

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appellate Case No. 2026-001884

Mustafa El Shabazz Bey,
Appellant,

v.

South Carolina Department of Social Services,
Respondent.

**APPELLANT'S MOTION FOR LEAVE
TO PRESENT ADDITIONAL EVIDENCE
AND FOR REMAND**

S.C. Code Ann. § 1-23-380(3)–(4)
Rule 240, SCACR

INTRODUCTION

Appellant Mustafa El Shabazz Bey, proceeding pro se, respectfully moves for leave to present material additional evidence and for remand to the appropriate administrative tribunal for consideration of that evidence and the alleged notice irregularity.

I. BACKGROUND

DSS conducted an Administrative Disqualification Hearing on November 3, 2025. Appellant did not appear, and DSS thereafter entered a Final Administrative Order. Appellant maintains that his absence was not a voluntary abandonment of the proceeding but resulted from lack of notice affording a meaningful opportunity to appear and defend against the IPV allegation.

II. MATERIAL ADDITIONAL EVIDENCE

Exhibit G contains contemporaneous evidence concerning Appellant's relocation to Maryland and Baltimore connections before and during the relevant period, including sequential state identification, treatment/program records, employment/address evidence, and Baltimore City Community College Fall 2025 records. The evidence is material to Appellant's explanation for nonappearance and to the prejudice resulting from his inability to present his evidence and explanation at the hearing.

III. GOOD REASON FOR FAILURE TO PRESENT THE EVIDENCE BELOW

Appellant's supporting affidavit states that he did not intentionally fail to appear or withhold the evidence. He asserts that he did not receive notice that gave him a meaningful opportunity to attend the November 3, 2025 hearing. He therefore had no opportunity at that hearing to present his Baltimore/Maryland evidence or the complete Texas deferred-adjudication and dismissal records.

IV. PROCEDURAL IRREGULARITY AND REMAND

S.C. Code Ann. § 1-23-380(3) permits additional evidence to be taken before the agency when the evidence is material and good reasons existed for failure to present it below. Section 1-23-380(4) separately permits remand where alleged procedural irregularities before the agency are not shown in the record and are established by satisfactory proof. Appellant requests use of those procedures rather than asking this Court to decide disputed extra-record facts in the first instance.

V. REQUEST FOR RELIEF

WHEREFORE, Appellant respectfully requests that the Court: (1) grant leave to present the identified material additional evidence; (2) remand the matter to the appropriate administrative tribunal for receipt and consideration of that evidence; (3) alternatively or additionally remand for appropriate proceedings concerning the alleged notice

irregularity; (4) permit new or modified findings after consideration of the evidence and Appellant's explanation; (5) preserve Appellant's remaining appellate arguments concerning notice, due process, the Texas deferred-adjudication disposition, intent, and prejudice; and (6) grant such other relief as the Court deems just and proper.

Respectfully submitted,



Mustafa El Shabazz Bey, Appellant, Pro Se

Email: mbey8241@gmail.com

Date: 9/6/2026

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appellate Case No. 2026-001884

Mustafa El Shabazz Bey,
Appellant,

v.

South Carolina Department of Social Services,
Respondent.

**MEMORANDUM OF AUTHORITIES
IN SUPPORT OF APPELLANT'S MOTION
FOR LEAVE TO PRESENT ADDITIONAL
EVIDENCE AND FOR REMAND**

INTRODUCTION

Appellant respectfully submits this memorandum in support of his motion for leave to present additional evidence and for remand. The motion presents two related grounds. First, S.C. Code Ann. § 1-23-380(3) permits additional evidence to be taken before the agency when the evidence is material and good reasons existed for the failure to present it below. Second, § 1-23-380(4) permits remand when alleged procedural irregularities before the agency are not shown in the record and are established by satisfactory proof. Appellant contends that he did not receive notice affording a meaningful opportunity to appear at the November 3, 2025 administrative disqualification hearing and therefore had no opportunity to present the additional evidence.

I. RULE 240, SCACR, AUTHORIZES THE PRESENT MOTION AND REQUIRES SUPPORTING MATERIALS

Rule 240(a), SCACR, expressly applies to motions to remand. Rule 240(c) requires a written motion stating its grounds, a certificate or affidavit of service, and a memorandum citing authorities. When the Record on Appeal or Appendix has not been filed, or when facts relied upon are outside the Record or Appendix, Rule 240(c)(3) calls for affidavits and other supporting documents. Appellant therefore submits his affidavit and the identified supporting exhibits with the motion.

II. SECTION 1-23-380(3) PROVIDES A PROCEDURE FOR MATERIAL ADDITIONAL EVIDENCE

Section 1-23-380(3) provides that, upon timely application, the reviewing court may order additional evidence to be taken before the agency when the applicant shows to the court's satisfaction that the evidence is material and that good reasons existed for failing to present it in the agency proceeding. The agency may then modify its findings or decision and file the evidence and any modifications, new findings, or decision with the reviewing court.

In *Brown v. Peoplelease Corp.*, 402 S.C. 476, 741 S.E.2d 761 (Ct. App. 2013), the Court of Appeals applied both statutory requirements—materiality and good reason. Brown was denied relief where the evidence was not material and he offered no sufficient reason for failing to present it earlier. The present motion alleges a fundamentally different reason: Appellant asserts that lack of meaningful notice prevented his participation in the hearing itself.

III. THE ADDITIONAL EVIDENCE IS MATERIAL

The proposed evidence is not offered merely to supplement the record with cumulative background information. Exhibit G contains contemporaneous evidence bearing on Appellant's relocation to Maryland and Baltimore connections before and during the period surrounding the November 2025 hearing. It includes sequential state-identification evidence, Baltimore treatment/program and employment records, and Baltimore City Community College records reflecting Fall 2025 Baltimore City residency status, enrollment, and an in-person course schedule.

