GRIEVANCES 'ALLEGING CRIMINAL ACTIVITY.' ANY grievance which alleges criminal activity will which is mandatory language be referred immediately to Agency Inmate Grievance Coordinator / designee, Inmate Grievance Branch. The (IGC) will mandatory language note on the grievance tracking CRT screen that the grievance has been forwarded. The inmate grievance branch for possible investigation by office of Inspector General and date on which grievance was forwarded. The inmate Agency Grievance Coordinator / designee, Inmate Branch, will (mandatory) language consult with office of Inspector General to determine if criminal investigation would be appropriate. If deemed appropriate, the grievance will be forwarded to office of Inspector General, to be handled in accordance with applicable SCPE policies After investigation is completed review / investigation. If determined that criminal investigation is not required, the grievance will be processed accordance with procedures contained herein. This also extends into same language for EMERGENCY GRIEVANCES in section 14.3, Apparent then, has suffered humiliation, significant abuse of power in grave violations of respective own policy deprives of law, equal protection from (6) brazen conflict.

ARGUMENT #4

"threatening to inflict retaliation
substantially, the filing of a grievance is
the first stage in taking from challenging
conditions of confinement."

44. Booker V. SCD C 583 Kapp

Appellant, produces sufficient evidence that
(1) enjoys the engages in protected First
Amendment activity, (2) (200) McKnight took
harsh and severe reprisal affecting this First
Amendment rights, (3) there was a causal re-
lationship between this protected activity and
McKnight's conduct." Constantine V. Rectore &
rector of George Mason Univ., 411 F.3d
474, 499 (4th Cir. 2005) McKnight's conduct
of harassment, threats, intimidation to charge
appellant resulted from him as disclosed re-
porting her refusal to follow SDC policy, 1
First Amend violation it was to cause him
not to pursue section 15 grievance going
to Chief Branch under criminal statutes,
for which her & her co-workers would
risk criminal charges for computer re-
moving names and identification codes...
punishable by prison fine or both 16-5-10
conspiracy against human rights
similar language in WACA, 242 Federal Statute
(71)

16-16-20(b)(1)

There can't be ~~formal~~ resolution exhaustion.
with respondents controlling the narrative.
The intentional, knowingly, deliberately,
- by respondents removing their names
and identification codes - is a per-
verse "calculated risk" of harm visited
upon appellant upon its face "premeditated."
Because respondent knows its the initiation
process under the 1st and 14. Amendment
to challenge "criminal or illegal conduct"
by them - its "egregiously" flagrant,
striking at its intended core - it un-
derstandable mindsets to shield them
saves from liabilities for not reporting,
or, worse - participation in covering
criminal behaviors by them. Anyone
and appellant for the record before
this court does note "anyone" could be
the "staff" defaming, verification of
warden, (GOC) General Counsel, just by
placing the names and identification
from the computer. Respondents should
and General Counsel be sanctioned
for perjury before this court by test-
ifying the computer can't be altered.
Coinciding with question in statement of issues
5 and 6 (b) before this stalled court.
(8)

RECEIVED

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

JUL 18 2025 INMATE GRIEVANCE FORM

DEC 02 2025

GRIEVANCE

STEP 1

7-18-2025
Public Interest

INMATE NAME: 178039 Robert Graham
SCDC NUMBER: 178039
INSTITUTION: Penitentiary
HOUSING UNIT: Q3B1 (W)
WORK ASSIGNMENT: Dorm
TRU LOCK 275 F.B. & 405

USE ONLY
Grievance No. 4CT-1686-25
Code: General IPIS
Policy _____
Disc. Hear. _____
Class. _____
PREA _____
Date Received 7/18/25
IGC Initials Km

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.)

I file this Grievance in violation of Section 15992
once criminal activity - so no informal resolution is
required. 16-16-20(b) of the SOUTH CAROLINA Code
of LAWS computer - Kiosk (Email) not be altered
data - communication. THE NAMES OF SCDC EMPLOY
has been altered and identification numbers
numbers, I'm asking for them to be put back,
so that I can properly effectuate access &
address to the courts against state institutional
infractions. The word "STAFF" has been placed
in place of names and identification numbers.
This is criminal conspiracy to block proper re-
dress, prosecution into courts (MISLEADING) from
probabilities - staff sent persons for 1023 under color
of law violations. 16-5-18 criminal conspiracy
against human civil rights is punishable by fine or
prison or ~~both~~ (BOTH)
PLEASE NO RETALIATION

Grievant Signature

Date

7-18-2025

ACTION REQUESTED:

To prevent any further prosecution - or
proceeding this grievance put the names & identifi-
cation numbers back please

ACTION TAKEN BY IGC: ☒ PROCESSED ☐ UNPROCESSED ☐ OTHER

This grievance is being processed and returned due to not having a RTSM. Per SCDC GA-01.12-Inmates must make an effort to informally resolve a grievance at the institutional level by submitting a Request to Staff Member Form or ARTSM to the appropriate person within eight (8) working days of the incident. (in this case you need to submit a RTSM to Amy Hall at HQ) You must have a documented, answered, and signed RTSM form from the responsible authority attached to each grievance to proceed with the grievance process. Employees have up to 45 days to answer. Please consider this closed. Thank you.

Exhibit 33

K.M. Kyf

7/21/25

IGC Signature

Date

(CONTINUE ON REVERSE SIDE)

STATE OF SOUTH CAROLINA
Administrative LAW
Court

The State of South Carolina
FILED
AUG 15 2025
Administrative Law Court

#178039

Mr. Robert Graham, Jr.
(Appellant)

C/A No. 2500579

V.S.

SCDC

RECEIVED

Respondent DEC 02 2025
SC Court of Appeals

Initial brief
Certificate of
proof of
(Service)
pgs 1-9

I hereby certify that I have served this
"initial brief" of "Appellant" by deposit-
ing a copy thereof in the U.S. mail post-
age prepaid and addressed to beneath
parties

RECEIVED

AUG 15 2025

PCI MAILROOM

(A.L.C.)

