

**IN THE SOUTH CAROLINA COURT OF APPEALS**

Appeal Form Administrative Law Court

Phillip Lenskl, Administrative Law Judge

Case No: 2025-002534

**RECEIVED**

**AUG 17 2026**

**SC Court of Appeals**

Adam Weitenhagen, Appellant,

v.

**South Carolina Department of Corrections,**

Respondent.

**RECORD ON APPEAL**

**Adam Weitenhagen #319884**

**Tyger River Correctional Institute**

**200 Prison Rd.**

**Enoree, SC 29335**

**Appellant Pro, Se.**

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1.)

Order Granting Motion to remand and denying motion to compel Case No. 23 ALJ-04-0197-AP Dated 11-29-2023 Issued by The Honorable Judge Robert L. Rebold; Administrative Law Judge.

2.)

Appellant's Objection to motion to dismiss; Case No: 23 ALJ-04-0197-AP Dated 10-05-2023

3.)

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4.)

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**STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT**

Adam Weitenhagen, #319884,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

Docket No. 23-ALJ-04-0197-AP

**ORDER GRANTING MOTION TO  
REMAND AND DENYING MOTION  
TO COMPEL**

**STATEMENT OF CASE**

This matter is pending before the South Carolina Administrative Law Court (the ALC or the Court) pursuant to an appeal filed by Adam Weitenhagen (Appellant), an inmate incarcerated with the South Carolina Department of Corrections (SCDC or the Department). *See Allen v. S.C. Dep't of Corr.*, 439 S.C. 164, 170, 886 S.E.2d 671, 674 (2023); *Slezak v. S.C. Dep't of Corr.*, 361 S.C. 327, 331 605 S.E.2d 506, 507 (2004); and *Al-Shabazz v. State*, 338 S.C. 354, 369, 527 S.E.2d 742, 750 (2000).

On May 16, 2023, Appellant submitted a Step 1 grievance stating “[m]y participation in Prison Industries is in violation of S.C. Code § 24-3-430(D) and *Torrence v. SCDC*” and requesting that “[his] participation be in compliance with S.C. Code § 24-3-430(D) and *Torrence v. SCDC*.” This grievance was designated by the Department as grievance number TYRCI0327-23. On May 19, 2023, the Department responded: “Your grievance has been processed and is being returned to you due to it being a duplicate to TYRCI-0241-22 which was processed.” Appellant received the Department’s response on May 19, 2023.

Appellant filed his notice of appeal on May 26, 2023, asserting only that he had not been compensated pursuant to S.C. Code § 24-3-430(D) and *Torrence v. S.C. Dep’t of Corr.*, 433 S.C. 633; 861 S.E.2d 36 (Ct. App. 2021) for his participation within the Prison Industries Program. This matter was assigned to the undersigned on June 7, 2023. On August 17, 2023, the Department filed a motion to enlarge the time to file the record on appeal, which was granted on September 13, 2023. On September 15, 2023, the Department filed a motion to dismiss on the basis that Appellant’s May 16, 2023 Step 1 grievance (TYRCI0327-23) is impermissibly duplicative to a prior grievance TYRCI 0241-22. On October 5, 2023, Appellant filed a response objecting to the



Department's motion and stated that "the continuous actions to deny the proper wage within contractual agreement and the bi-weekly deductions under S.C. Code 24-32-40 amounts to a deprivation for continuous claims not one single claim as presented." On September 22, 2023, Appellant filed a motion to compel the Department to include its Shaw Industries contract in the record on appeal on the basis of the contract relating to the parties' positions.

On October 11, 2023, the Court granted the Department's motion in part, dismissing Appellant's claims for prevailing wages through November 2, 2022. The Court also ordered Appellant to submit a letter to the Court clarifying the scope of his claim for prevailing wages. The Court received the requested correspondence from Appellant on October 23, 2023. Appellant asserted in the letter that his second grievance sought prevailing wages from January 23, 2023 "to present."

On October 31, 2023, the Court denied the Department's motion in part upon concluding that the Appellant's second grievance was not duplicative and that the grievance for prevailing wages from January 23, 2023 were not barred by the Department's decision on the first grievance. The order completed the Court's consideration of and disposed of the Department's motion to dismiss. In response, the Department filed a Motion to Remand and Response to Motion to Compel on November 13, 2023. In its motion to remand the Department seeks to be allowed to render a final agency decision on Appellant's second grievance, limited to the January 23, 2023 to present timeframe. The Department further asserts that remand would render the pending motion to compel moot and, alternatively, asserts such a motion is not available under the Court's rules applicable to inmate appeals. As of the date of this order, Appellant has not filed a response to the Motion.

### DISCUSSION

The Court generally has jurisdiction to hear inmate appeals that have been properly filed and served. *See* S.C. Code Ann. § 1-23-600(D) (Supp. 2023); *Allen*, 439 S.C. at 170, 886 S.E.2d at 674 (2023) ("[T]he ALC has subject matter jurisdiction over inmate grievance appeals that have been properly filed."); *see also Slezak*, 361 S.C. at 331, 605 S.E.2d at 507 (2004); *Al-Shabazz*, 338 S.C. at 369, 527 S.E.2d at 750 (2000).

Appellant presented the Department with a grievance, designated as TYRCI0327-23, that the Department initially rejected as duplicative but has now indicated it will address consistent

with the Court's earlier ruling that the second grievance was not duplicative. The Department has moved the Court to remand so the Department can render a final agency decision.

The Court's review of inmate grievances is confined to the same manner as prescribed in section 1-23-380 of the South Carolina Code (Supp. 2023). *See* S.C. Code Ann. § 1-23-600(E) (Supp. 2023). Section 1-23-380 provides the following:

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

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

S.C. Code Ann. § 1-23-380(5) (Supp. 2023). Notably, this same section also provides that "[i]n cases of alleged irregularities in procedure before the agency, not shown in the record, and established by proof satisfactory to the court, the case may be remanded to the agency for action as the court considers appropriate. S.C. Code Ann. § 1-23-380(4) (Supp. 2023).