That evidence is material to Appellant's explanation for nonappearance and to prejudice. Appellant contends that, had he participated, he also would have presented the complete Texas deferred-adjudication and dismissal records and explained his understanding of that disposition. The additional evidence therefore bears on whether the absence deprived Appellant of a meaningful opportunity to contest both procedure and the merits.

IV. APPELLANT HAS ASSERTED GOOD REASON FOR NOT PRESENTING THE EVIDENCE AT THE HEARING

Appellant's affidavit states that he did not intentionally refuse to attend or withhold evidence; rather, he did not receive notice that gave him a meaningful opportunity to attend the November 3, 2025 hearing. His January 13, 2026 email to DSS supplied a Baltimore mailing address and contemporaneously asserted that the determination had occurred without his knowledge and that he had been unable to attend. Later correspondence documents a South Carolina mailing returned as undeliverable and the Administrative Law Court's confirmation of Appellant's Baltimore address.

If established, inability to participate because of nonreceipt or inadequate notice supplies a materially different explanation from the unexplained failure to produce evidence considered in *Brown*. It directly explains why the evidence was not introduced at the agency hearing.

V. FEDERAL SNAP REGULATIONS MAKE NOTICE, GOOD CAUSE, AND INTENT MATERIAL

The governing SNAP regulation, 7 C.F.R. § 273.16(e), requires administrative disqualification hearings to comply with specified safeguards. Section 273.16(e)(3) requires advance written notice and specifies the information the notice must contain. Where proof of receipt is not obtained, § 273.16(e)(3)(ii) requires a timely showing of nonreceipt, under circumstances specified by the State agency, to be considered as good cause for failure to appear.

Section 273.16(e)(4) permits a hearing to proceed in an individual's absence when the individual cannot be located or fails to appear without good cause, but it still requires the hearing official to carefully consider the evidence. If a hearing official later determines that the individual had good cause for failing to appear, the prior IPV decision no longer remains valid and the State agency must conduct a new hearing. The regulation contains timing requirements for claiming good cause based on nonreceipt; the parties' dates and notices therefore matter and should be evaluated on the actual record.

Separately, § 273.16(e)(6) requires clear and convincing evidence demonstrating both that the household member committed and intended to commit an intentional program violation. Thus, nonappearance does not itself establish intent.

VI. THE FOURTEENTH AMENDMENT REQUIRES NOTICE REASONABLY CALCULATED TO PROVIDE AN OPPORTUNITY TO BE HEARD

The Due Process Clause of the Fourteenth Amendment protects the opportunity to be heard. In *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314-15 (1950), the Supreme Court held that notice in a proceeding to be accorded finality must be reasonably calculated, under all the circumstances, to inform interested persons of the proceeding and afford an opportunity to present objections.

Appellant does not contend that every unsuccessful mailing automatically establishes a constitutional violation. Rather, he asks that the notice question be evaluated in light of the actual address history, asserted nonreceipt, nonappearance, contemporaneous communication to DSS, and later returned-mail evidence. Those facts are relevant to whether the procedure afforded a meaningful opportunity to be heard.

VII. SECTION 1-23-380(4) PROVIDES AN INDEPENDENT BASIS FOR REMAND OF PROCEDURAL IRREGULARITIES

Section 1-23-380(4) ordinarily confines judicial review to the record, but expressly provides that when procedural irregularities before the agency are alleged, are not shown in the record, and are established by satisfactory proof, the case may be remanded for appropriate agency action. This provision gives the Court a procedural means to address the alleged notice irregularity without treating outside evidence as though it had originally been part of the agency record.

VIII. THE REQUESTED RELIEF FITS THE STATUTORY REVIEW STRUCTURE

Section 1-23-380(5) authorizes the reviewing court to affirm or remand and permits reversal or modification when substantial rights have been prejudiced by, among other things, constitutional or statutory violations, unlawful procedure, other error of law, clearly erroneous findings in view of the whole record, or arbitrary or capricious action.

Appellant principally requests leave for the additional evidence to be taken before the appropriate agency or tribunal and remand for consideration of the notice issue and the additional evidence. This approach preserves the reviewing court's role and permits the factfinder to consider the evidence in the first instance.

CONCLUSION

For these reasons, Appellant respectfully requests that the Court grant the Motion for Leave to Present Additional Evidence and remand the matter for receipt and consideration of that evidence and for appropriate proceedings concerning the alleged notice irregularity. Appellant further requests such other relief as the Court deems just and proper.

AUTHORITIES

S.C. Code Ann. § 1-23-380(3)–(5); Rule 240, SCACR; 7 C.F.R. § 273.16(e)(3), (4), (6); *Brown v. Peoplease Corp.*, 402 S.C. 476, 741 S.E.2d 761 (Ct. App. 2013); *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950); U.S. Const. amend. XIV.

Respectfully submitted,



Mustafa El Shabazz Bey, Appellant, Pro Se

Date: 9/6/2026

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

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Mustafa El Shabazz Bey, Appellant

v.

South Carolina Department of Social Services, Respondent

EXHIBIT G

**CONTEMPORANEOUS BALTIMORE RESIDENCY, STATE IDENTIFICATION, EMPLOYMENT,
TREATMENT, AND EDUCATIONAL RECORDS**

DOCUMENTS INCLUDED

Sequential South Carolina and Maryland state identification evidence; Baltimore-area treatment/program records; a May 2025 Baltimore-addressed earnings statement; an August 2025 Baltimore employer confirmation; and Baltimore City Community College student-profile, Fall 2025 registration, and in-person class-schedule screenshots.

