

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Richez Markivious Bowser, #293406,)
)
Appellant,)
)
v.)
)
South Carolina Department of Corrections,)
)
Respondent.)
)
_____)

Docket No. 26-ALJ-04-0229-AP

**ORDER GRANTING
RESPONDENT'S
MOTION TO DISMISS**

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SEP 01 2026

SC Court of Appeals

This matter is before the South Carolina Administrative Law Court (ALC or court) pursuant to the Notice of Appeal filed on April 15, 2026 by Richez Markivious Bowser (Appellant), an inmate who is in the custody of the South Carolina Department of Corrections (Department or Respondent). After the Appellant's Step 1 and Step 2 Grievances were filed and denied, he filed an appeal with the court appealing the denial of his request for prevailing wages backpay. The Department issued a Final Agency decision informing the Appellant that his request for prevailing wages backpay is barred by the three (3) year statute of limitations in S.C. Code Ann. § 15-3-530, and further that, in accordance with SCDC Policy ADM 15.13, his grievance is untimely.

On June 18, 2026, the Department filed a Motion to Dismiss arguing that the Appellant's claim for prevailing wages is barred by the three (3) year statute of limitations provided in subsections 15-3-530(1) and (2) of the South Carolina Code and that under SCDC Policy ADM 15.13, the Appellant's grievance is untimely.

As of the date of this Order, the Appellant has not filed a response to the Department's Motion to Dismiss. In accordance with Rules 61 and 7, SCALCR, if a party opposes a motion, the party must file a written response; failure of a party to timely file a response may be deemed a consent by that party to the relief sought in the motion. Furthermore, by filing an appeal, the Appellant has an obligation to advance a position. "There is a limit beyond which the court should not allow a litigant to consume the time of the court" *Georganne Apparel, Inc. v. Todd*, 303 S.C. 87, 92, 399 S.E.2d 16, 19 (Ct. App. 1990). Therefore, based on the foregoing,

FILED

07/07/2026

SC Admin. Law Court

The Department's Motion to Dismiss is **GRANTED** and this matter is hereby **DISMISSED**.

AND IT IS SO ORDERED.

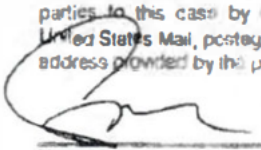


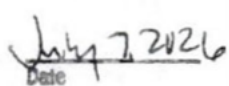
S. Phillip Lenski
Administrative Law Judge

July 7, 2026
Columbia, South Carolina

CERTIFICATE OF SERVICE

This is to certify that on this date the undersigned has served this notice/order in the above entitled action upon all parties to this case 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).



Name

Date