Furthermore, a prerequisite for the ALC to review a decision of the Department on appeal is that the inmate has exhausted all of the administrative remedies with the Department. *See* § 1-23-380 ("A party who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision in a contested case is entitled to judicial review pursuant to this article and Article 1."); *see also Brown v. James*, 389 S.C. 41, 48, 697 S.E.2d 604, 608 (Ct. App. 2010) ("The doctrine of exhaustion of administrative remedies requires that where a remedy before an administrative agency is provided, relief must be sought by exhausting this remedy

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before the courts will act. This doctrine is well established, is a cardinal principle of practically universal application, and must be borne in mind by the courts in construing a statute providing for review of administrative action." (quoting 2 Am. Jur. 2d, *Administrative Law* § 595 (1962))).

Presently, the Department seeks an order remanding this matter to the Department to allow it to issue a response to Appellant's second grievance (TYRCI0327-23). The Court is satisfied that the requirements for remand found in Section 1-23-380(4) have been met. Furthermore, the remand sought by the Department is well rooted in and honors the need for Appellant to exhaust administrative remedies with the Department before seeking review by the Court. Therefore, it is appropriate to remand this matter to the Department to allow it to issue a response to Appellant's second grievance so that the parties will have a full and fair opportunity to address the issues between one another. The Court makes no comment on what the Department may or may not include in its response to Appellant's grievance.<sup>1</sup>

Having determined the appropriateness of and granting the remand, the Appellant's motion to compel is rendered moot and, therefore, denied. *See McDill v. Nationwide Mut. Ins. Co.*, 368 S.C. 29, 31, 629 S.E.2d 749, 750 (Ct.App. 2006) (a case becomes moot when judgment, if rendered, will have no practical legal effect upon the existing controversy); *Perry v. Green*, 313 S.C. 250, 256-57, 437 S.E.2d 150, 154 (Ct.App. 1993) (the appellate court will not pass on moot and academic questions); 15 S.C. Jur. Appeal and Error § 19 (Nov. 2023 Update).

### ORDER

**IT IS ORDERED** that the matter is **REMANDED** to the South Carolina Department of Corrections for the Department to issue a decision concerning Appellant's claims designated as grievance TYRCI0327-23.

**IT IS FURTHER ORDERED** that the Appellant's motion to compel is **DENIED**.

**AND IT IS SO ORDERED.**



---

The Honorable Robert L. Reibold  
Administrative Law Judge

November 29, 2023  
Columbia, South Carolina

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<sup>1</sup> As an additional ground to grant the Department's requested relief, the Court notes Appellant has not filed a response to the Department's motion. Accordingly, Appellant has implicitly consented to the Department's requested relief. *See* SCALC Rule 68 (permitting the ALJ to apply the South Carolina Appellate Court Rules in his or her discretion to resolve questions not addressed by the Court's rules); Rule 240(e), SCACR ("Failure of a party to timely file a return may be deemed a consent by that party to the relief sought in the motion or petition.").

CERTIFICATE OF SERVICE

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

A handwritten signature in black ink that reads "Van Whitehead". The signature is written in a cursive style with a horizontal line underneath it.

Van Whitehead  
Judicial Law Clerk

November 29, 2023  
Columbia, South Carolina

STATE OF SOUTH CAROLINA  
In The Administrative Law Court

Adam Weitenhagen, #319884

Appellant,

Vs.

South Carolina Dept. of Corrections,

Respondent...

Docket # 23-ALJ-04-0197-AP

Grievance No: TYRCI 327-231

Appellant's Objections to Motion to Dismiss

The Appellant, hereby makes the following objections to the Respondent's motion to dismiss:

- 1.) Pursuant to S.C. Code Appellant receives a wage and deduction for his performance in the Prison Industries Enhancement Program, (Hereinafter P.I.E.P.), See S.C.Code 24-3-430(d) and 24-3-40. Pursuant to those State Statutes every two weeks a deduction for wages is made by the South Carolina Department of Corrections.
- 2.) Appellant filed a step one and step two grievance of the issue as it initially accrued from the wages deducted by the Respondent. The Appellant received his initial final decision from the Respondents stipulating that his pay wage as of that date was actually correct pursuant to S.C. Code 24-3-430 (d) and 24-3-40. Thus, Appellant was given notice that his pay was correctly applied pursuant to SCDC contract with Shaw Industries and reflected the D.E.W. data as required.
- 3.) On September 2<sup>nd</sup> the Appellant was paid for labor performed within the P.I.E.P. program at Tiger River Correctional Institution, and received a deduction sheet that verified that his pay in fact had not been corrected or reflected the contractual obligations as agreed with Shaw Inc. and SCDC. Therefore Appellant filed a subsequent grievance as the issue was not resolved as stipulated in the initial Step Two Grievance.
- 4.) Appellant filed an appeal of that wage deduction of September 2<sup>nd</sup> 2023, which subsequently continues to be the practice of SCDC through the present date. As a result Appellant continues have wages deducted by the Respondent that does not reflect the contractual agreement and State Law.
- 5.) The Respondents requested and was granted an abeyance of 120 days to settle the matter of the Step one grievance filed September 9, 2023. However, has failed to present any negotiations or record for wage deductions in the above captioned matter, which the Appellant filed to compel with this Honorable Court.
- 6.) The Appellant submits that the continuous actions to deny the proper wage within contractual agreement and the bi-weekly deductions under S.C. Code 24-32-40 amounts to a deprivation for continuous claims not one single claim as presented.

Wherefore, the Appellant requests this Honorable Court to deny the Motion to Dismiss where the claim is one which is outstanding and continues as a result of the failure of the Respondent to comply with contractual agreement. Further, where the Appellant in filing filed upon a continuous claim under agency policy for which he is entitled as it accrues every two weeks as a result of the practice of the Respondent.

Respectfully Submitted

s/ Adam Weitenhagen

Adam Weitenhagen #319884  
Tyger River Correctional Institution  
200 Prison Road Unit 1 Room 217  
Enoree, SC 29335

STATE OF SOUTH CAROLINA  
In The Administrative Law Court

Adam Weitenhagen, #319884

Appellant,

Vs.