KEY FACTS ESTABLISHED

- A South Carolina identification card issued February 29, 2024 reflects a Columbia address, while a subsequently issued Maryland identification card dated August 3, 2024 reflects a Maryland address.
- Rising Above records document Baltimore-area treatment/program participation during 2024-2025.
- May/August 2025 employment records corroborate Baltimore employment/address connections.
- BCCC identifies Appellant as a “**Baltimore City Resident**” for Fall 2025 and documents an in-person Baltimore course from **September 22 through December 13, 2025**, encompassing the November 3 hearing and November 6 DSS order.

RELEVANCE TO APPEAL

Taken together, these contemporaneous records corroborate Appellant's asserted relocation from South Carolina to Maryland and substantial Baltimore ties before and during the period relevant to the administrative proceeding. They are relevant to notice, nonappearance, prejudice, and the address history. They are not offered, standing alone, to establish DSS's actual knowledge of every document or Appellant's precise physical location on a particular day.

RELATED ARGUMENTS

Notice and due process; nonappearance; prejudice; Baltimore/Maryland residency and address history; material additional evidence.

This cover page is a navigation aid. The underlying records should be read according to their own terms and together with the record and the parties' legal arguments.

STATE IDENTIFICATION EVIDENCE OF RELOCATION TO MARYLAND

DOCUMENTS INCLUDED

Photograph showing Appellant's South Carolina identification card and subsequently issued Maryland identification card, together with the Social Security card appearing in the original photograph. The image is reproduced as provided by Appellant without redaction.

KEY FACTS ESTABLISHED

- The South Carolina identification card reflects a Columbia, South Carolina address and an issue date of February 29, 2024.
- The Maryland identification card reflects a Maryland address and an issue date of August 3, 2024.
- The sequential state-issued identification documents corroborate a transition from a South Carolina address to a Maryland address well before the November 2025 DSS administrative proceeding.

RELEVANCE TO APPEAL

This evidence corroborates Appellant's asserted relocation to Maryland before the November 2025 hearing and decision. It is offered as evidence of the underlying residency/address history and not, standing alone, as proof that DSS possessed or had actual knowledge of the Maryland identification card during the administrative proceeding.

This exhibit reproduces the original photograph supplied by Appellant without redaction.

MARYLAND USA
Identification Card

Customer identifier
MD-10275631943

Family name
BEY

Given names
MUSTAFA EL SHABAZZ

Address
**3809 S HANOVER ST
BROOKLYN MD 21225**

Date of birth **07/06/1982** Sex **M** Height **5'-07"** Weight **170**

Date of issue **08/03/2024** Date of exp **08/03/2032**

2406856A9

07/06/1982

SOCIAL SECURITY

223-27-0115

THIS NUMBER HAS BEEN ESTABLISHED FOR

**MUSTAFA EL SHABAZZ
BEY**

SIGNATURE

USA 06/14/2024

South Carolina SC USA IDENTIFICATION CARD

NOT FOR FEDERAL IDENTIFICATION

4d DL#: **107289172**

1 **BEY**

2 **MUSTAFA EL SHABAZZ**

8 **2025 MAIN ST
COLUMBIA SC 292012125**

3 **DOB: 07/06/1982**

4a **Issued: 02/29/2024**

4b **Expires: 02/28/2032**

15 Sex: **M** 16 Hgt: **5'-07"**

17 Wgt: **160 lb** 18 Eyes: **HAZ**

NOT A DRIVER'S LICENSE

5 **DD 4000550400357900987**

07/06/1982

Governor

Rising Above - Discharge Summary (April 17, 2025)

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Alt. Patient ID: 11524679480

El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025
2:02:11 PM

Discharge Summary

DATE ADMITTED: 5/15/2024

DATE DISCHARGED: 4/17/2025

This discharge summary consists of

1. Initial Psychiatric Assessment
2. Course in Treatment
3. Clinician's Narrative
4. Discharge Status and Instructions

1. INITIAL PSYCHIATRIC ASSESSMENT

3/13/2025 Treatment Plan

Treatment Plan for Mustafa El Shabazz- Bey

A treatment plan was created or reviewed today, 3/13/2025, for Mustafa El Shabazz- Bey.

Meeting Start: 9:00 AM - Meeting End: 9:30 AM

This was a Monthly Treatment Team Meeting.

Participant(s) Developing the Plan:

Mustafa El-Shabazz-Bey (Client)

Rosemary Stevenson, Clinical Supervisor (Supervisor)

Diagnosis:

Cocaine dependence, uncomplicated, F14.20 (ICD-10) (Active)

Major depressive disorder, recurrent, moderate, F33.1 (ICD-10) (Active)

Current Medications:

No Active Medications

Problem / Needs:

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

Problem / Need # 1: Substance Use Disorder

Problem / Need # 2: Emotional Disorder

Problem / Need # 3: Relapse Risk

Problem / Need: Substance Use Disorder

DIMENSION I: ACUTE INTOXICATION and/or WITHDRAWAL POTENTIAL

PROBLEM / NEED: Substance Use

Mr. Shabazz- Bey's substance use has been identified as an active problem requiring treatment and monitoring. It is primarily evidenced by:

Cocaine Use: Details as follows:

- *Clear Signs of Dependence on Cocaine Use
- *Including Crack Cocaine
- *Fails to Stop or Cut Down Use Despite Negative Consequences
- *Binges
- *Denies that Cocaine Dependence is a Problem, Despite Negative Feedback from Others
- *Continues Use Despite Experiencing Persistent Physical, Legal, Financial, Vocational, Social, and/or Relationship Problems that are Directly Caused by Use
- *Demonstrates Increased Tolerance
- *Demonstrates Increased Tolerance
- *History of Arrests as a Result of Cocaine Use
- *Impairment in Social Functioning
- *Low Impulse Control
- *Legal Consequences
- *Uses Daily or More

LONG TERM GOAL:

Mr. Shabazz- Bey will establish and maintain total abstinence while increasing knowledge of the substance use disorder and the process of recovery.