Edgar A. Brown Bldg
1205 Pendleton St.
Suite 224
Columbia, SC
29201

General counsel
P.O. Box 21707
Columbia, SC
29221

This 14th day of Aug 2025
(9)

151 Robert Graham
Mr. Robert Graham
Appellant
(as served)
AUG 14, 2025
#178039



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Division of Legal Counsel & Compliance

HENRY MCMASTER, GOVERNOR

JOEL E. ANDERSON,
Interim Director

October 6, 2025

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DEC 02 2025

SC Court of Appeals

The Honorable Robert L. Reibold
South Carolina Administrative Law Court
Edgar A. Brown Building, Suite 224
1205 Pendleton Street
Columbia, South Carolina 29201

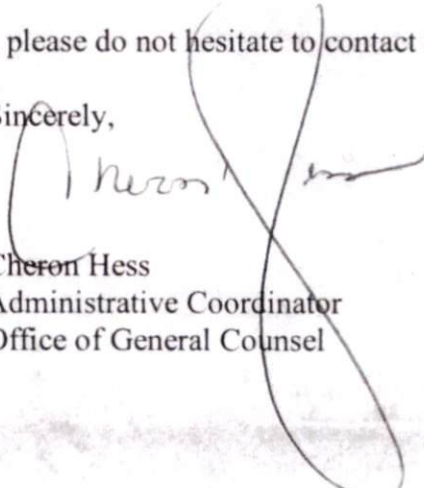
Reference: Inmate Robert Graham, Jr., #178039, vs. South Carolina Department of Corrections
Docket No. 25-ALJ-04-0579-IJ

Dear Judge Reibold:

Find enclosed an original and one copy of the *Respondent's Motion To Dismiss* on the above referenced case. Please file the original in your office and return a clocked-in copy of the motion, that is provided, to me in the enclosed self-addressed envelope.

If you have any questions or concerns, please do not hesitate to contact me at (803) 896-3922.

Sincerely,


Cheron Hess
Administrative Coordinator
Office of General Counsel

Enclosures

cc: Inmate Robert Graham, Jr., #178039
File

Mr. Robert Graham Jr 178039

Blood River Correctional Inst.

4460 Broad River Rd.

Columbia, SC

29210



RECEIVED

JAN 09 2026

SC Court of Appeals

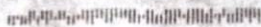
(Clerk)
To: South Carolina Appellate Court
Jenny Kitchens

Post office: Box 11 629

Columbia SC

29211

A. H. Hahn



5

STATE OF SOUTH CAROLINA
IN THE ADMINISTRATIVE LAW COURT

RECEIVED

DEC 02 2025

SC Court of Appeals

Robert Graham, #178039

Appellant,

v.

South Carolina Department of Corrections,

Respondent.

) Docket No.: 25-ALJ-04-0 579-IJ

) [Grievance No.: PCI 686-25]

) Hon. Robert L. Reibold

) **RESPONDENT'S MOTION TO**
) **DISMISS**

STATEMENT OF THE CASE

This matter is before the Administrative Law Court ("ALC" or "Court") pursuant to the appeal of Robert Graham ("Appellant"), an inmate incarcerated with the South Carolina Department of Corrections ("SCDC" or "Department"). On July 18, 2025, Appellant filed a Step One Grievance alleging that the authors' name and ID numbers on his kiosk responses have been removed.¹ He alleged that the author's name states "staff" and does not identify who wrote the response. Appellant requested that his kiosk entries be returned to their original form. On July 21, 2025, the Step One Grievance was processed and returned because Appellant did not make an effort to informally resolve the grievance by submitting a Request to Staff Member ("RTSM"). This appeal followed.

STANDARD OF REVIEW

The ALC's jurisdiction to hear this matter is derived entirely from the decision of the South Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). When reviewing SCDC's decisions in inmate grievance matters, the ALC sits in an appellate capacity. *Id.* at 377, 527 S.E.2d at 754. Recently the South Carolina Supreme Court clarified the

¹ A copy of the Step One Grievance is attached for the Court's and parties' convenience.

Administrative Law Court's jurisdiction as:

[t]hat the ALC has subject matter jurisdiction over inmate grievance appeals that have been properly filed. (*internal citations omitted*) . . . [h]owever, the ALC is not required to hold a hearing in every matter and may summarily dismiss an inmate's grievance if it does not implicate a state-created liberty or property interest sufficient to trigger procedural due process guarantees. The ALC may not grant an inmate relief from an erroneous administrative decision by SCDC, however, unless the inmate demonstrates the error deprived him of due process... (*internal citations omitted*)

Allen v. S.C. Dep't of Corr., 439 S.C. 164, 170-71, 886 S.E.2d 671, 674 (2023).

"The requirements of procedural due process apply only to the deprivation of interests encompassed by the Fourteenth Amendment's protection of liberty and property." *Al-Shabazz*, 338 S.C. at 369, 527 S.E.2d at 750 (quoting *Board of Regents of State Colleges v. Roth*, 408 U.S. 564, 569, 92 S.Ct. 2701, 2705 (1972)).

An inmate claiming a protected interest must have a legitimate claim of entitlement to it. *Allen*, 434 S.C. at 118-119, 862 S.E.2d at 270. Protected liberty interests can arise from two main sources: (1) the Constitution can create a liberty interest when a condition or restraint is so egregious as to implicate the Due Process Clause itself, or (2) state law or department policy can establish a protectible liberty interest. *Bazzetta v. McGinnis*, 430 F.3d 795, 801(6th Cir. 2005); *Allen*, 434 at 118-119, 862 S.E.2d at 270-71. South Carolina courts, however, have emphasized that the focus of the Administrative Law Court shall fall on the second category – state-created liberty or property rights.

The term "state-created liberty interest" naturally has two components: (1) an interest that is state-created; and (2) an interest involving an inmate's liberty. In order to establish a state-created interest, a "regulation must contain explicitly mandatory language, *i.e.*, specific directives to the decisionmaker that if the regulations substantive predicates are present, a particular outcome must follow." *Allen*, 434 S.C. at 119, 862 S.E.2d at 270 (internal quotations and citation removed).

A state-created property interest is grounded in state law. *See Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 430 (1982) (“The hallmark of property . . . is an individual entitlement grounded in state law, which cannot be removed except “for cause”). “To have a property interest subject to procedural due process protection, an individual must be entitled to a benefit created and defined by a source independent of the Constitution, such as state law.” *Huang v. Bd. Of Governors*, 902 F2d. 1134, 1141 (4th Cir. 1990).