South Carolina Dept. of Corrections,

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Docket # 23-ALJ-04-0197-AP

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Respectfully Submitted  
s/ Adam Weitenhagen

Adam Weitenhagen #319884  
Tyger River Correctional Institution  
200 Prison Road Unit 1 Room 217  
Enoree, SC 29335

**From:** Adam Weithenhagen #319884  
Tyger River Correctional Institution  
200 Prison road  
Enoree, SC 29335

To: The Honorable Robert L. Reibold  
Administrative Law Court Judge  
1205 Pendleton Street, Suite 224  
Columbia, SC 28201

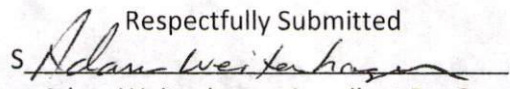
Dear Judge Reibold:

Pursuant to the Order issued October 11, 2023 by you to address by way of letter to clarify the second grievance and its dates, I submit to you the following as requested in grievance Number (TYRCI0327-23), which I filed with this Honorable Court. On November 2, 2022, I filed the initial grievance claiming entitlement to back wages. However, chose to not seek such back wages after the Department stipulated that I was receiving a wage in accordance to S.C. Code 24-3-430 (d). However, subsequently I received a copy of the Shaw Industries Contract which stipulated rates of pay and the outline of how wages are to be deducted by the Respondent under the Statutory Code. That the present Federal Minimum Wage was a training wage for the first thirty days of my participation within the program and that my rate of pay was to increase upon retention after thirty days to a wage consistent with the Department of Employment and Workforce Data for any future participation beyond the thirty day period.

Thus, I filed the Grievance on those wages from January 23, 2023 to present and **specifically that my rate of pay is not in compliance with Statutory Law and contractual obligation, and that I am being paid a wage in violation of S.C. Code 24-3-430 (d), for my participation in Prison Industries, Torrence v. S.C. Dept. of Corrections, 433 S.C. 633; 861 S.E.2d 36 (2021), as stated within the grievance.**

Therefore, as of this date the rate of pay is not been corrected as alleged within the initial grievance, and deductions of those wages under S.C. Code 24-3-40, have been withheld since January 23, 2023, which were denied by the Respondent. So what I am asking the court is to correct the pay rate to reflect what was agreed upon within the contractual agreement between the SCDC and Shaw Industries ***prior to any further deductions and withholding of wages, for any future labor within the program.***

I pray this will clarify my position and ask that if my second grievance is remanded for response that this Honorable Court take note of the excessive delay in answering grievances in Step 2, and how this is being used to delay access to this Honorable Court, and ask that a timeline for such be stipulated.

Respectfully Submitted  
S.   
Adam Weithenhagen Appellant Pro Se

C.C. File  
Office of General Counsel

## CERTIFICATE OF SERVICE

I, Adam Weitenhagen, hereby certify that I have this date served the The Honorable Robert I, Reibold, and the Office of General Counsel, with the required letter of Clarification as stipulated within the Order issued on October 11, 2023 by depositing a copy and original of such in the United States Mail postage paid, to the address provided by the parties and or attorneys in this matter.

Respectfully Submitted  
s. Adam Weitenhagen  
Adam Weitenhagen Appellant Pro Se

C.C. File  
Office of General Counsel

# SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

## RECEIVED INMATE GRIEVANCE FORM

14

NOV 09 2022

### STEP 1

|                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>INMATE NAME:</b> <u>Adam Weitenhagen</u><br><b>SCDC NUMBER:</b> <u>310884</u> <u>11-9-22</u> <u>BDR</u><br><b>INSTITUTION:</b> <u>Tyger River Correctional Institution</u><br><b>HOUSING UNIT:</b> <u>Unit 1 / Room 217</u><br><b>WORK ASSIGNMENT:</b> <u>Prison Industry (PI 2 Main Office)</u> | <b>TYGER RIVER OFFICE USE ONLY</b><br><b>Grievance No.</b> <u>0241-22</u><br><b>Code:</b> General <u>MY/WS</u><br><b>Policy</b> _____<br><b>Disc. Hear.</b> _____<br><b>Class.</b> _____<br><b>PREA</b> _____<br><b>Date Received</b> <u>11/14/22</u><br><b>IGC Initials</b> <u>gc</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

I'm currently employed in the Tyger River Correctional Institution's Private Sector Prison Industry (PIEOP) plant & have been continuously since June 2, 2018. I have performed 7,646.5 hours of regular hour labor and 1,226.75 overtime hours of labor. \*\*\* My complaint is throughout my entire employment, SDC has refused and continues to refuse to pay me the prevailing hourly wage for my work as mandated by SC Code Of Law §24-3-430 (D) & §24-3-315, which mandates that my rates of pay and conditions of employment not be less than non inmate worker performing the same or similar work. (Federal Law Also mandates that I be paid no less than prevailing wages 18 USCA 1761).

\*\* I performed 267.5 hours of work as QC Quality Control inspecting the wood products, and was only paid \$7.30¢ per hour, The SC Department Of Employment & Workforce (DEW) Wage Plan For Tyger River list a prevailing wage of \$12.68¢ per Hour (See Attached Page Of DEW's Wage Plan For Tyger River),. Therefore, SDC owes me the difference of \$1,451.30¢ for my work as a QC.... \*\*\* I also performed 697.75 regular hours & 35.5 hours of over time work as a shipping and receiving clerk & was only paid \$7.30 to \$7.40¢ per hour, however, DEW's attached Wage Plan says I should have been getting paid a prevailing wage of \$10.55¢ per hour as an experienced shipping and receiving clerk. Therefore, SDC owes me the difference of \$2,298.05¢ for my labor as an experienced shipping & receiving clerk... \*\*\* I also performed 5,562.75 regular hours and 1,168.25 hours of overtime work as an experienced Administrative Office Clerk for which I was only paid \$7.40¢ per hour, however, DEW's Wage Plan for Tyger River list that I should have been paid a prevailing hourly wage of \$10.55¢ per hour for my work as an experienced Administrative Office Clerk, Therefore, SDC owes me the difference of \$19,362.65¢...