Target Date: 10/30/2024

Completion Date: 10/3/2024

LONG TERM GOAL:

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

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2:02 PM

Discharge Summary

Mr. Shabazz- Bey will acquire the necessary skills to maintain long term sobriety from all mood altering substances.

" Getting clean is the easy part, it staying clean that will be the challenge".

Target Date: 6/13/2025

SHORT TERM GOAL(S) & INTERVENTIONS:

Short Term Goal / Objective:

Mr. Shabazz- Bey will continue to report drug cravings to staff.

Frequency: 100% of the time per episode Duration: when occur Progress: Working on

Target Date: 4/13/2025 Status: Effective

Intervention:

Therapist/Counselor will assign Mr. Shabazz- Bey to report all drug cravings to staff. Progress will be monitored.

Frequency: 100% of the time per episode Duration: when occur Clinician: Lisa Carroll, CSC-AD

Short Term Goal / Objective:

Mr. Shabazz- Bey will identify or establish non-using friends and support groups within 30 days. Progress will be monitored and reviewed in 30 days.

Frequency: 3 times per week Progress: Completed

Target Date: 10/3/2024 Completion Date: 10/3/2024 Status: Effective

Intervention:

Therapist/Counselor will assign Mr. Shabazz- Bey to identify or establish non using friends and support groups, within Progress will be monitored.

Frequency: 3 times per week Duration: for one month Clinician: Lisa Carroll, CSC-AD

Short Term Goal / Objective:

Mr. Shabazz-Bey will attend IOP groups 4 days a week from 10 AM- 12:15 PM and meet with assigned counselor as scheduled. Progress will monitored and reviewed in 30 days.

Frequency: 1-4 times per week Duration: as indicated Progress: Working on

Target Date: 4/13/2025 Status: Effective

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

Intervention:

Staff will educate about the relationship between mental health and SUD diagnoses as well as provide education on the disease model of addiction by identifying how trigger lead to substance use.

Frequency: 4 times per week Duration: for one month Clinician: Lisa Carroll, CSC-AD

Short Term Goal / Objective:

Mr. Shabazz- Bey will verbalize understanding of disease concept of addiction, within 30 days.

Frequency: once Duration: within a month Progress: Completed

Target Date: 12/1/2024 Completion Date: 12/4/2024 Status: Effective

Intervention:

Therapist/Counselor will teach Mr. Shabazz- Bey the understanding of disease concept of addiction. Progress will be monitored and documented.

Frequency: daily per session Duration: as indicated Clinician: Lisa Carroll, CSC-AD

Short Term Goal / Objective:

Mr. Shabazz-Bey will develop a relapse prevention with the assistance of his assigned counselor Plan will include trigger management coping skills, and drug refusal skills. His plan will also include a plan for employment and stable housing.

Frequency: monthly per session Duration: within a month Progress: Plans to start soon

Target Date: 4/13/2025

Intervention:

Therapist/Counselor will assist the client with the development of a treatment plan to help increase his changes for long term sobriety.

Frequency: weekly per session Duration: as indicated Clinician: Lisa Carroll, CSC-AD

STATUS:

7/30/2024: The undersigned clinician met with the patient (and family, as appropriate) on the date above in a face to face meeting to work with him/her in developing this Treatment Plan.

Minimal progress in reaching goals and resolving this problem was seen today.

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

SNAP: El Shabazz- Bey, Mustafa has identified the following strengths, needs, abilities and preferences as well as goals and desired accomplishments. This information will be used in the development of the patient's personal achievement agenda.

Strengths:

- *Connection to a self-help or 12 step group.

- *Supportive spiritual beliefs.

Personal Strengths Include:

- "I am articulate."

- "I am committed."

- "I am engaging."

- "I am insightful."

- "I am involved with community support."

- "I am motivated."

- "I am willing to attempt change."

Needs:

- *An explanation of my diagnoses.

- *Improvement in my interpersonal skills/relationships.

- *Help in managing my feelings.

- *I need education about substance abuse and it's effects.

Abilities:

- *I attend social support groups.

- *I can accept and act on advice from others

- *I am able to ask for help from others.

- *I am cooperative.

- *I can communicate effectively.

- *I have faith in God or a higher power.

- *I am willing to work and grow and change.

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

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2:02 PM

Discharge Summary

Preferences:

- *Education Classes
- *Group Therapy
- *Individual Therapy
- *NA, AA, or Alanon

Specific Issues:

- *Substance Abuse
- *Depression

Goals: Maintain abstinence and build a positive and stable support network.

Desired Outcome:

- *I will learn skills to stay clean and sober.
- *My interpersonal skills and relationships will improve.
- *I will develop a system of support and recovery.
- *I will understand relapse prevention.

9/3/2024: Fair progress in reaching set goals and resolving this problem seemed apparent today.
Recommend continuing the current interventions and short term goals as they exist, since progress is being made but goals have not yet been met.

10/3/2024: Some progress in reaching the goals and resolving this problem seemed evident today.
The Long Term Goal for this patient has been met so it is recommended that this problem be made inactive. A new long term goal was added to the treatment plan.
Recommend that new Short Term Goals be set for this patient.

