THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ARTHUR JONES, JR., #358555 Appellant, v. South Carolina Department of Corrections, Respondent.	Appellate Case No.: _____ ALC Docket No.: 26-ALJ-04-0310-AP SCDC Grievance No.: ECI 0057-26 **APPELLANT'S INITIAL BRIEF**

COMES NOW, Appellant Arthur Q. Jones, Jr., pursuant to Rule 208, SCACR, and respectfully submits this Initial Brief in support of his appeal from the Final Order of the Administrative Law Court ("ALC") entered July 31, 2026, in ALC Docket No. 26-ALJ-04-0310-AP. Appellant respectfully requests that this Court review the issues presented herein, including whether the ALC erred in dismissing Appellant's appeal concerning SCDC's denial of access to funds held in his long-term escrow account and whether the ALC properly applied the governing statutory and constitutional authorities. Appellant further relies upon the record designated for appellate review and the authorities set forth below.

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STATEMENT OF THE ISSUES ON APPEAL

Issue I

Did the Administrative Law Court err by terminating Appellant's appeal before Appellant was afforded the opportunity contemplated by Rule 60(A), SCALCR, to present his Appellant's Brief on the dispositive statutory and property-interest issues, thereby denying Appellant a

meaningful opportunity to be heard and judicial review protected by Article I, § 22 of the South Carolina Constitution?

Issue II

Did the Administrative Law Court err by characterizing Appellant's claim as an ordinary internal prison matter and concluding that Appellant was not asserting a state-created property interest, where Appellant challenged SCDC's refusal to provide access to wages already earned and held in an interest-bearing escrow account pursuant to S.C. Code Ann. § 24-3-40(A)(5)?

Issue III

Did the Administrative Law Court err by treating the absence of a state-created liberty or property interest as a jurisdictional basis for dismissal, contrary to *Allen v. South Carolina Department of Corrections*, 439 S.C. 164, 886 S.E.2d 671 (2023), which distinguishes the ALC's subject-matter jurisdiction over properly filed inmate grievance appeals from the separate question whether an inmate has established a protected interest sufficient to obtain relief?

Issue IV

Did the Administrative Law Court err by failing to properly apply South Carolina authority concerning inmate wages and inmate-held funds—including *Wicker v. South Carolina Department of Corrections*, 360 S.C. 421, 602 S.E.2d 56 (2004), *Torrence v. South Carolina Department of Corrections*, 373 S.C. 586, 646 S.E.2d 866 (2007), *Torrence v. S.C. Dep't of Corr.*, 433 S.C. 633, 861 S.E.2d 36 (Ct. App. 2021), *Gatewood v. South Carolina Department of Corrections*, 416 S.C. 304, 785 S.E.2d 600 (Ct. App. 2016), and *Millholland v. South Carolina Department of Corrections*, 436 S.C. 547, 873 S.E.2d 784 (Ct. App. 2022)—before applying the "hands-off" doctrine?

Issue V

Did the Administrative Law Court err as a matter of law by conflating Appellant's claimed property interest in wages already earned and placed into statutory escrow with the separate question of when those funds may lawfully be distributed, without first determining the scope of the statutory interest created by S.C. Code Ann. § 24-3-40(A)(5) and whether SCDC Policy ADM-15.13 is consistent with that statute?

STATEMENT OF THE CASE

This appeal concerns SCDC's refusal to provide Appellant access to money that Appellant contends was already earned through inmate employment and placed into an interest-bearing

long-term escrow account maintained by SCDC. Appellant did not challenge his eligibility to participate in prison employment. He did not seek admission into a prison-industry program. He did not challenge a disciplinary proceeding. Instead, Appellant challenged SCDC's refusal to provide access to wages already earned and held by SCDC pursuant to the statutory inmate-wage scheme.