**Note:** There is nothing ambiguous or complex about §24-3-430 (D) Or §24-3-315 or the SC Court Of Appeals June 30, 2021 Torrence v. SDC, 433 SC 633; 861 SE 2d. 36 (SC Ct. App. 2021) decision. There is nothing ambiguous about the Ashurst-Sumer Act, which criminalizes SDC's actions for transporting & selling these prison made goods on open market without paying inmates a prevailing wage (18 USCA 1761 (C) (2) and under state law §24-3-410 & §24-3-420, there is nothing ambiguous about these congressional acts and laws, and the lawyer representing SDC in these matters have a legal duty to inform SDC they are violating state and federal law & each order transported & or sold on open market constitutes a separate & distinct criminal offense & the attorneys are aiding SDC in their criminal activities, which could warrant disbarment.

\*\*\*I also complain that I worked 1,042.25 on press machine & was only paid \$7.25 to \$7.30 per hour and not a \$10.00¢ prevailing wage.

Grievant Signature Adam Weitenhagen      Date 11/2/22

**ACTION REQUESTED:** I request SDC pay me the \$23,111.00¢ it owes me for the work I performed as a QC, Experienced Shipping & Receiving Clerk, & Experienced Administrative Office Clerk. & I request SDC go to DEW & find out what the prevailing wage is for inmates working on that very dangerous 400 degree hot press and pay me whatever is owed me as mandated by §24-3-315. (SEE: Attachment DEW Wage Plan For Tyger River & Shaw Wage Scale).