11/1/2024: Minimal progress in reaching goals and resolving this problem was seen today.
Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

12/4/2024: Good progress in reaching set goals and resolving this problem seemed apparent today.

Recommend that the interventions and short term goals be rewritten at the next team meeting.

1/7/2025: Good progress in reaching set goals and resolving this problem seemed apparent today.
Recommend continuing the current interventions and short term goals as they exist, since progress is being made but goals have not yet been met.

2/11/2025: The undersigned clinician met with the patient (and family, as appropriate) on the date above in a face to face meeting to work with him/her in developing this Treatment Plan.
Fair progress in reaching set goals and resolving this problem seemed apparent today.
Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

TRANSITION PLAN

The expected length of stay for this patient is Approx. 4 months.

The projected discharge date for this patient is 6/23/2025.

Anticipated Post Discharge Services include:

OP treatment attendance

Stable long-term housing

Employment

3/13/2025: Fair progress in reaching set goals and resolving this problem seemed apparent today.
A new short-term was set for client to develop a relapse prevention plan.

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

Problem / Need: Emotional Disorder

DIMENSION III: EMOTIONAL/BEHAVIORAL/COGNITIVE CONDITIONS and COMPLICATIONS

PROBLEM / NEED: Emotional Disorder

Mr. Shabazz- Bey's emotional disorder is an active need that effects his recovery environment and requires intervention. It is primarily manifested by:

Need for Outpatient Therapy due to:

*Need for continued services

LONG TERM GOAL:

Mr. Shabazz- Bey will continue to maintain stable mental health.

Target Date: 3/4/2025

SHORT TERM GOAL(S) & INTERVENTIONS:

Short Term Goal / Objective:

Mr. Shabazz- Bey will seek and accept outpatient therapy.

Frequency: immediately on going Duration: as indicated Progress: Decided not to complete

Target Date: 2/7/2025

Intervention:

Counselor will encourage compliance with recommendations from the provider to enhance Mr. Shabazz- Bey's mental health stability.

Frequency: immediately as required Duration: for one month Clinician: Lisa Carroll, CSC-AD

STATUS:

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

7/30/2024: The undersigned clinician met with the patient (and family, as appropriate) on the date above in a face to face meeting to work with him/her in developing this Treatment Plan. No progress in reaching the goals or resolving this problem was apparent today. Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

9/3/2024: No progress in reaching the goals or resolving this problem was apparent today. Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

10/3/2024: No progress in reaching the goals or resolving this problem was apparent today. Recommend continuing the current interventions and short term goals as they exist, since progress is being made but goals have not yet been met.

11/1/2024: No progress in reaching the goals or resolving this problem was apparent today. Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

12/4/2024: No progress in reaching the goals or resolving this problem was apparent today. Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

1/7/2025: No progress in reaching the goals or resolving this problem was apparent today.

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

2/11/2025: Client decided not to seek mental health services. He stated, " I work out and run daily and that helps my depression".

3/13/2025: No progress in reaching the goals or resolving this problem was apparent today. Client declined mental health services at this time. This writer will continue to encourage him seek treatment due to his past trauma and anger issues.
Recommend that the interventions and short term goals be rewritten at the next team meeting.

Problem / Need: Relapse Risk

DIMENSION V: RELAPSE POTENTIAL

PROBLEM / NEED: Relapse Risk

Mr. Shabazz- Bey's relapse potential has been identified as a need requiring intervention. It is primarily manifested by:

Inadequate Coping Skills:

Details are as follows:

Client lacks stable housing.

Legal Issues

LONG TERM GOALS:

Mr. Shabazz- Bey will improve his quality of life by obtaining needs including housing, income, and positive social support.

Target Date: 4/13/2025

SHORT TERM GOAL(S) & INTERVENTIONS:

Short Term Goal / Objective:

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

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Discharge Summary

Mr. Shabazz- Bey will identify past patterns and high risk situations with primary counselor while enhancing coping and drug refusal skills.

Frequency: once per week Duration: for one month Progress: Working on
Target Date: 4/13/2025 Status: Effective

Intervention:

Therapist/Counselor will teach and then have Mr. Shabazz- Bey recite triggers, cravings and other warning signs of relapse. Progress will be monitored.

Frequency: 100% of the time per day Duration: for one month Clinician: Lisa Carroll, CSC-AD

Intervention:

Therapist/Counselor assign Mr. Shabazz- Bey to identify high risk situations and help develop coping skills. Progress will be monitored.

Frequency: once per week Duration: for one month Clinician: Lisa Carroll, CSC-AD

Short Term Goal / Objective:

Client will begin exploring options and applying for affordable permanent housing. Progress will be monitored and reviewed every 30 days.

Frequency: daily as required Duration: for one month Progress: Working on
Target Date: 4/13/2025 Status: Effective

Intervention:

Clinician will refer client to the recourse specialist to assist with care coordination and other resource based needs. Progress will be monitored and reviewed in 30 days.

Frequency: As needed per week Duration: for one month Clinician: Lisa Carroll, CSC-AD

STATUS:

7/30/2024: The undersigned clinician met with the patient (and family, as appropriate) on the date above in a face to face meeting to work with him/her in developing this Treatment Plan. Minimal progress in reaching goals and resolving this problem was seen today.

Rising Above - Discharge Summary (April 17, 2025)

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El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

9/3/24: Fair progress in reaching set goals and resolving this problem seemed apparent today.

Recommend continuing the current interventions and short term goals as they exist, since progress is being made but goals have not yet been met.

10/3/2024: Minimal progress in reaching goals and resolving this problem was seen today.