S.C. Code Ann. § 24-3-40(A)(5) provides that ten percent of qualifying prisoner wages "must be held in an interest bearing escrow account for the benefit of the prisoner." Section 24-3-40(B) separately addresses the circumstances under which escrowed wages are returned. Appellant pursued SCDC's required grievance process.

In his Step 1 grievance, Appellant expressly requested access to his long-term escrow account pursuant to § 24-3-40(A)(5). Appellant stated that he sought access to the funds for his benefit, including obtaining paid legal counsel and addressing family emergencies. SCDC denied the request based upon SCDC Policy ADM-15.13.

Appellant then filed his Step 2 grievance. He expressly challenged SCDC's reliance upon ADM-15.13 and argued that § 24-3-40(A)(5) provides that the escrow account is maintained "for the benefit of the prisoner." Appellant specifically disputed SCDC's interpretation that access was limited to inmates serving life sentences or sentenced to death. SCDC's General Counsel denied the Step 2 grievance while relying upon ADM-15.13.

Appellant timely appealed SCDC's final decision to the Administrative Law Court.
SCDC subsequently moved to dismiss, relying principally upon *Slezak v. South Carolina Department of Corrections*, 361 S.C. 327, 605 S.E.2d 506 (2004), and *Skipper v. South Carolina Department of Corrections*, 370 S.C. 267, 633 S.E.2d 910 (Ct. App. 2006).
The ALC entered an Order dated July 31, 2026, granting SCDC's motion to dismiss. Appellant received the Order on August 5, 2026.

The ALC concluded:

"The Appellant is not appealing the loss of a state created liberty or property interest"
and therefore determined that the matter was subject to the traditional "hands-off" doctrine applicable to internal prison matters. The ALC dismissed the appeal without allowing Appellant to file his Appellant's Brief addressing the merits of the statutory and property-interest issues. That ruling is the subject of this appeal.

STANDARD OF REVIEW

Judicial review of an ALC decision is governed by S.C. Code Ann. § 1-23-610(B). The Court of Appeals may reverse or modify an ALC decision when substantial rights of the appellant have been prejudiced because the decision is, among other things, in violation of constitutional or statutory provisions, in excess of the agency's statutory authority, made upon unlawful

procedure, affected by other error of law, clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record, or arbitrary, capricious, or characterized by abuse of discretion.

Questions of statutory interpretation and other questions of law are reviewed for error of law. As to factual matters, the appellate court does not substitute its judgment for the ALC's factual findings when supported by substantial evidence.

ARGUMENT

I. THE ALC ERRED BY TERMINATING APPELLANT'S APPEAL BEFORE APPELLANT HAD THE OPPORTUNITY CONTEMPLATED BY THE APPLICABLE PROCEDURE TO PRESENT HIS APPELLANT'S BRIEF.

The ALC terminated Appellant's appeal before Appellant had filed the Appellant's Brief addressing the statutory and property-interest issues upon which the ALC ultimately dismissed the appeal.

Appellant's contemplated brief was not merely an opportunity to restate the grievance. It was the procedural vehicle through which Appellant intended to address § 24-3-40(A)(5), ADM-15.13, the distinction between earned wages and prison employment, and the South Carolina authorities governing inmate wages and inmate-held funds. Article I, § 22 of the South Carolina Constitution provides that:

"No person shall be finally bound by a judicial or quasi-judicial decision of an administrative agency affecting private rights except on due notice and an opportunity to be heard . . . nor shall he be deprived of liberty or property unless by a mode of procedure prescribed by the General Assembly, and he shall have in all such instances the right to judicial review."

In *Ross v. Medical University of South Carolina*, 328 S.C. 51, 68, 492 S.E.2d 62, 71 (1997), the Supreme Court recognized that Article I, § 22 requires an administrative agency to provide notice and an opportunity to be heard before its final decision, although it does not require a separate opportunity to be heard at every level of an administrative process. The procedural circumstances here are also materially similar to *Wallace v. South Carolina Department of Corrections*, Op. No. 2012-UP-012 (S.C. Ct. App. Jan. 25, 2012). In *Wallace*, the ALC issued its decision without allowing the inmate to file an appellant's brief. The Court of Appeals held that the inmate was denied an opportunity to be heard and meaningful judicial review and reversed and remanded with instructions that he be allowed to file his appellant's brief and proceed with his appeal before the ALC.