**ACTION TAKEN BY IGC:** ☒ PROCESSED    ☐ UNPROCESSED    ☐ OTHER

~~~~~See Warden's response on back.~~~~~

IGC Signature \_\_\_\_\_ Date 11/14/22

## WARDEN'S DECISION AND REASON:

Weitenhagen, Adam 319884

TYRCI-0241-22

I have reviewed your concern. In it you stated that you currently work in the Prison Industries Program at Tyger River Correctional Institution and have been involved in this program since 6/2/18. You allege that you are entitled to prevailing wages as defined by the Department of Employment and Workforce. You have requested that you be paid back wages for the difference between your current rate of pay and prevailing wages. In addition, you have requested that you be paid the prevailing wage going forward. Inmates voluntarily accept services provided by Prison Industries Private Sector Programs and Prison Industries Service Programs. Pursuant to SCDC Policy ADM-15.13 Inmate Pay, it establishes criteria for determining eligibility for inmate pay and ensures proper handling of all matters pertaining thereto. An employee is designated specifically to enter inmate pay data, provided by PI, into the Inmate Pay System. Inmates entering a PI program receives pay at that program's current rate. Problems in pay must be identified within 15 days of the payroll date error. Record of electronic notification must be retained. Failure to notify the Agency in writing and within 15 days, forfeits back pay. You were provided with wages that were approved by the governing authority of South Carolina at that time and accepted as such. Any additional information that you require should be addressed to companies outside SCDC. You have failed to prove pertinent staff performed their duties inconsistent with applicable policy and procedure.

Therefore, your grievance is denied.

If you disagree with this Warden's Decision (Decision), you may file an appeal by completing SCDC Step 2 Inmate Grievance Form 10-5A, provided to you while serving you this Decision, and placing it in the Grievance Box at your local correctional institution within five (5) days of your receipt of this Decision.



Warden Signature

11/21/22

Date

☐ I accept the Warden's decision and consider the matter closed.

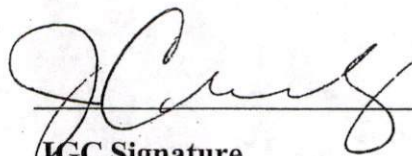
☒ I do not accept the Warden's decision and wish to appeal.



Grievant Signature

11/23/22

Date



IGC Signature

11/23/22

Date

## INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number 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; policy 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.

RECEIVED

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INMATE GRIEVANCE FORM

DEC 05 2022

STEP 2

Due 11/28/22

NOV 29 2022

16

Office Use Only

TYGER RIVER C.I.  
WARDEN'S OFFICE

Grievance No. TyRCI-0241-22  
Code: General MY/WS  
Policy \_\_\_\_\_  
Disc. Hear. \_\_\_\_\_  
Class \_\_\_\_\_  
PREA \_\_\_\_\_  
Date Received: 11-29-22  
IGC Initials: JC  
Date Received: 12/9/22  
IGA Initials: BW

INMATE GRIEVANCE

INMATE NAME: Adam Weitenhagen  
SCDC NUMBER: 319884 11-29-22 PCR  
INSTITUTION: Tyger River Correctional Institution  
HOUSING UNIT: Unit One, Room 217  
WORK ASSIGNMENT: Prison Industry (PI-2 Main Office)

INMATE'S REASON FOR APPEAL (state specific dissatisfaction): The Warden's decision implies that because I volunteered to work in Prison Industry PIEOP plant, it acts as an agreement or contract to be paid less than prevailing wages, which can't be true because no court can enforce an illegal contract nor is any contract which goes against public policy, statutory law, or provisions of the constitution valid. (See: Mason v. Mason, 412 SC 28) § 24-3-430(D) mandating prevailing wage is a statutory law. \*\*Also, prior to Wicker v. SDC, 602 SE 2d 56 (2004), inmates had no recourse or remedy to challenge SDC's failure to comply with prevailing wage statutes & get back pay wages. In Wicker, The SC established filing a grievance was the proper remedy to challenge prevailing wage violations, SDC accepted filing a grievance as the proper procedure & remedy (See: Cartrette v. SDC, 387 SC 640/ Gatewood v. SDC, 416 SC 304 (2016) / Ward v. SDC, 2022 WL 6881829/ Wicker v. SDC, 2021-AJ-04-0153) However, once SDC lost the Torrence v. SDC, 433 SC 633 (SC Ct. App. 2021) case & realized SDC is going to have to pay millions in back wages, SDC came up with a scheme, & about 3 weeks ago & began instructing Warden's & IGC's to tell inmates in their grievance response that filing a grievance is no longer the proper remedy to challenge prevailing wage violations, but that inmates should now use Agency Inmate Pay policy ADM-15.13, which will not allow us to get any back wages for all the years SDC cheated us out of prevailing wages. I wrote Inmate Financial under ADM-15.13 & was told SDC can pay me less than prevailing wages & SDC is not going to fix my pay regardless of what Torrence case says or §24-3-430 (D)...\* The SC Supreme Court said file a grievance & that is what I am doing. SDC policy cannot over ride SC Supreme court's intention. Grievant Signature Adam Weitenhagen Date 11-27-2022

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

SEE REVERSE SIDE

Responsible Official Signature Julie Dean Date 12-29-22

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Grievant Signature Adam Weitenhagen Date 1/10/23

IGC Signature J. Curly Date 1/10/23

(SEE REVERSE SIDE FOR INSTRUCTIONS)



**SOUTH CAROLINA**  
**DEPARTMENT OF CORRECTIONS**  
*Division of Legal Counsel & Compliance*

HENRY McMASTER, Governor  
BRYAN P. STIRLING, Director

17

April 25, 2024

Via Interagency Mail

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

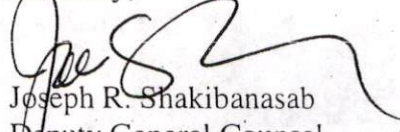
Reference: Inmate Adam Weitenhagen v. SCDC, #319884  
Docket No. 23-ALJ-04-0197-AP  
Grievance No. TYRCI 327-23

Dear Judge Reibold:

Pursuant to the Court's Order dated April 16, 2024, please find enclosed a copy of the Final Release and Settlement Agreement for the above referenced matter.

By copy of this letter I am serving same on the Adam Weitenhagen.

Sincerely,



Joseph R. Shakibanasab  
Deputy General Counsel  
Office of General Counsel

cc: Inmate Adam Weitenhagen, #319884  
File

Enc.: Final Release and Settlement Agreement

## FINAL RELEASE AND SETTLEMENT AGREEMENT

18

The Petitioner, Adam Weitenhagen, SCDC Number 319884, and the Respondent, the South Carolina Department of Corrections ("SCDC") have voluntarily entered into this Final Release and Settlement Agreement.

Adam Weitenhagen, SCDC Number 319884, for and in consideration of the promise and agreement hereby made on behalf of the SCDC to pay Eleven Thousand Eight Hundred Ninety Four Dollars and Forty Cents (\$11,894.40), to Adam Weitenhagen, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Petitioner, Adam Weitenhagen, does hereby release, acquit, and forever discharge the SCDC, their agents, successors and assigns, and any and all other firms, persons, associations, corporations, or entities from any and all claims, grievances, Administrative Law Court cases, appeals, demands, causes of actions, actions or suits of any kind or nature whatsoever, including, but not limited to, all claims, known or unknown, relating to the monies paid to Adam Weitenhagen of any kind including but not limited to claims to be paid the "prevailing wages" pursuant to S.C. Code Ann. § 24-3-430 (d), remittances of monies, back payment of wages, and any other damages of any kind whatsoever on account of or arising out of or in any way relating to Adam Weitenhagen's participation in the Prison Industries Program, including any Prison Industries Enhancement Program ("PIE" or "PIECP") while incarcerated at the South Carolina Department of Corrections, including but not limited to, the case remanded from the Administrative Law Court bearing docket number 23-ALJ-04-0197-AP with grievance number TYRCI 327-23.