SCDC interprets *Slezak* as encouraging, for the sake of judicial economy, the ALC to summarily dismiss inmate cases that do not involve a state-created liberty or property interest. *Slezak v. S.C. Dep’t of Corr.*, 361 S.C. 327, 605 S.E.2d 506 (2004) (holding that the ALC “may summarily dismiss those appeals that do not implicate an inmate’s *state created* liberty or property interest”) (emphasis added). The South Carolina Court of Appeals has interpreted *Slezak* to mean that where a state-created liberty interest is not implicated in a prisoner appeal, a judge of the ALC “should” dismiss the appeal. *Skipper v. S.C. Dep’t of Corr.*, 370 S.C. 267, 633 S.E.2d 910 (Ct. App. 2006).

ARGUMENT

This case should be dismissed under *Slezak* and *Skipper*. In this appeal, Appellant alleges that the staff names and ID numbers on his kiosk entries have been removed. Appellant requests that that his kiosk entries be returned to their original form. *See Step One Grievance*. This appeal does not implicate a state-created liberty or property interest. Appellant does not allege that SCDC erroneously calculated his sentence, sentence-related credits, or custody status; or allege that a state-created liberty or property interest was taken in a major disciplinary hearing. Because Appellant’s allegations do not implicate a state-created liberty or property interest sufficient to trigger procedural due process guarantees, this Court should dismiss this appeal, with prejudice.

CONCLUSION

Because the case does not implicate a state-created liberty or property interest this case should be dismissed.

Respectfully submitted,

Sydney Keesee

Sydney Keesee

Staff Attorney

South Carolina Department of Corrections

P.O. Box 21787

Columbia, South Carolina 29221-1787

Phone: (803) 896-1943

October 6, 2025
Columbia, South Carolina

FILED
11/14/2025
SC Admin. Law Court

Appellant filed his brief on August 15, 2025, before the record on appeal had been submitted by the Department. The Department filed the instant motion to dismiss on October 7, 2025. The Department contends that the appeal should be summarily dismissed pursuant to *Slezak v. S.C. Dep't of Corr.*, 361 S.C. 327, 331, 605 S.E.2d 506, 508 (2004) because Appellant lacks a state-created liberty or property interest. Appellant filed a response to the motion on October 21, 2025. Appellant makes various arguments in support of the proposition that he possesses a state-created liberty interest sufficient to withstand the motion to dismiss.

DISCUSSION

The Administrative Law Court is a court of limited jurisdiction. For that reason, it is the Court's obligation to evaluate its jurisdiction to entertain this appeal before addressing the merits of the Department's motion. *McCain v. Brightharp*, 399 S.C. 240, 247, 730 S.E.2d 916, 919 (Ct. App. 2012) (lack of subject matter jurisdiction may be raised on appeal and may be raised *sua sponte* by the court); *See Just. 360 v. Stirling*, 42 F.4th 450, 458 (4th Cir. 2022) (appellate court has a special obligation to satisfy itself of its own jurisdiction); *A.M. Realty W. L.L.C. v. MSMC Realty, L.L.C.*, 52 N.E.3d 602, 612 (Ill.App. 2016) ("An appellate court has a duty to consider its own jurisdiction, whether or not the parties have raised it as an issue"); *State v. Marinelli*, 415 P.3d 405, 407 (Kan. 2018) ("An appellate court has a duty to question jurisdiction on its own initiative"). As explained in more detail below, the Court concludes that it lacks jurisdiction to entertain this appeal.

The failure to timely avail oneself of an administrative remedy constitutes a failure to exhaust administrative remedies. As the United States Supreme Court explained in the *Woodford v. Ngo*:

Because exhaustion requirements are designed to deal with parties who do not want to exhaust, administrative law creates an incentive for these parties to do what they would otherwise prefer not to do, namely, to give the agency a fair and full opportunity to adjudicate their claims. Administrative law does this by requiring proper exhaustion of administrative remedies, which "means using all steps that the agency holds out, and doing so *properly* (so that the agency addresses the issues on the merits)." *Pozo*, 286 F.3d, at 1024 (emphasis in original). This Court has described the doctrine as follows: "[A]s a general rule ... courts should not topple over administrative decisions unless the administrative body not only has erred, *but has erred against objection made at the time appropriate under its practice.*"

and receive a decision. Finally, the Step 1 grievance decision is attached to Appellant's Notice of Appeal and the Notice itself states that "I'm appealing s decision of Step 1 grievance."

United States v. L.A. Tucker Truck Lines, Inc., 344 U.S. 33, 37, 73 S.Ct. 67, 97 L.Ed. 54 (1952) (emphasis added in *Woodford*). See also *Sims v. Apfel*, 530 U.S. 103, 108, 120 S.Ct. 2080, 147 L.Ed.2d 80 (2000); *id.*, at 112, 120 S.Ct. 2080 (O'Connor, J., concurring in part and concurring in judgment) ("On this underlying principle of administrative law, the Court is unanimous"); *id.*, at 114–115, 120 S.Ct. 2080 (BREYER, J., dissenting); *Unemployment Compensation Comm'n of Alaska v. Aragon*, 329 U.S. 143, 155, 67 S.Ct. 245, 91 L.Ed. 136 (1946); *Hormel v. Helvering*, 312 U.S. 552, 556–557, 61 S.Ct. 719, 85 L.Ed. 1037 (1941); 2 K. Davis & R. Pierce, *Administrative Law Treatise* § 15:8, pp. 341–344 (3d ed.1994). Proper exhaustion demands compliance with an agency's deadlines and other critical procedural rules because no adjudicative system can function effectively without imposing some orderly structure on the course of its proceedings.

Woodford v. Ngo, 548 U.S. 81, 90–92, 126 S. Ct. 2378, 2385–86 (2006).

The South Carolina Court of Appeals held that subject matter jurisdiction is distinct from the doctrine of exhaustion of administrative remedies. *Cap. City Ins. Co. v. BP Staff, Inc.*, 382 S.C. 92, 100, 674 S.E.2d 524, 538–20 (Ct. App. 2009). As the Court of Appeals explained, "subject matter jurisdiction is the power of a court to hear and determine a class of cases." *Id.*, 382 S.C. at 100, 674 S.E.2d at 528 (quoting *Skinner v. Westinghouse Elec. Corp.*, 380 S.C. 91, 93–94, 668 S.E.2d 795, 796 (2008)). In contrast, the failure to exhaust administrative remedies goes to whether a suit is premature. *Id.*, 382 S.C. at 100, 674 S.E.2d at 529. The *Capital City* court described the doctrine of exhaustion of administrative remedies as a rule of policy and convenience rather than a rule of jurisdiction. *Id.*

Exhaustion of administrative remedies in Circuit Court is of course not generally jurisdictional. This case, however, is pending before the Administrative Law Court, which alters the analysis. Our Supreme Court has emphasized that in administrative matters, statutory provisions control. In *Bone v. U.S Food Serv.*, the South Carolina Supreme Court stated:

[t]oday we reiterate that appeals in administrative agency matters are handled differently than appeals in other cases. The South Carolina General Assembly enacted the APA's mechanisms for review to provide uniform procedures after the exhaustion of administrative remedies; the APA's provisions are controlling in these agency matters and supersede any conflicting provisions.