Wallace is unpublished and therefore is not precedential except as permitted by Rule 268(d)(2), SCACR. Its procedural reasoning nevertheless provides a directly analogous example of an SCDC inmate appeal being terminated before the inmate was permitted to submit an appellant's

brief. Here, Appellant's opportunity to present his statutory and property-interest arguments was particularly significant because the ALC ultimately decided those very issues adversely to Appellant. The appropriate remedy is therefore reversal and remand so that the matter may be adjudicated under the correct legal framework.

II. THE ALC ERRED BY CONCLUDING THAT APPELLANT WAS NOT ASSERTING A STATE-CREATED PROPERTY INTEREST.

The ALC expressly concluded:

"The Appellant is not appealing the loss of a state created liberty or property interest."

The record demonstrates otherwise.

Appellant's grievances specifically challenged SCDC's refusal to provide access to wages already earned and held by SCDC in an interest-bearing escrow account pursuant to § 24-3-40(A)(5). The Court of Appeals addressed a substantially related question in *Millholland v. South Carolina Department of Corrections*, 436 S.C. 547, 873 S.E.2d 784 (Ct. App. 2022). In *Millholland*, SCDC deducted a $250 DNA-processing fee from an inmate's trust account. The inmate pursued the matter through SCDC's grievance procedure and appealed to the ALC. The ALC summarily dismissed the appeal after concluding that the claim did not implicate a state-created liberty or property interest. The Court of Appeals reversed and remanded, holding that the grievance implicated a protected property interest in the inmate's trust account. Id. at 549–50, 873 S.E.2d at 785–86.

The significance of *Millholland* is not that every inmate automatically possesses an unrestricted right to every dollar held by SCDC. Rather, *Millholland* establishes that an inmate's claim concerning money held in an SCDC account may implicate a protected property interest sufficient to require adjudication rather than automatic dismissal.

Appellant's claim has an additional statutory foundation. Section 24-3-40(A)(5) expressly provides that ten percent of qualifying wages "must be held in an interest bearing escrow account for the benefit of the prisoner." The ALC therefore erred in concluding categorically that Appellant was not asserting a protected property interest without analyzing the statutory source of the claimed interest.

III. ALLEN REQUIRES THE COURT TO DISTINGUISH THE ALC'S SUBJECT-MATTER JURISDICTION FROM THE MERITS QUESTION WHETHER APPELLANT HAS A PROTECTED INTEREST.

The ALC's order relied upon the absence of a state-created liberty or property interest in disposing of Appellant's appeal. *Allen v. South Carolina Department of Corrections*, 439 S.C. 164, 886 S.E.2d 671 (2023), requires a careful distinction.

In *Allen*, the Supreme Court explained that the ALC has subject-matter jurisdiction to review final administrative decisions and has appellate jurisdiction over properly perfected inmate grievance appeals. The Court specifically held that a claim implicating a state-created liberty or property interest is not required for the ALC to have subject-matter jurisdiction over the appeal. The Court nevertheless recognized that the ALC may summarily dismiss an inmate's grievance when it determines that the grievance does not implicate a state-created liberty or property interest sufficient to trigger procedural due process.

Accordingly, Appellant does not contend that the ALC was categorically prohibited from summarily dismissing SCDC's motion. Appellant's argument is narrower and more precise:

The ALC could dismiss on that basis only after correctly determining whether Appellant's particular claim implicated a state-created property interest. That determination was erroneous because the ALC treated Appellant's claim as a general prison-management dispute rather than addressing the statutory wage and escrow interests identified in Appellant's grievances.