Adam Weitenhagen agrees that Administrative Law Court Case bearing docket number 23-ALJ-04-0197-AP with grievance number TYRCI 327-23 was remanded to the South Carolina Department of Corrections to provide a final agency decision. No further appeal will be filed on this matter.

Adam Weitenhagen hereby declares that the terms of this Final Release and Settlement Agreement have been completely read, fully understood, and voluntarily accepted for the purpose of making a full and final compromise, settlement, and adjustment of any and all claims and or losses, against any and all firms, persons, corporations liable or who might be claimed to be liable, and for the express purpose of precluding forever any further or additional claims by or on behalf of Adam Weitenhagen, or arising out of or in any way related to Adam Weitenhagen's participation in the Prison Industries Program, including any Prison Industries Enhancement Program ("PIE" or "PIECP") more particularly described in the case remanded from the Administrative Law Court bearing docket number 23-ALJ-04-0197-AP with grievance number TYRCI 327-23, and is further understood and agreed that this release of all claims that may be plead as a bar to any claim of any kind whatsoever which may be asserted by Adam Weitenhagen or on his behalf in connection with

Adam Weitenhagen 319884

Adam Weitenhagen No. 319884

[Signature]  
Witness for Adam Weitenhagen

Kensley Evans

For SCDC

LuAnn D. Vickers

Witness for SCDC

Inmate Name: Adam Weitenhagen

SCDC Number: 319884

Page 1 of 2

the aforementioned participation in the Prison Industries Program more particularly described in grievance number TYRCI 327-23 and remanded from the Administrative Law Court bearing docket number 23-ALJ-04-0197-AP.

This Final Release and Settlement Agreement shall be interpreted and governed in accordance with the laws of the State of South Carolina.

Adam Weitenhagen, agrees that he has not assigned, transferred, or conveyed in any manner all or any part of his legal claims or legal rights against the other in connection with the matters described in the case bearing docket number 23-ALJ-04-0197-AP and grievance number TYRCI 327-23, in the above-referenced action.

Adam Weitenhagen further acknowledges that the settlement funds of Eleven Thousand Eight Hundred Ninety Four Dollars and Forty Cents (\$11,894.40) is or may be subject to state and federal taxes, and Adam Weitenhagen understands that Respondent, SCDC, is not withholding any funds for Adam Weitenhagen's tax liabilities. Adam Weitenhagen understands that he will be responsible for any and all tax liabilities and obligations resulting from this settlement and further agrees to indemnify and hold SCDC harmless from any tax liabilities and obligations resulting from this settlement.

Adam Weitenhagen agrees that the terms of this Final Release and Settlement Agreement shall be binding on his heirs, next of kin, intestate beneficiaries, and any executor or administrator of his estate.

Agreed to by:

*Adam Weitenhagen* 319884  
ADAM WEITENHAGEN  
SCDC Number: 319884

4/10/24  
Date

*[Signature]*  
Witness for Adam Weitenhagen

4/10/24  
Date

*Kensley Evans*  
for SCDC

April 11, 2024  
Date

*LuAnn D. Vickers*  
Witness for SCDC

4/11/24  
Date

SC Court of Appeals

## ORDER GRANTING RESPONDENT'S MOTION TO DISMISS

FILED  
12/04/2022  
SC Admin. Law

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created liberty interests typically involving: (1) cases in which an inmate contends that prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; and (2) cases in which an inmate has received punishment in a major disciplinary hearing as a result of a serious rule violation.<sup>1</sup> *Id.* The Court further clarified in *Wicker v. South Carolina Department of Corrections*, that this court has jurisdiction to hear inmate wage claim grievances in the limited circumstance where the state has created a statutory right to that wage. 360 S.C. 421, 423–24, 602 S.E.2d 56, 57 (2004) (“We find that where, as here, the state has created a statutory right to the payment of a prevailing wage, it cannot thereafter deny that right without affording due process of law.”).

### DISCUSSION

In this matter, the Department responded to the Appellant’s Step 2 Grievance that the Appellant has settled his prevailing wage claim and that the release the Appellant signed provides that the settlement is for all Prison Industries (PI) claims at all institutions. In the Motion to Dismiss, the Department argues that the inmate pay statute, S.C. Code Ann. § 24-3-430(D) was amended effective May 21, 2024, to allow the Department to pay inmates the federal minimum wage. Consequently, the Appellant is entitled to be paid the federal minimum wage, which he is receiving.

The Appellant argues that this grievance concerns wages owed from April 11, 2024 to the present, a time period not covered by the prior settlement and that he is entitled to the prevailing wage under federal law. However, South Carolina courts have previously held that certain federal laws do not apply to inmate workers, but rather state statutory mandates govern the Department’s conduct. *See South Carolina Dept. of Corr. V. Cartrette*, 387 S.C. 640, 694 S.E.2d 18 (Ct. App. 2010) (holding that the federal Fair Labor Standards Act does not apply to inmate workers, but rather statutes governing the prison industries program compel the Department to ensure inmate workers receive the same pay rates and employment conditions as their non-inmate peers.). Inmates working in a prison industries program have a state-created liberty interest in having the Department pay them according to the statutory scheme governing the program. *Torrence v. S.C. Dep’t of Corr.*, 433 S.C. 633, 861 S.E.2d 36 (2021). The current statutory mandate requires the Department to pay inmates not less than the federal minimum wage. *See Brown v. S.C. Dep’t of Health & Envtl. Control*, 348 S.C. 507, 515, 560 S.E.2d 410, 414 (2002) (“An appellate court

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<sup>1</sup> The court does have limited jurisdiction in some property matters, the authority for which need not be cited here.

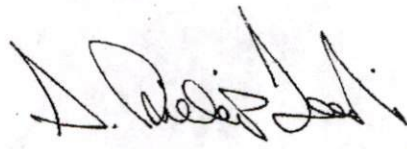
22

cannot construe a statute without regard to its plain meaning and may not resort to a forced interpretation in an attempt to expand or limit the scope of a statute.”).

In this case, the Appellant has not met his burden to show that the Department has erred. *State v. Mitchell*, 330 S.C. 189, 199, 498 S.E.2d 642, 647 (1998) (placing on appellant the burden of presenting a sufficient record to allow appellate review). Therefore, based on the foregoing,

**IT IS HEREBY ORDERED** that the Department’s Motion to Dismiss is **GRANTED** and this appeal is **DISMISSED**.

**AND IT IS SO ORDERED.**



S. Phillip Lenski  
Administrative Law Judge

December 4, 2025  
Columbia, South Carolina

**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States Mail, postage paid, or in the Interagency Mail Service addressed to this party(ies) or their attorney(s).

This 4<sup>th</sup> day of December 2025

  
Judicial Law Clerk



**SOUTH CAROLINA**  
DEPARTMENT OF CORRECTIONS  