399 S.C. 566, 585, 733 S.E.2d 200, 210 (2012) (*adhered to on reh'g*, 404 S.C. 67, 744 S.E.2d 552 (2013)).

This principle affects the application of exhaustion of administrative remedies in administrative matters. As the United States Court of Appeals for the District of Columbia has explained in addressing exhaustion of administrative remedies under federal administrative law:

the word “exhaustion” now describes two distinct legal concepts. The first is a judicially created doctrine requiring parties who seek to challenge agency action to exhaust available administrative remedies before bringing their case to court. We will call this doctrine “non-jurisdictional exhaustion.” . . .

The second form of exhaustion arises when Congress requires resort to the administrative process as a predicate to judicial review. This “jurisdictional exhaustion” is rooted, not in prudential principles, but in Congress' power to control the jurisdiction of the federal courts. Whether a statute requires exhaustion is purely a question of statutory interpretation.

Avocados Plus Inc. v. Veneman, 370 F.3d 1243, 1247–48 (D.C. Cir. 2004) (internal citations omitted). Our Court of Appeals has noted that the common law doctrine of exhaustion of administrative remedies is commonly and mistakenly conflated with the jurisdiction of an appellate court to entertain an administrative appeal. *Adamson v. Richland Cnty. Sch. Dist. One*, 332 S.C. 121, 125, 503 S.E.2d 752, 754 (Ct. App. 1998) (“[t]he requirement of exhaustion of administrative remedies vis-a-vis a court's authority to hear a case involving an agency, where a plaintiff has not asked the agency for relief, is often confused”). It has drawn a clear distinction between the two exhaustion requirements. In *Vaught v. Waites*, for example, the Court of Appeals discussed the common law doctrine of exhaustion of remedies, but, in doing so, also stated that “[w]e express no opinion whether failure to exhaust administrative remedies is jurisdictional under the Administrative Procedures Act.” 300 S.C. 201, 205 at n. 2, 387 S.E.2d 91, 93 at n. 2 (Ct. App. 1989) (overruled on other grounds by *Paradis v. Charleston County Sch. Dist.*, 433 S.C. 562, 861 S.E.2d 774 (2021)).

The ALC is a creature of statute and must depend entirely upon constitutional and statutory provisions for its authority and jurisdiction. *See generally* S.C. Code Ann. §§ 1-23-500, *et seq.* (Supp. 2025). “The General Assembly has the authority to limit the subject matter jurisdiction of a court it has created; therefore, it can prescribe the parameters of the ALC's powers.” *Amisub of S.C., Inc. v. S.C. Dep't of Health & Env't Control*, 403 S.C. 576, 585, 743 S.E.2d 786, 791 (2013). It follows that where the Legislature has prescribed requirements which must be satisfied

before the ALC may address a matter, those requirements are jurisdictional. *See S.C. Dep't of Health & Env't Control v. Blocker*, No. 15-ALJ-07-0554-CC, 2016 WL 5867852 at 6 (S.C. Admin L. Ct. Oct. 3, 2016) (stating discretion whether to apply doctrine of exhaustion of remedies disappears when the administrative remedies are prescribed by statute). *See generally Responsible Econ. Dev. v. S.C. Dep't of Health & Env't Control*, 371 S.C. 547, 553, 641 S.E.2d 425, 428 (2007) (“[R]egulatory bodies...have only the authority granted them by the legislature.”).

This matter is an appeal from a decision by the Department. The Court has authority to preside over all appeals from final decisions of contested cases from the Department of Corrections. S.C. Code Ann. § 1-23-600(D) (Supp. 2025). Review of such decisions must be conducted in the same manner as prescribed by Section 1-23-380 for judicial review of final agency decisions. S.C. Code Ann. § 1-23-600(E) (Supp. 2025). Section 1-23-380 in turn provides in pertinent part that: “[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.” S.C. Code Ann. § 1-23-380 (Supp. 2025) (emphasis added). This statute expressly refers to exhaustion of all administrative remedies as a condition precedent to judicial review. The statute is titled “Judicial review *upon* exhaustion of administrative remedies.” *Id.* (emphasis added). By acknowledging that judicial review is available *upon* exhaustion of administrative remedies, the section’s title confirms the exhaustion of administrative remedies is a statutory condition precedent to judicial review. *See Lindsay v. S. Farm Bureau Cas. Ins. Co.*, 258 S.C. 272, 277, 188 S.E.2d 374, 376 (1972) (“It is ‘proper to consider the title or caption of an act in aid of construction to show the intent of the legislature’”).

The South Carolina Supreme Court construes section 1-23-380 in this fashion. Discussing section 1-23-380, our Supreme Court has stated that “the statute also provides that the appealing party *must* exhaust their administrative remedies *before* resorting to judicial review.” *Nucor Steel v. S.C. Pub. Serv. Comm’n*, 312 S.C. 79, 83–84, 439 S.E.2d 270, 272 (1994) (emphasis added). Or, as Justice Hearn explained:

Exhausting one's administrative remedies is a threshold requirement to obtaining review in the courts. Thus, prior to appealing to the circuit court or the court of appeals, the appellant must have already exhausted his administrative remedies and obtained a final decision from the agency. This is the effect of sections 1–23–380 and 1–23–610.

Bone, 399 S.C. at 585, 733 S.E.2d at 210 (emphasis added) (Hearn J., dissenting); *see also Wright v. S.C. Dep't of Soc. Servs.*, No. 2008-UP-316, 2008 WL 9843964, at *1 (Ct. App. 2008) (“[a]fter an aggrieved party ‘has exhausted all administrative remedies available’ within the Department, he may seek judicial review of the decision”).