Thus, *Allen* requires separation of two questions:

whether the ALC possessed jurisdiction to review Appellant's properly perfected appeal; and whether Appellant established a state-created interest sufficient to obtain due-process relief. The ALC's order improperly collapsed those questions.

IV. WICKER, TORRENCE, AND GATEWOOD DISTINGUISH APPELLANT'S CLAIM FROM SKIPPER BECAUSE APPELLANT'S CLAIM CONCERNS COMPENSATION ALREADY EARNED, NOT A RIGHT TO PRISON EMPLOYMENT.

The ALC relied upon *Skipper v. South Carolina Department of Corrections*, 370 S.C. 267, 633 S.E.2d 910 (Ct. App. 2006). *Skipper* does not resolve Appellant's claim.

Skipper involved an inmate's asserted liberty interest in participation in a prison employment program. The Court held that participation in the program was a privilege rather than a protected liberty interest. Appellant does not make that claim.

Appellant does not assert: "I have a constitutional right to obtain a prison job."
Appellant asserts: "I performed labor, earned wages, and SCDC is holding a portion of those earned wages in an interest-bearing escrow account pursuant to a statutory wage scheme."

That distinction is recognized in South Carolina precedent.

In *Wicker v. South Carolina Department of Corrections*, 360 S.C. 421, 602 S.E.2d 56 (2004), the Supreme Court addressed an inmate's grievance concerning wages earned through Prison Industries. The Court affirmed the ALC's determination that the inmate was entitled to the prevailing wage required by statute. The Court recognized that the statutory wage right was a state-created right that could not thereafter be denied without due process. Id. at 424, 602 S.E.2d at 57–58.

Wicker also established that an inmate's statutory wage claim should be pursued through the SCDC grievance process and administrative review rather than through a private civil action. In *Torrence v. South Carolina Department of Corrections*, 373 S.C. 586, 646 S.E.2d 866 (2007), the Supreme Court again addressed inmate wage claims under the Prison Industries statutes. The Court explained that inmates working in the Prison Industries Program have a cognizable, state-created interest in having SCDC pay them according to the statutory scheme governing the program, while the appropriate remedy is through the SCDC grievance process with recourse to the ALC.

Most importantly, the published Court of Appeals decision in *Torrence v. S.C. Dep't of Corr.*, 433 S.C. 633, 861 S.E.2d 36 (Ct. App. 2021) directly addressed § 24-3-40 and escrowed inmate wages. The case involved an inmate who had already performed Prison Industries labor and challenged, among other things, SCDC's refusal to permit immediate distribution of wages placed in escrow. The Court of Appeals affirmed the ALC's construction of § 24-3-40(A)(5) and (B)(2), which permitted a life-sentenced inmate to designate persons or entities to receive immediate distribution of escrowed wages.

That decision is important here for a narrower proposition: § 24-3-40 creates a statutory framework governing the disposition of inmate wages and escrowed funds that is subject to adjudication. It is not merely an internal prison-policy question.

Finally, *Gatewood v. S.C. Dep't of Corr., 416 S.C. 304, 785 S.E.2d 600 (Ct. App. 2016)*, addressed an inmate's wage-related grievance and recognized that the inmate's right to the applicable wage became vested when the wage was earned. *Gatewood* is particularly relevant to Appellant's contention that the claim concerns already-earned compensation, not merely a future privilege of prison employment. Thus, *Skipper* cannot be treated as dispositive of Appellant's claim.

V. SECTION 24-3-40(A)(5) CREATED THE STATUTORY QUESTION THE ALC WAS REQUIRED TO ADDRESS.

Section 24-3-40(A)(5) provides:

"Ten percent must be held in an interest bearing escrow account for the benefit of the prisoner."