Recommend continuing the current interventions and short term goals as they exist, since progress is being made but goals have not yet been met.

11/1/2024: Minimal progress in reaching goals and resolving this problem was seen today.

Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

12/4/2024: Fair progress in reaching set goals and resolving this problem seemed apparent today.

Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

1/7/2025: The undersigned clinician met with the patient (and family, as appropriate) on the date above in a face to face meeting to work with him/her in developing this Treatment Plan.

Some progress in reaching the goals and resolving this problem seemed evident today.

2/11/2025: Fair progress in reaching set goals and resolving this problem seemed apparent today.

Recommend continuing the current interventions and short term goals as they exist, since progress is being made but goals have not yet been met.

Minimal progress in reaching goals and resolving this problem was seen today.

Rising Above - Discharge Summary (April 17, 2025)

Page 13 of 17

El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

Recommend continuing the current interventions and short term goals. It is felt that more time is needed for the interventions to work.

Barriers

Cultural issues interfere with treatment.

- Increase social support system

Cognitive limitations interfere with treatment.

- Education and therapy to increase insight

Motivational issues interfere with treatment.

- Therapy will focus on motivational problems first.

Emotional problems interfere with treatment.

- Emotional problems will be dealt with via treatment plan.

Client has demonstrated an unwillingness to work on problem areas of their life.

Lacks income

Lacks coping skills

Lacks relapse prevention skills

Lacks recovery support system

Lacks stable housing

Strengths

Mr. Shabazz- Bey's strengths include:

Behavioral

- Has no history of violence

Cognitive

- Can make needs known

Communicative

Rising Above - Discharge Summary (April 17, 2025)

Page 14 of 17

El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

- Verbal

Motivation

- Is motivated for treatment

Physical

- Ambulatory without assistance

Social

- Interacts well with others

Spiritual

- Has sustaining spiritual beliefs

- Has strong religious beliefs

Signature below indicates that this Treatment Plan has been reviewed and approved:

Date: _____ Clinician: _____ Title: _____

Date: _____ Clinician: _____ Title: _____

Date: _____ Clinician: _____ Title: _____

Date: _____ Patient/Client: _____

Date: _____ Parent/Guardian: _____

Date: _____ Other: _____

A copy of this treatment plan was: not given to the patient/client/family OR declined by the patient/client/family:

Date: _____ Clinician: _____ Title: _____

Rising Above - Discharge Summary (April 17, 2025)

Page 15 of 17

El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

Electronically Signed

By: Lisa Carroll, CSC-AD

On: 3/13/2025 4:09:47 PM

Electronically Signed

By: Franklin Beck, M.Ed, MPH, LCADC

On: 3/17/2025 11:56:35 AM

Electronically Signed

By: Rosemary Stevenson, Clinical Supervisor

On: 3/27/2025 9:26 AM

2. COURSE IN TREATMENT

There are no progress notes included.

3. CLINICIAN'S NARRATIVE

Course During Treatment:

On 5/15/24 Mr. Shabazz-Bey was admitted to Rising Above's residential treatment program. He successfully completed on 6/21/24 and transitioned to the PHP level of care. After completing PHP on 7/22/24 he stepped down to the Intensive Outpatient Program. While in IOP he was noncompliant with group attendance, however when he did attend he was an active participant. The client disrespected the staff and his peers on multiple occasions and was very aggressive and threatening. He refused to accept mental health referrals and continued to justify his behavior. According to multiple drugs screenings he remained abstinent and was last tested on 4/10/25. Due to his behaviors he was terminated from treatment. He was offered a referral to another program but declined. As of 4/16/25 his whereabouts are unknown. Prognosis is poor due to the following risk factors: lack of stable housing, lack of sufficient income, lack of positive social support, lack of maintained abstinence following previous treatment and recovery efforts, lack of engagement in enjoyable recreational activities, being unable to maintain healthy relationships, lack of mental health treatment, and lack of trigger awareness and management skills.

Rising Above - Discharge Summary (April 17, 2025)

Page 16 of 17

El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

4. DISCHARGE STATUS AND INSTRUCTIONS

Final Exam, Interval History

On 4/46/25 Mr. Shabazz-Bey was a aggressive and disrespectful to multiple staff members. This writer contacted to client to discuss his lack of group attendance.

Discharge Diagnosis

Cocaine dependence, uncomplicated, F14.20 (ICD-10) (Active)

Major depressive disorder, recurrent, moderate, F33.1 (ICD-10) (Active)

Discharge Status: Unplanned Regular

Type of Discharge: At agency request

Condition on Discharge: Worse

Prognosis: Poor

Medications at Discharge:

No Active Medications

Medication Instructions: Patient is free of psychotropic medication.

Consent: Patient was advised regarding the risks and benefits of treatment.

Physical Activity: N/A

Dietary Instructions: N/A

Other Instructions: No other instructions given.

Emergency Contact: Unknown

History of Notes and Risk Factors: **HISTORY OF HEALTH CONCERNS AND RISKS:**

Rising Above - Discharge Summary (April 17, 2025)

Page 17 of 17

El Shabazz- Bey, Mustafa

ID: 786

DOB: 7/6/1982

4/17/2025

2:02 PM

Discharge Summary

History of Subst. Abuse

No known history of adverse drug reactions or allergies.

History of Subst. Abuse

No known history of adverse drug reactions or allergies.