The Court therefore concludes that section 1-23-380 imposes a mandatory statutory requirement that all administrative remedies be exhausted before judicial review is available.² Exhaustion of administrative remedies is therefore jurisdictional in appeals at the Administrative Law Court. Here, Appellant failed to avail himself of two administrative remedies afforded by the Department. He failed to utilize informal resolution before filing his Step 1 Grievance and he failed to file a Step 2 Grievance before appealing to the Administrative Law Court. Because Appellant failed to exhaust his administrative remedies, and this failure deprives the Court of jurisdiction, dismissal is appropriate.³

The Court recognizes that, if Appellant is correct,⁴ the outcome of this order may be considered harsh. Unfortunately, the Court simply lacks the authority to address Appellant's claims.

ORDER

IT IS THEREFORE ORDERED that this appeal is hereby **DISMISSED**.

AND IT IS SO ORDERED.

² The Court is aware of that section 1-23-380 provides that a “preliminary, procedural, or intermediate agency action or ruling is immediately reviewable if review of the final agency decision would not provide an adequate remedy.” However, this part of section 1-23-380 applies, by its terms, only to intermediate or interlocutory appeals.

³ Some courts view the failure to exhaust administrative remedies in administrative cases as depriving an appellate court of subject matter jurisdiction. *See e.g., Silverton Mountain Guides LLC v. U.S. Forest Serv.*, No. 3:22-CV-00048-JMK, 2023 WL 6148122, at *8 (D. Alaska Sept. 20, 2023); *Abrons Fam. Prac. & Urgent Care, PA v. N. Carolina Dep't of Health & Hum. Servs.*, 810 S.E.2d 224, 228 (N.C. 2018). Issues relating to subject matter jurisdiction may be raised at any time and should be taken notice of by the court on its own motion. *Ness v. Eckerd Corp.*, 350 S.C. 399, 402, 566 S.E.2d 193, 195 (Ct. App. 2002). However, even if the failure to exhaust administrative remedies is viewed as merely depriving the Court of appellate jurisdiction, the jurisdictional issue is still one which should be raised by the Court on its own motion. *See e.g., Gateway Assocs. Ltd. P'ship v. Techna Corp.*, 966 F.2d 1452 (Table) (1992 WL 112287) (6th Cir. 1992) (“[i]t is therefore ORDERED that the plaintiff's appeal and the defendant's cross-appeal are dismissed *sua sponte* for lack of appellate jurisdiction.”); *Dieffenbach v. Att'y Gen. of Vermont*, 604 F.2d 187, 199 (2d Cir. 1979) (“[w]e see no apparent reason for treating lack of appellate jurisdiction in any different manner [than subject matter jurisdiction], and the court may, on its own motion, dismiss the appeal”); *Hamze v. Hall*, 211 So.3d 47, 47 (Fla. Dist. Ct. App. 2016) (the “cause is *sua sponte* dismissed for lack of appellate jurisdiction.”); *Com. ex rel. Ransom Twp. v. Mascheska*, 239 A.2d 386, 387 (Pa. 1968) (“[a]lthough this case was argued on its merits and neither party has objected to an assumption of jurisdiction by this Court, our lack of direct appellate jurisdiction can, and should, be raised *sua sponte*”).

⁴ The Court makes no determination one way or another regarding the propriety of the actions of the Department below. This order does not reach the merits of the case.

48
STATE OF SOUTH CAROLINA
IN THE ADMINISTRATIVE
LAW COURT

Robert G. Bullock
Appellant

vi
South Carolina Dept
of Corrections
Respondent

Docket No.
25-ALJ-04-057A-15

Crime No
PCT 180-25
Hon. Robert C.
Reichard

Appellant's Reply
Brief

STATEMENT OF CASE/FACTS

Appellant in the above instant matter
respectfully directs the court (or ALJ
or "court") to the correct statutory
authority it has to hear this case.
And not arbitrarily, or capriciously just
dismisses it upon - it's face would be
contrary rule of jurisdictional law.

Article I section 22

is the correct and proper standard
of authority, jurisdiction over this
this court to act on appellant's
half in the interest of justice and
fundamental law - judicial review

Administrative

DEC 02 2025

COPY

SC Court of Appeals

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Docket 25-00579

#178039
Robert Graham Jr

Appellant

vs. JOEL Anderson

Unitis Early

South Carolina Dept.

Corrections

Willie Davis

Respondent

ETA C.

DATE 10/21/2025

15-53-20.

Declaration

I Robert Graham Jr

personal Affiant

under penalty of perjury based upon

personal knowledge believes information

the following "attached" herewith are

true and correct herewith

deposition

15-53-20.

\$1 Robert Graham Jr

Certificate of Service

Docket No. 23-AJ-04-

0488 - Ap

under Article 1 Section 23

Reply brief, Motion

for evidence

hearing, Pursuing

"Emergency Substantial"

injuries, exhaustion,

deprivation un-

lawful process

Section 15 14.1 15

U.S.C.A 17.4b

under penalty of perjury based upon

personal knowledge believes information

the following "attached" herewith are

true and correct herewith

deposition

15-53-20.

\$1 Robert Graham Jr

OCT 21 2023

Office General Counsel

South Carolina Dept. Cor.

4444 Broad River Rd.

P.O. Box 21787

Columbia SC 29221

Hon. Robert L. Brown

South Carolina Dept. Cor.

4444 Broad River Rd.

Columbia SC 29221

2023

Administrative

1 of 4
Appellant. Simply ask nobably for
identification names - and legitimate
identification code would be put back
as his resolve to the Governor.
Zensat he was met with grave
inflammatory in suits' comments,
you're an "inmate" you don't run -
nothing" we're not putting anything
back. Hm... m... appellant now
finds himself in proper form before
this court. Not intending to run...
anything - or asking for any favor.
Just law upheld will suffice,
pursuant to Booke vs Sec 503
app 44" it is well established
the "Kiosk" respondents unstatutorily
removed their names and identifica-
tion codes from - prohibits freedom
frustrates, abuses and makes the
appellant attempt at getting in formal
resolution - which is fundamentally
the first stage of filing a complaint
law suit" respondents replacing in
the computer word like "STAFF"
popping up [Shields] from lib-
bilty under U.S.C.A 42 1983
destroying appellant state-created liberty interest
due process of law exhaustion remedy -