That provision is part of a larger statutory scheme governing the disposition of prisoner wages. The South Carolina Supreme Court has recognized that § 24-3-40 governs the disposition of prisoner wages and specifically identified subsection (A)(5)'s escrow requirement. *Torrence*, 373 S.C. at 592–94, 646 S.E.2d at 869–70. The 2021 *Torrence* decision further demonstrates that § 24-3-40(A)(5) and subsection (B) must be construed together. The Court of Appeals held that the statute's provisions must be harmonized and that the words "for the benefit of the prisoner" must be given effect. Torrence v. S.C. Dep't of Corr., 433 S.C. 633, 861 S.E.2d 36 (Ct. App. 2021. Appellant recognizes that subsection (B) addresses when escrowed wages are returned and that its provisions distinguish among prisoners according to release status.

But that does not answer the different question presented here:

What statutory property interest does § 24-3-40(A)(5) create in wages already earned and placed into the statutory escrow account?

Nor does the existence of subsection (B) automatically establish that SCDC may impose any restriction it chooses through ADM-15.13.

The proper sequence is:

determine the interest created by § 24-3-40(A)(5); interpret subsection (A)(5) together with subsection (B); determine whether ADM-15.13 is authorized by and consistent with the statute; determine whether SCDC correctly applied the statute and policy to Appellant; and if a protected property interest was deprived, determine the applicable due-process consequences. The ALC did none of this.

It instead concluded at the outset that there was no state-created property interest and invoked the "hands-off" doctrine. That was an error.

VI. THE ALC IMPROPERLY CONFLATED THE EXISTENCE OF A PROPERTY INTEREST WITH THE SEPARATE QUESTION OF WHEN THE FUNDS MAY BE DISTRIBUTED.

Appellant does not contend that recognition of a property interest automatically establishes an unrestricted constitutional right to withdraw escrowed wages at any time. That is not the issue this Court must decide to reverse the dismissal.

The issue is whether Appellant possesses a protected interest in the wages that were already earned and placed into statutory escrow and, if so, what legal rules govern SCDC's restriction on access to those funds. The United States Supreme Court has explained that a property interest may arise from state law when the law creates a legitimate claim of entitlement. *Board of Regents of State Colleges v. Roth*, 408 U.S. 564, 577 (1972).

South Carolina's own cases apply that principle to inmate-held funds and wages.

In *Millholland*, the Court of Appeals held that an inmate's trust-account funds implicated a protected property interest sufficient to defeat the ALC's summary dismissal. 436 S.C. at 549–50, 873 S.E.2d at 785–86. In *Wicker*, the Supreme Court held that the statutory right to the required inmate wage was a state-created right that could not be denied without due process. 360 S.C. at 424, 602 S.E.2d at 57–58. In *Gatewood*, the Court of Appeals recognized that the inmate's right to the applicable wages vested when the wages were earned.

Accordingly, Appellant's argument does not depend upon asserting an absolute right of immediate withdrawal. It depends upon first recognizing that earned wages subject to a statutory escrow scheme may constitute a protected property interest, after which the court must determine the lawful scope and conditions of that interest.

That merits question cannot be replaced by a categorical invocation of the "hands-off" doctrine.

VII. THE "HANDS-OFF" DOCTRINE DOES NOT PREVENT THE ALC FROM INTERPRETING A STATUTE GOVERNING AN INMATE'S PROPERTY.

The ALC relied upon *Pruitt v. State*, 274 S.C. 565, 266 S.E.2d 779 (1980), and *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000), in invoking the traditional "hands-off" doctrine. Appellant does not dispute that prison administrators are entitled to substantial discretion concerning legitimate institutional matters. But this case concerns the interpretation and application of a statute governing prisoner wages.

Al-Shabazz itself held that SCDC's final administrative decisions are subject to judicial review under the Administrative Procedures Act. 338 S.C. at 373, 527 S.E.2d at 752. *Allen* subsequently clarified that the ALC has subject-matter jurisdiction over properly filed inmate grievance appeals and that the existence of a protected state-created interest is a separate question concerning entitlement to relief.