Lisa Carroll, CSC-AD

Electronically Signed

By: Lisa Carroll, CSC-AD

On: 4/17/2025 2:29:22 PM

Electronically Signed

By: Rosemary Stevenson, Clinical Supervisor

On: 4/17/2025 3:16:20 PM

Rising Above - Discharge Summary (June 30, 2025)

El Shabazz- Bey, Mustafa

6/30/2025

Alt. ID: 11524679480

ID: 786

DOB: 7/6/1982

Discharge Summary

DATE ADMITTED: 6/22/2025

DATE DISCHARGED: 6/30/2025

This discharge summary consists of

1. Clinician's Narrative
2. Discharge Status and Instructions

1. CLINICIAN'S NARRATIVE

Course During Treatment:

Mr. Shabazz-Bey was admitted to Rising Above Behavioral Health Services' 3.5 level of care for treatment of substance abuse and mental health disorders on 6/22/2025. While engaged in services, Mr. Shabazz-Bey was able to meet with a psych nurse practitioner for a mental health evaluation where he received a diagnosis of Major depressive disorder and Generalized anxiety disorder. Mr. Shabazz-Bey was able to meet with his assigned counselor for an individual session, but was unable to complete his treatment plan due to his short time in residential treatment. He was also unable to meet with his assigned therapist due to his short time in treatment. Mr. Shabazz-Bey was present for all scheduled group counseling sessions. He received monthly SSDI and food stamp benefits. He was officially discharged on 6/30/2025 after leaving treatment AMA. Several staff members tried to assist him in making better choices by recalling his initial goal for entering treatment and recalling negative experiences while in active addiction to no avail. At time of discharge, Mr. Shabazz-Bey did not have stable housing and left no forwarding address. Prognosis is poor due to the following risk factors: lack of stable housing, lack of sufficient income, lack of positive social support, lack of maintained abstinence following previous treatment and recovery efforts, lack of engagement in enjoyable recreational activities, being unable to maintain healthy relationships, lack of mental health treatment, and lack of trigger awareness and management skills.

SNAP:

Mr. Shabazz- Bey was administered the SNAP scale.

STRENGTHS:

*Support from my family (parents, children, other)

- *Connection to a self-help or 12 step group.
- *A positive and supportive sponsor or mentor.

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Rising Above - Discharge Summary (June 30, 2025)

Page 2 of 4

El Shabazz- Bey, Mustafa

6/30/2025

Alt. ID: 11524679480

ID: 786

DOB: 7/6/1982

Discharge Summary

*Supportive spiritual beliefs.

NEEDS:

- *Education about substance abuse.
- *Improvement in my communication skills.
- *Improvement in my interpersonal skills/relationships.
- *Connection to a self-help or 12 step program.
- *Help in managing my feelings.
- *Anger management skills.
- *Education about effects of substance abuse on health.

ABILITIES:

- *I am cooperative.
- *I have faith in God or a higher power.
- *I easily share my thoughts and feelings with others.
- *I am able to ask for help from others.
- *I care about my own well being and the well being of others.
- *I can fulfill program obligations.

PREFERENCES:

- *Group Therapy
- *Education Classes
- *Individual Therapy
- *NA, AA, or Alanon
- *Mental Health Counseling

Katie Stickler, ADT

2. DISCHARGE STATUS AND INSTRUCTIONS

Final Exam, Interval History

THERAPY CONTENT/CLINICAL SUMMARY:

Discharge Diagnosis

Cocaine dependence, uncomplicated. F14 20 (ICD-10) (Active)

Major depressive disorder, recurrent, moderate, F33.1 (ICD-10) (Active)
Generalized anxiety disorder, F41.1 (ICD-10) (Active)

Discharge Status: AMA

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Rising Above - Discharge Summary (June 30, 2025)

Page 3 of 4

El Shabazz- Bey, Mustafa

6/30/2025

Alt. ID: 11524679480

ID: 786

DOB: 7/6/1982

Discharge Summary

Type of Discharge: Against Medical Advice

Condition on Discharge: Unchanged

Prognosis: Poor

Disposition: Unknown

Medications at Discharge:

#1) Lexapro (escitalopram oxalate) 5 mg, tablet, 1 tablet by mouth once a day, Qty: 30, Refills:

None, Duration: 30, Issued: 6/23/2025, USE Rx DISCOUNT CARD: \$428.14, BIN:019876,

PCN:CHIPPO, Group:EMR, ID:DF2C839B73

#2) Topamax (topiramate) 50 mg, tablet, Take 1 tablet by mouth every night, Qty: 30, Refills: None,

Duration: 30, Issued: 6/26/2025, USE Rx DISCOUNT CARD: \$161.7, BIN:019876, PCN:CHIPPO,

Group:EMR, ID:DF3D306B36

Medication Instructions: Patient discharged A.M.A.--No prescriptions supplied.

Consent: AMA DISCHARGE

Physical Activity: N/A

Dietary Instructions: N/A

Other Instructions: N/A

Emergency Contact: N/A

History of Notes and Risk Factors: **HISTORY OF HEALTH CONCERNS AND RISKS:**

History of Subst. Abuse

No known history of adverse drug reactions or allergies.