*Division of Legal Counsel & Compliance*

HENRY McMASTER, Governor  
JOEL E. ANDERSON,  
Interim Director

23

November 13, 2025

The Honorable Sebastien Phillip Lenski  
South Carolina Administrative Law Court  
Edgar A. Brown Building, Suite 224  
1205 Pendleton Street  
Columbia, South Carolina 29201

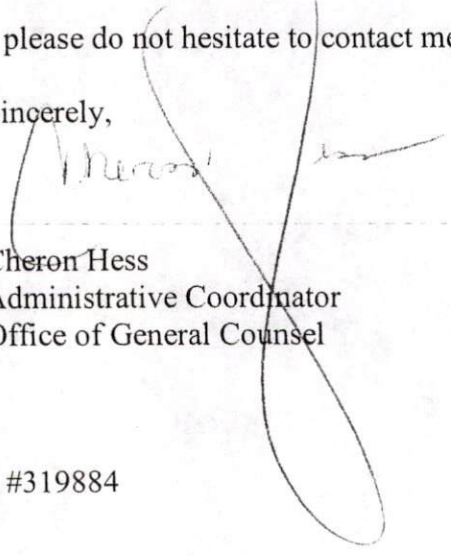
Reference: Inmate Adam Benjamin Weitenhagan, #319884, vs. South Carolina Department of  
Corrections  
Docket No. 25-ALJ-04-0624-AP

Dear Judge Lenski:

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 Adam Benjamin Weitenhagan, #319884  
File

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**STATE OF SOUTH CAROLINA**  
**IN THE ADMINISTRATIVE LAW COURT**

Adam Weitenhagan, #319884

Appellant,

v.

South Carolina Department of Corrections,

Respondent.

) Docket No.: 25-ALJ-04-0624-AP  
) [Grievance No.: TYRCI 992-24]  
)

) *Hon. S. Phillip Lenski*  
)  
)

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

---

This matter is before the Administrative Law Court ("ALC" or "Court") pursuant to the appeal of Adam Weitenhagan ("Appellant"), an inmate incarcerated with the South Carolina Department of Corrections ("SCDC" or "Department"). The above-captioned matter concerns a Prison Industries Enhancement Program ("PIECP" or "PI") pay claim. On November 25, 2024, Appellant filed a Step One Grievance alleging that his current wages should be changed to reflect the prevailing wage.<sup>1</sup> The Step One Grievance was forwarded to the Step Two level of the appeal process due to the nature of Appellant's appeal. The Step Two Grievance response was issued on July 21, 2025.<sup>2</sup> SCDC considered the grievance resolved because Appellant settled his prevailing wage claim and S.C. Code § 24-3-430 was amended, which makes it lawful for inmates to be paid the federal minimum wage. This appeal followed.

On April 10, 2024, settled any and all claims arising out of Appellant's participation in the prison industries program, including any Prison Industries Enhancement Certification Program while incarcerated at SCDC.<sup>3</sup> On or about April 23, 2024, the settlement funds were placed into Appellant's PI Private Sector Account. The settlement agreement Appellant signed expressly states that Appellant:

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<sup>1</sup> A copy of Step One Grievance is provided for the Court's and parties' convenience.

<sup>2</sup> A copy of Step Two Grievance is provided for the Court's and parties' convenience.

<sup>3</sup> A copy of Final Release and Settlement Agreement is attached for the Court's and parties' convenience.

does hereby release, acquit, and forever discharge the SCDC, its agents . . . from any and all claims, grievances, Administrative Law Court cases, appeals, demands, causes of actions, actions or suits of any kind or nature whatsoever, including, but not limited to, all claims, known or unknown, relating to the monies paid to [Appellant] of any kind or nature whatsoever, including, but not limited to all claims . . . to be paid the 'prevailing wages' pursuant to S.C. Code Ann. § 24-3-430 (d) . . .

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*See* Final Release and Settlement Agreement. Appellant knowingly and voluntarily released any and all claims regarding his PI wages. *See id.* Under the terms of Appellant's settlement agreement with SCDC, Appellant is precluded from bringing "any future or additional claims . . . arising out of or in any way related to" his participation in PIECP. *See id.* Thus, Appellant has fully resolved his claim for PI wages and is not permitted to bring additional claims.

Appellant alleges that he is entitled to the prevailing wage for his current work with PIECP. *See* Step One Grievance. Appellant is no longer entitled to the prevailing wage because S.C. Code § 24-3-430 was amended to allow the Department to pay inmates the federal minimum wage. The South Carolina Court of Appeals ("Court of Appeals") held in *Torrence v. S.C. Dep't of Corrections* that SCDC was required to pay inmates the "prevailing wage." 861 S.E.2d 36, 43-45 (S.C. Ct. App. 2021). Former S.C. Code § 24-3-430 explicitly stated, "No inmate participating in the program may earn *less than the prevailing wage* for work of similar nature in the private sector." *Id.* at 44 (citing S.C. Code Ann. § 24-3-430(D) (2007)). The Court of Appeals relied on the language "less than the prevailing wage" in reaching this decision. *Id.* at 43-44. Legislative intent also supported the conclusion of the Court of Appeals that inmates were entitled to the prevailing wage. *Id.* (finding § 24-3-430(D) was created as a "safeguard to prevent inmates from becoming a cheaper alternative to their counterparts in the private realm.").

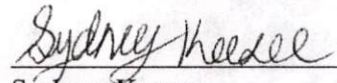
However, S.C. Code § 24-3-430 was amended on May 21, 2024. *See* 2024 S.C. Acts 192. Now, SCDC is instructed that "no inmate participating in the program may earn less than an hourly rate equal to the *federal minimum wage* for work of similar nature in the private sector." S.C. Code

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Ann. § 24-3-430(D) (2024) (emphasis added). This change from “prevailing wage” to “federal minimum wage” indicates that the Legislature no longer intends for inmates to receive a prevailing wage for their work in PIECP after May 21, 2024. S.C. Code Ann. § 24-3-430(D) explicitly directs SCDC to pay inmates, like Appellant, the federal minimum wage.

Therefore, Respondent respectfully requests this case be dismissed.

Respectfully submitted,



Sydney Keese

Staff Attorney

South Carolina Department of Corrections

4444 Broad River Road

Columbia, South Carolina 29210

(803) 896-1943

November 13, 2025  
Columbia, South Carolina

SMG  
12/12/24

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INMATE GRIEVANCE FORM**

27

**STEP 1**

|                                             |                                    |
|---------------------------------------------|------------------------------------|
| <b>INMATE NAME:</b> <u>ADAM Weitenhagen</u> | <b>OFFICE USE ONLY</b>             |
| <b>SCDC NUMBER:</b> <u>319884</u>           | Grievance No. <u>TYRCI-0992-24</u> |
| <b>INSTITUTION:</b> <u>TYGER River C.I.</u> | Code: General <u>My/WS</u>         |
| <b>HOUSING UNIT:</b> <u>Unit 1B-217A</u>    | Policy _____                       |
| <b>WORK ASSIGNMENT:</b> <u>PI # 2</u>       | Disc. Hear. _____                  |
|                                             | Class. _____                       |
|                                             | PREA _____                         |
|                                             | Date Received <u>12-6-24</u>       |
|                                             | IGC Initials <u>PC</u>             |

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

I made a Compromise Settlement Agreement w/ SCDC IN RegARDS to WAGES owed for my Labor IN the P.I.E.E.P. Located AT Tyger River C.I. SINCE that Settlement SCDC has NOT provided or Corrected My WAGES to reflect STATE & Federal Requirements. SCDC Continues to Pay My Persons \$7.40 An hour while Billing Shaw Industries, (contractor) an overhead IN Violation of State & Federal Laws.

Adam Weitenhagen 11/25/24  
Grievant Signature Date

**ACTION REQUESTED:** To have my Pay Corrected to Reflect the Gross Wage changed and Billed And Deductions made Under 24-3-40 AS Required.

**ACTION TAKEN BY IGC:** ☐ PROCESSED ☐ UNPROCESSED ☐ OTHER

\_\_\_\_\_  