10/3

STANDARD OF REVIEW

The ALJ's jurisdiction to hear this matter - has already been addressed "this court is [skilled] at interpretation of legislative intent in terms of whether or not it has power to act or address [any] if not all of appellant's claims, under Article
1 section 22

Respondents are correct in statement of case. On July 18, 2023, appellant humbly filed stip/ Grievance pleading with Sdc to simply place their [employees] names and identification code back into the system computer "Kiosk" appellant gracefully point out Sdc State of South Carolina Towns statutory provisions of law - governing prohibiting them from hiding - removing, adding - or tampering with the Grievance computer quoting 16-16-20 (b)(1), 16-5-10 - Conspiracy state statutes in which Sdc is supposed to be governed by under policy and procedures as statutory law abiding officers staff - subordinate

10⁴⁵

Argument #1

Appellant was "alleging" criminal activity against ~~permy~~ classification, ~~sedr~~, Clayton Holbrook's study Richardson, state classification, misappropriation of public funds pursuant to 2010 omnibus criminal - re - edited statute - the (noticed) suddenly, for the first time [all] respondents public names and identification codes was removed & placed [with] "staff" He had to file Step 1 - under "criminal allegations" pursuant 16-16-2000(b), which respondent completely left out of the "statement of case" standard of review, including 16-5-10 concerning state statutes - Section 15 Grievances "alleging criminal Activity (any) governance - will be [immediately] referred to the Agency Internal Grievance coordinator/designee, which She, TCC McKnight refused to comply with because [everyone] in the agency conspired removing names - even General Counsel" Every one egregiously became on the Computer "Staff" instead of persons according to liability under U.S.C.A 42 1983 "frustrating appellants' internal rights to file and prevail on actionable claims."

10/10

Administrative Law courts certainly then
as appellant "state created" liberty in
trust to first exhaust his admin-
istrative remedy before attempting
to file U.S.C.A. 1983, pursuant
1997(A), otherwise Secs - and
high court would procedurally dis-
miss action" this is "sufficient
to then trigger procedural due pro-
cess guarantees tenfold. It is
then-miss/leading for respondents
to attempt at diverting the courts...
attention from the "crux" of the
matter - the state created liberty,
due process protected right falls
[squares] on appellants behalf; where
respondent arbitrarily and capriciously
controls the narrative of criminal
conspiracy to prevent thwart hinder
him from proper administrative ex-
haustion for purpose of high court
having jurisdiction or "C.A. 10" or
"court" itself. Allen v. Secs Dept
of Corr. is improper - Appellant points
courts attention to a case protected interest
where his claims have landslide legiti-
macy" Dawson v. U.S. 549 Fsupp
2d 736

Retaliation

#2

10PF1

Filing of grievance

Complaints to Supervisors or management employees concerning harassment or discriminatory treatment as well as informal complaints, filing of internal grievance under Emergency Section 40.8, Section 15 14.1 - Kiosk interference, with informal resolve, to agency heads are included within the definition of "protected activity," as required to establish liberty protected state-created interest; where repeated took drastic unfounded retaliatory measures - to block, hinder, appear or getting informal resolution - creating significant hardship - because they know all so well; like with all their land slides of court admonishments for thwarting informal resolve. The process is not available - for informal challenging appellate unlawful detention confinement. A clear state created quipness liberty protected interest before the experienced skilled court. The action is "injurious from exhaustion remedy access to court" thus, appellant has no proper remedy for redress.

1 of 2

Argument #3

U.S.C. A 42 1983"

The term "state-created liberty interest" is naturally broad on its face - and only takes pointing to "specific" [wording] in any statute - to establish deprivation of a right, interest encompassed by the 14th Amendment to South Carolina state / federal constitution invoked by this state and the United States its territory boundaries, usage, principles custom, regulations. one of the [words] in the above amendment constituting state protected created liberty interest deprived appellant is "person" government offices - schools - employees - agency heads for purpose of this amendment (only) recognizes colonizable claims in this regard by someone under color of [state] to be under color of state for this purpose liability for "misconduct" you can only be legally sued as an "person" state isn't included in this... amendment depriving appellant exhaustion remedy for purposes of actionable 1983

2018

Conclusion Argument

This case should not be summarily dismissed under § 40.8 Emergency procedures. The emergency procedures shall not include review by a person IGO: McKnight at purely constitutional included review by a person or entity not under the supervision or control of the institution - including broad river correction institution - this is clear statutory unambiguous wording in the language for legislation intent. Respondent is asking for this court to aid side in flagrant "brazen" grant of dismissal contrary to controlling law even state policies - which, apparently, they don't obey violated section 15 of appellant liberty state-created policy intend not to send "innocently" nature of criminal activities to chief branch for processing of the same criminal activity before this court; blocking this procedure injured, frustrated substantially appellate exhaustion proper now under article 1 section 22, Appellant liberty to get "Emergency" immediate assistance was taken from him to cover prevent him triggering sufficient guaranteed procedural processes from being properly (noticed) and heard.

THE RIGHT TO BE HEARD.

9 OF 9

Final conclusion

since it is clear Sade did violate procedural due process "safeguards" to prevent his claims of criminal nature from [guaranteed] secured protected "immediately emergency assistance, outside not under the supervision or control of the institution the damage is irreparable - Triggering "Trulock V. French" 275 F.3d 405 4th circuit decided Dec 28, 2001,

FRCP and STRCP 12(b)(6), when appellant alleges facts in complaint beyond conclusory - or mere conjecture courts take it into de novo - on appeal. Respondents know the prison "kiosk" contained misclassified [misconduct] removing names - identification - knowingly, deliberately, intentionally, was to [thwart] appellant access to court prevent being called into question before this or any court of accountability for their misconduct 16-5-10 they then conspired under Rico enterprise conspiracy to appellants rights, motion for dismiss is improper Emergency relief is proper under article I Section 22.

State of South Carolina
U.S. District Court
District of Columbia
October 2025
Administrative

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Robert Graham, Jr.

Appellant,

vs.

South Carolina Department of Corrections.

Respondent.

DOCKET NO. 25-ALJ-04-0579.10

GRIEVANCE NO: P.C.T. 068625

Failure to advance Grievance
NOTICE OF APPEAL

was threatened by JBC
with charging me.