History of Subst. Abuse

No known history of adverse drug reactions or allergies.
History of Subst. Abuse

Katie Stickler, ADT

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Rising Above - Discharge Summary (June 30, 2025)

Page 4 of 4

El Shabazz- Bey, Mustafa

6/30/2025

Alt. ID: 11524679480

ID: 786

DOB: 7/6/1982

Discharge Summary

Electronically Signed
By: Katie Stickler, ADT
On: 9/15/2025 11:20:08 AM

Capeesh Co. - May 16, 2025 Earnings Statement

Company Code Loc/Dept Number Page
 LD / QAD 29119259 01/200 8203722 1 of 1
 Capeesh Co
 101 N Haven St
 Ste 110
 Highlandtown, MD 21224

Earnings Statement



Period Starting: 04/27/2025
 Period Ending: 05/03/2025
 Pay Date: 05/16/2025

Business Phone: 551-497-2854

Taxable Filing Status: Single

Exemptions/Allowances:

Federal: Std W/H Table
 State: 0
 Local: 0

Tax Override:

Federal: 0.00 Addnl
 State:
 Local:

Social Security Number: XXX-XX-XXXX

Mustafa Bey
3809 South Hanover Street
Baltimore, MD 21225-1708

Earnings	rate	hours/units	this period	year to date
Regular			0.00	300.00
Commission		0.00	860.00	2060.00
Gross Pay			\$860.00	\$2,360.00

Statutory Deductions	this period	year to date
Federal Income	-64.00	130.75
Social Security	-53.32	146.32
Medicare	-12.47	34.22
Maryland State Income	-64.09	171.20
Net Pay	\$666.12	

Deposits account number	transit/ABA	amount
XXXXXX4304	XXXXXXXXXX	666.12

Important Notes

Basis of pay: Hourly

Your federal taxable wages this period are \$860.00

Capeesh Co
101 N Haven St
Ste 110
Highlandtown, MD 21224

Pay Date: 05/16/2025

Deposited to the account	account number	transit/ABA	amount
Checking DirectDeposit	XXXXXX4304	XXXXXXXX	666.12

THIS IS NOT A CHECK

Mustafa Bey
3809 South Hanover Street
Baltimore, MD 21225-1708

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Capeesh Co. - August 1, 2025 Employment Confirmation



Matteo Giunta Fausty <hr@capeeshco.com>

DSS Case Info 32042108

Matteo Giunta Fausty <hr@capeeshco.com>
To: mbey8241@gmail.com <mbey8241@gmail.com>

Fri, Aug 1 at 10:45 PM

Matteo Giunta Fausty

President

Capeesh Co.

101 N Haven st, ste 110

Baltimore, MD 21224

August 1, 2025

To Whom It May Concern,

This letter is to confirm that Mustafa Bey is not currently employed at Capeesh Co. and has not been employed with the company since June 1, 2025.

If you need any further information, feel free to reach out directly.

Sincerely,
Matteo Giunta Fausty
Chief Executive Officer
Capeesh Co.

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BCCC Student Profile - Baltimore City Resident / Fall 2025

4:18

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Settings

Student Profile - Other Mustafa El Shabazz Bey (B0...

Registration Notices: 4 | Holds: 0

Other Mustafa El Shabazz Bey

Bio Information

Email:

Phone:

Gender:

Date of Birth:

Ethnicity:

Race:

Citizen:

Citizenship:

Emergency Contact:

Emergency Phone:

mbey@student.bccc.edu

Not Provided

Male

07/06

Not Hispanic or Latino

American Indian or Alaska Native

Yes

US Citizen

Not Provided

Not Provided

General Information

Level:

Undergraduate

Class:

Status:

Student Type:

Residency:

Campus:

First Term Attended:

Matriculated Term:

Last Term Attended:

Leave of Absence:

Freshman

Active

Transfer

Baltimore City Resident

Not Provided

Fall 2025

Not Provided

Fall 2025

Not Provided

Graduation Information

Graduation Applications:

None

Advisors

Advisors are not assigned for the selected term.

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BCCC Student Profile - Fall 2025 Program and Registration

4:19

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Student Profile - Other Mustafa El Shabazz Bey (B0...

Registration Notices: 4

Holds: 0

☰

Graduation Information

Graduation Applications:

None

Advisors

Advisors are not assigned for the selected term.

CURRICULUM, HOURS & GPA

⬆️

Primary

Secondary

Hours & GPA

Degree:

Study Path:

Level:

Program:

College:

Associate of Applied Science

Not Provided

Undergraduate

Business - Bus. Management

Business & STEM

Major:	Business - Bus. Management
Department:	Not Provided
Concentration:	Not Provided
Minor:	Not Provided
Concentration:	Not Provided
Admit Type:	Not Provided
Admit Term:	Fall 2025
Catalog Term:	Fall 2025

REGISTERED COURSES

Course Title	Details	CRN	H
Small Business Management	MGM 170 100	<u>2636</u>	3

Total Hours | Registered Hours: 3 | Billing Hours: 3 | CEU Hours: 0 | Min Hours: 0 | Max Hours: 18



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BCCC Class Details - In-Person Fall 2025 Meeting Schedule

4:30 

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Class Details	
Bookstore Links	
Course Description	
Syllabus	
Attributes	

Restrictions

Instructor/Meeting Times

Instructor: Fakinlede, Solomon (Primary)

S

M

T

W

T

F

S

09/22/2025 - 12/13/2025

06:00 PM - 09:30 PM

Liberty Campus

Campus | Main Building

| Room 312

<

er.elluciancloud.com

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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
Appellate Case No. 2026-001884

Mustafa El Shabazz Bey, Appellant

v.

South Carolina Department of Social Services, Respondent

CERTIFICATE OF SERVICE

I, Mustafa El Shabazz Bey, Appellant proceeding pro se, certify that on the date written below I served a true and correct copy of Appellant's Motion for Leave to Present Additional Evidence and for Remand, the supporting Memorandum of Authorities, Affidavit, and supporting documents upon counsel for Respondent by electronic mail.

Paula Knox Brown

Counsel for Respondent

South Carolina Department of Social Services

Email: paula.brown@dss.sc.gov

Service method: **Electronic mail**

RECEIVED

Sep 08 2026

SC Court of Appeals

Date of Service: _____



Mustafa El Shabazz Bey

Appellant, Pro Se

Email: mbey8241@gmail.com