IGC Signature Date

(CONTINUE ON REVERSE SIDE)

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SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INMATE GRIEVANCE FORM  
STEP 2

Office Use Only

INMATE NAME: Adam Weitenhagen  
SCDC NUMBER: 319884  
INSTITUTION: Tyger River  
HOUSING UNIT: \_\_\_\_\_  
WORK ASSIGNMENT: \_\_\_\_\_

Grievance No. Tyger - 0992-24  
Code: General Myllw  
Policy \_\_\_\_\_  
Disc. Hear. \_\_\_\_\_  
Class \_\_\_\_\_  
PREA \_\_\_\_\_  
Date Received: \_\_\_\_\_  
IGC Initials: \_\_\_\_\_  
Date Received: 7-21-25  
IGA Initials: IG

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):

In accordance with SCDC Policy GA-01.12, "Inmate Grievance System," "due to the nature of allegations you have raised in your Grievance, it has been forwarded to the Inmate Grievance Branch Central Office and Office of General Counsel for a response. Inmate's signature has been adopted from SCDC 10-5, Step 1 Inmate Grievance Form.

Grievant Signature N/A Date N/A

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

**SEE REVERSE SIDE FOR RESPONSIBLE OFFICIAL'S DECISION & REASON**

Responsible Official Signature Bart J. Vincent Date 7-21-25

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Inmate refuse to sign  
Grievant Signature \_\_\_\_\_ Date \_\_\_\_\_

[Signature] 8/1/25  
IGC Signature \_\_\_\_\_ Date \_\_\_\_\_  
Off. B. Robinson 8/1/25

INSTRUCTIONS FOR COMPLETING STEP 2 GRIEVANCE FORM

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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.

Weitenhagen, Adam 319884

TYRCI-0992-24

The Office of General Counsel records indicate that you settled your PI wage claim. The release indicates settlements are for all PI wage claims at all institutions. Therefore, you are not due any more monies for any wages, child support, or long-term savings, and any grievances related to the prevailing wage matter will be closed noting that you settled your claims.

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. **No additional grievances may be submitted through the Inmate Grievance System regarding the timeframe stated in this Final Agency Decision.**

You may appeal this decision under the South Carolina Administrative Procedures Act to the South Carolina Administrative Law Court. In order to appeal, you must complete the attached Notice of Appeal Form (Form) and submit it as instructed on the Form within 30 days of receipt.

Therefore, we consider your grievance resolved.

## FINAL RELEASE AND SETTLEMENT AGREEMENT

The Petitioner, Adam Weitenhagen, SCDC Number 319884, and the Respondent, the South Carolina Department of Corrections ("SCDC") have voluntarily entered into this Final Release and Settlement Agreement.

Adam Weitenhagen, SCDC Number 319884, for and in consideration of the promise and agreement hereby made on behalf of the SCDC to pay [REDACTED]

[REDACTED] to Adam Weitenhagen, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Petitioner, Adam Weitenhagen, does hereby release, acquit, and forever discharge the SCDC, their agents, successors and assigns, and any and all other firms, persons, associations, corporations, or entities from any and all claims, grievances, Administrative Law Court cases, appeals, demands, causes of actions, actions or suits of any kind or nature whatsoever, including, but not limited to, all claims, known or unknown, relating to the monies paid to Adam Weitenhagen of any kind including but not limited to claims to be paid the "prevailing wages" pursuant to S.C. Code Ann. § 24-3-430 (d), remittances of monies, back payment of wages, and any other damages of any kind whatsoever on account of or arising out of or in any way related to Adam Weitenhagen's participation in the Prison Industries Program, including any Prison Industries Enhancement Program ("PIE" or "PIECP") while incarcerated at the South Carolina Department of Corrections, including but not limited to, the case remanded from the Administrative Law Court bearing docket number 23-ALJ-04-0197-AP with grievance number TYRCI 327-23.

Adam Weitenhagen agrees that Administrative Law Court Case bearing docket number 23-ALJ-04-0197-AP with grievance number TYRCI 327-23 was remanded to the South Carolina Department of Corrections to provide a final agency decision. No further appeal will be filed on this matter.

Adam Weitenhagen hereby declares that the terms of this Final Release and Settlement Agreement have been completely read, fully understood, and voluntarily accepted for the purpose of making a full and final compromise, settlement, and adjustment of any and all claims and or losses, against any and all firms, persons, associations, corporations liable or who might be claimed to be liable, and for the express purpose of precluding forever any further or additional claims by or on behalf of Adam Weitenhagen, arising out of or in any way related to Adam Weitenhagen's participation in the Prison Industries Program, including any Prison Industries Enhancement Program ("PIE" or "PIECP") more particularly described in the case remanded from the Administrative Law Court bearing docket number 23-ALJ-04-0197-AP with grievance number TYRCI 327-23, and is further understood and agreed that this release of all claims that may be plead as a bar to any claim of any kind whatsoever which may be asserted by Adam Weitenhagen or on his behalf in connection with

Adam Weitenhagen 319884  
Adam Weitenhagen No. 319884  
[Signature]  
Witness for Adam Weitenhagen

Kensley Evans  
For SCDC  
LuAnn D. Vickers  
Witness for SCDC

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the aforementioned participation in the Prison Industries Program more particularly described in grievance number TYRCI 327-23 and remanded from the Administrative Law Court bearing docket number 23-ALJ-04-0197-AP.

This Final Release and Settlement Agreement shall be interpreted and governed in accordance with the laws of the State of South Carolina.

Adam Weitenhagen, agrees that he has not assigned, transferred, or conveyed in any manner all or any part of his legal claims or legal rights against the other in connection with the matters described in the case bearing docket number 23-ALJ-04-0197-AP and grievance number TYRCI 327-23, in the above-referenced action.

Adam Weitenhagen further acknowledges that the settlement funds of [REDACTED] is or may be subject to state and federal taxes, and Adam Weitenhagen understands that Respondent, SCDC, is not withholding any funds for Adam Weitenhagen's tax liabilities. Adam Weitenhagen understands that he will be responsible for any and all tax liabilities and obligations resulting from this settlement and further agrees to indemnify and hold SCDC harmless from any tax liabilities and obligations resulting from this settlement.

Adam Weitenhagen agrees that the terms of this Final Release and Settlement Agreement shall be binding on his heirs, next of kin, intestate beneficiaries, and any executor or administrator of his estate.

Agreed to by:

Adam Weitenhagen 319884  
ADAM WEITENHAGEN  
SCDC Number: 319884

4/10/24  
Date

[Signature]  
Witness for Adam Weitenhagen  
4/10/24  
Date

Kensley Evans  
for SCDC

April 11, 2024  
Date

LuAnn D. Vickers  
Witness for SCDC  
4/11/24  
Date

## 32

Respondent.

Docket# 25-ALJ-04-0624-AP

Cheron Hess  
Administrative Coordinator  
Office of General Counsel  
South Carolina Department of Corrections  
4444 Broad River Road  
P.O. Box 21787  
Columbia, South Carolina 29221-1787  
(803) 896-3922

November 13, 2025