Notice is hereby given that Mr. Robert Graham, Jr. appeals the final decision of the South Carolina Department of Corrections dated June 11, 2025 and received on July 21, 2025, a copy of which is attached. In accordance with Rule 59(B) of the Rules of Procedure for the South Carolina Administrative Law Court (SCALC Rules) please provide a brief factual basis for each expressly and specifically asserted constitutional violation:

I'm appealing this decision of staff grievance
due to the agency's refusal to follow their own rules
my efforts have been frustrated so fully to exhaust
by not abiding by the policy G.A.C. 12. Section 15
allegations of criminal activities the JBC in fact
wasn't willing to refuse to abide by section
15 reports of criminal activities being forward
to branch chief. [WOT] in formal resolution 15
required per section 15, this infringes upon my
15th right of habeas corpus access to camp
in Robert Graham Jr. is criminal S.C. Statute

Appellant's Name

Signed

P.O. Box 21787
Mailing Address

Dated

Columbia SC 29221
City, State, Zip Code

7-23-2025 **RECEIVED**

DEC 02 2025

CERTIFICATE OF SERVICE

I hereby certify that I, Robert Graham (your name), on the 7 day of July, 2025, in person (city), South Carolina, served a copy of the foregoing Notice of Appeal on all parties to this matter by depositing the same in the United States Mail, postage paid, and addressed as follows:

Name of person/Agency served: General Counsel P.O. Box 21787 Columbia SC 29221

Address: South Carolina Administrative Law Court 1205 pondy st

City, State, Zip Code: Columbia SC 29201

Robert Graham, Jr.
Print your name

Robert Mark
Sign your name

(See reverse side for instructions)

Approved
Frustrated Appellate
Administrative Law Court

SC Court of Appeals

FILED
AUG 01 2025
South Carolina
Administrative Law Court

she (IGC), can't circumvent procedural safeguards. The Soto GA-01.12 is in general. Section 15 Appellant relied upon its controlling, IGC was supposed to forward to chief branch to be determined if the criminal complaint 16-16-2006 gave rise to criminal activity or send it back for normal processing. Not her telling Appellant to do her job. This created a liberty well-protected interest due process - frustrating the process. Not to exclude threatening to charge Appellant with lying for reporting our behind closed doors discussion of the grounds for reporting her initial not processing or providing Appellant his copy of criminal complaints for Section 15 goes to Chief branch first.

Robert Graham I
Mr. Robert Graham Jr
#178039

TO:

General Counsel

P.O. Box 21787

Columbia SC 29221

Clerk of the
South Carolina A.D.M. Court
1205 Pendleton St, Suite
224 Columbia SC
29201

RECEIVED

DEC 02 2025

SC Court of Appeals

RECEIVED

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
JUL 18 2025 INMATE GRIEVANCE FORM

RECEIVED

DEC 02 2025

GRIEVANCE

STEP 1

INMATE NAME: 178039 Robert Graham

SCDC NUMBER: 178039

INSTITUTION: Penitentiary

HOUSING UNIT: Q3B1 (lot)

WORK ASSIGNMENT: Dorm

USE ONLY

Grievance No. ICT-068625

Code: General IPIS

Policy _____

Disc. Hear. _____

Class. _____

PREA _____

Date Received 7/18/25

IGC Initials Km

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.)

I file this Grievance in violation of Section 15 grievance criminal activity - so no informal resolution is required. 16-16-20(b) of the SOUTH CAROLINA Code of LAWS computer - Kiosk (shall) not be altered data - communication. THE NAMES OF SCDC EMPLOYEES has been altered and identification numbers removed, I'm asking for them to be put back, so that I can properly effectuate access & address to the courts against SCDC institutional infractions. The word "STAFF" has been placed in place of names and identification numbers. This is criminal conspiracy to block proper redress, prosecution into courts (MAYE LOING) from individuals - STAFF isn't persons for 1023 Under Color of law violations. 16-5-16 criminal conspiracy against human civil rights is punishable by fine or prison or BOTH.

PLEASE NO RETALIATION

Grievant Signature

Date

7-18-2025

ACTION REQUESTED: To prevent any further prosecution - or processing this grievance put the names & identification numbers back please.

ACTION TAKEN BY IGC: ☒ PROCESSED ☐ UNPROCESSED ☐ OTHER

This grievance is being processed and returned due to not having a RTSM. Per SCDC GA-01.12-Inmates must make an effort to informally resolve a grievance at the institutional level by submitting a Request to Staff Member Form or ARTSM to the appropriate person within eight (8) working days of the incident. (in this case you need to submit a RTSM to Amy Hall at HQ) You must have a documented, answered, and signed RTSM form from the responsible authority attached to each grievance to proceed with the grievance process. Employees have up to 45 days to answer. Please consider this closed. Thank you.

K. M. C. K.

IGC Signature

7/21/25

Date

(CONTINUE ON REVERSE SIDE)

STATE OF SOUTH CAROLINA
Administrative LAW
court

FILED
The State of South Carolina
AUG 15 2025
Administrative Law Court

#178039

Mr. Robert Graham, Jr.
(Appellant)

C/A No. 2500579

v.s.

SCDC

Respondent
DEC 02 2025
SC Court of Appeals

Initial brief
Certificate of
proof of
(Service)
pgs 1-9

I hereby certify that I have served this
"initial brief" of "Appellant" by deposit-
ing a copy thereof in the U.S. mail post-
age prepaid and addressed to beneath
parties

RECEIVED
AUG 15 2025
PCI MAILROOM

C.A.L.C.)
Edger A. Brown Bldg
1205 Pendleton St.
Suite 224
Columbia, SC
29201

General counsel
P.O. Box 21707
Columbia, SC
29221

This 14th day of Aug 2025
CGI

151 Robert Graham
Mr. Robert Graham
Appellant
(Certified)
AUG 14, 2025
#178039

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FORM

STEP 1

EMERGENCY

Grievance

INMATE NAME: Robert Graham Jr
 SCDC NUMBER: 178039
 INSTITUTION: Broad River cor.
 HOUSING UNIT: Multitria B side
 WORK ASSIGNMENT: Dorm
Retaliation 95 E 3d 749

OFFICE USE ONLY
 Grievance No. _____
 Code: General _____
 Policy _____
 Disc. Hear. _____
 Class. _____
 PREA _____
 Date Received _____
 IGC Initials _____

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.)

Retaliatory Transfer gloving. Got second attempt at filing. Got no response from the first one. Saw Kiosk # 25-04092890, notified warden early, went to duty that perry correctional. Mail room Tamara canwell refused to notarize or mail my legal mail to court fabricated disrespect charges. I explained in the kiosk. This was retaliation, reprisal, for my self and other prisoners filing suits, and criminal charges against her for mail tampering, resulting mail denying access to supreme court, two days later, I was transferred. (BLCI) charged with Perry mail room disrespect. Canteen re strike for 30 days. Kenneth went mail supreme with administrator noted Attached, signed for Aug 2022. In the supreme court but mail cant be found by creating substantial calculated risk of harm, etc. injuries during. Got no time barred retaliation. Time barred. causing illegal detainment liberty interest criminal mis conduct.

Grievant Signature _____ Date 8-8-2022

ACTION REQUESTED: 18 U.S.C.A 246 18 U.S.C.A 242 19,000 fine
Prison - or re house from prison - for conspiracy
16-5-10 intentional retaliation

ACTION TAKEN BY IGC: ☐ PROCESSED ☐ UNPROCESSED ☐ OTHER

RECEIVED

DEC 02 2025

SC Court of Appeals

IGC Signature _____ Date _____

(CONTINUE ON REVERSE SIDE)

STATES
SERVICE

Firm Mailing Book For Accountable Mail

Sender	Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☒ Certified Mail ☒ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail	Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt. 8/12/2025 EXhibit 16													
Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value If Registered	Insured Value	Due Sender If COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
92702733 818164 Columbia SC 29211	SC Supreme Court PO Box 11330 Columbia SC 29211 RECEIVED DEC 02 2025 SC Court of Appeals	1.61	5.30	Handling Charge - if Registered and over \$50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling	
Total Number of Pieces Received at Post Office	Postmaster, For (Name of receiving employee)														

9

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Attachment
Original

Robert Graham, Jr.

Appellant,

vs.

South Carolina Department of Corrections.

Respondent.

DOCKET NO. 25-ALJ-04-0579-10

078039

GRIEVANCE NO: P.C.I.-068625

Failure to advance Grievance
NOTICE OF APPEAL

was threatened by TBC
with charging me.

Notice is hereby given that Mr. Robert Graham, Jr. appeals the final decision of the South Carolina Department of Corrections dated above notice and received on July 21-2025, a copy of which is attached. In accordance with Rule 59(B) of the Rules of Procedure for the South Carolina Administrative Law Court (SCALC Rules) please provide a brief factual basis for each expressly and specifically asserted constitutional violation:

I'm appealing this decision of staff grievance
due to the agency refusing to follow their own rule
my efforts have been frustrated so fully exhaust
by not abiding by the policy G.A. 04.12. Section 15
allegations of criminal activities the TBC in fact
not only willingly refused to abide by section
15 reports of criminal activities being forward
to branch chief. [WOT] in formal resolution is
required per section 15, this infringes upon my
liberty interest of hardship address access to camp.
In Robert Graham Jr. is criminal S.C. Statute

Appellant's Name

Signed

P.O. Box 21787

Mailing Address

7-23-2025

Dated

RECEIVED

Columbia, SC 29221

City, State, Zip Code

DEC 02 2025

CERTIFICATE OF SERVICE

I hereby certify that I, Robert Graham (your name), on the 7 day of July, 2025, in SC Court of Appeals (city), South Carolina, served a copy of the foregoing Notice of Appeal on all parties to this matter by depositing the same in the United States Mail, postage paid, and addressed as follows:

Name of person/Agency served: General Counsel P.O. Box 21787 Columbia

Address: South Carolina Admin Law Court 1205 Pendleton St

City, State, Zip Code: Columbia 224 Columbia SC 29201

Robert Graham, Jr.

Print your name

(See reverse side for instructions)

Robert Graham Jr.

Sign your name

Approved
Frustrated

State of South Carolina
FILED
AUG 04 2025
Administrative Law Court

she (IGC), can't circumvent procedural safeguards. The SCOT GA-Pl. 12 is in general. Section 15 Appellant relied upon its controlling, IGC was supposed to forward to chief branch to be determined if the criminal complaint 16-16-200b gave rise to criminal activity or send it back for normal processing. Not her telling Appellant to do her job. This created a liberty well-protected interest due process - frustrating the process. Not to exclude threatening to charge Appellant with lying for reporting our behind closed doors discussion of the Cheyenne for reporting her initial not processing or providing Appellant his copy, criminal complaints for Section 15 goes to Chief branch first.

Robert Graham I
Mr. Robert Graham Jr
#178039

TO:

General Counsel

P.O. Box 21787

Columbia SC 29221

Clerks of Court

South Carolina A.D.M. Court

1205 Pendleton St, Suite

224 Columbia SC

29201

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DEC 02 2025

SC Court of Appeals

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Firm Mailing Book For Accountable Mail

Sender's Name	Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☒ Certified Mail ☒ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail	Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt. 8/12/2025 Exhibit 16												
Tracking/Article Number 9502702733 818164 Graham 174039	Addressee (Name, Street, City, State, & ZIP Code™) SC Supreme Court PO Box 11330 Columbia SC 29211	Postage 1.61	(Extra Service) Fee 5.30	Handling Charge Handling Charge - if Registered and over \$50,000 in value	Actual Value If Registered	Insured Value	Due Sender If COD	ASR Fee	ASRD Fee	RD Fee	RR Fee 4.40	SC Fee	SCRD Fee	SH Fee
Total Number of Pieces Received at Post Office 1 Postmaster, Per (Name of receiving employee) <i>[Signature]</i>		RECEIVED DEC 02 2025 SC Court of Appeals												

INMATE GRIEVANCE FORM

STEP 1

SCDC 10-5 (Rev. October 2013)

RECEIVED

JUL 09 2026

CERTIFICATE OF COUNSEL

Court of Appeals

86-17-2026

The undersigned hereby certifies that this record on appeal contains all material proposed to be included by any of the parties and not any other materials.

Appellate Court P.O. Box 11629 Columbia SC 29211

(Certificate)

CHRISTINE E. BIGLOW

Date of Service

4444 Broad River Rd

Jul 2026

PO Box 21787

(Jenny K. Adams)

Columbia, SC

29201

By Mr. Robert Graham Jr.

Mr. Robert Graham Jr.

4444 Broad River Rd.

MTB 2093

Broad River Rd.

Columbia SC

29210

(Appellant - Counsel)

July 7th 2026

I certify that this designation contains no matter which is irrelevant to this appeal.

By Robert Graham