Wicker and the two *Torrence* decisions demonstrate that inmate wage disputes arising under the statutory scheme are appropriate subjects of administrative adjudication. *Millholland* further demonstrates that an inmate's claim involving funds held by SCDC can implicate a protected property interest. The "hands-off" doctrine therefore does not answer the statutory question.

The issue is not whether courts should manage prisons. The issue is whether SCDC has correctly interpreted and applied the statute governing wages and escrowed funds and whether Appellant's protected rights were affected by that application.

That is a legal question committed to judicial review.

VIII. APPELLANT EXPRESSLY PRESENTED THE STATUTORY AND PROPERTY-INTEREST ISSUES THROUGH THE GRIEVANCE PROCESS.

The record shows that Appellant did not raise his statutory/property theory for the first time in this appeal.

In Step 1, Appellant expressly requested access to his long-term escrow account under § 24-3-40(A)(5), stated that the funds were sought for his benefit, and identified obtaining paid legal counsel and addressing family emergencies as purposes for which he sought access. SCDC denied the request based upon ADM-15.13.

In Step 2, Appellant expressly challenged SCDC's reliance upon ADM-15.13 and argued that the statutory escrow account was held "for the benefit of the prisoner." SCDC's General Counsel denied the grievance while maintaining the Department's interpretation of ADM-15.13. Thus, the precise statutory dispute was presented to SCDC before the ALC appeal.

The ALC therefore had before it a developed administrative controversy concerning:

already-earned inmate wages; the statutory escrow account; § 24-3-40(A)(5); the meaning of "for the benefit of the prisoner"; and the validity and application of ADM-15.13. The ALC should have adjudicated that controversy under the governing law rather than treating it as a nonreviewable internal prison matter.

IX. THE ALC'S ERROR WAS PREJUDICIAL BECAUSE IT PREVENTED APPELLANT FROM OBTAINING ADJUDICATION OF THE VERY STATUTORY ISSUE THAT DETERMINES WHETHER ACCESS WAS LAWFULLY DENIED.

This Court need not decide in the first instance whether Appellant is presently entitled to immediate distribution of all escrowed wages. The immediate question is whether the ALC correctly dismissed the appeal by finding that no protected state-created property interest was implicated. The answer should be no.

Allen establishes that the ALC had authority to hear a properly perfected inmate grievance appeal. *Millholland* establishes that an inmate's funds held by SCDC can constitute a protected property interest sufficient to require further proceedings. *Wicker* establishes that statutory inmate-wage rights may be state-created rights protected by due process. *Torrence* establishes that § 24-3-40's wage and escrow provisions are subject to judicial interpretation through the grievance/ALC process. *Gatewood* recognizes the significance of wages already earned.

The ALC therefore needed to analyze those principles before concluding that Appellant's claim was merely an internal prison matter. Its failure to do so prejudiced Appellant's substantial rights and constitutes an error of law under § 1-23-610(B).

X. THE APPROPRIATE REMEDY IS REVERSAL AND REMAND FOR ADJUDICATION UNDER THE CORRECT LEGAL FRAMEWORK.

Appellant respectfully recognizes that this Court need not order SCDC to immediately distribute the entire escrow balance.The appropriate remedy is to reverse the dismissal and remand the matter for adjudication of the issues that the ALC did not reach. On remand, the ALC should determine:

whether the funds at issue are wages already earned by Appellant and held in the statutory escrow account; what protected property interest, if any, § 24-3-40(A)(5) creates in those earned wages; the proper construction of § 24-3-40(A)(5) together with subsection (B); whether ADM-15.13 is consistent with § 24-3-40; whether SCDC correctly interpreted and applied the statute and policy to Appellant; whether SCDC's decision was within its statutory authority and supported by the governing law; and if a protected property interest was deprived, what procedural protections and relief are required.

That approach does not ask this Court to disregard subsection (B).
Instead, it asks the Court to require the ALC to interpret the statutory scheme as a whole and decide the actual dispute presented by Appellant's grievances.

CONCLUSION AND WHEREFORE

The ALC's dismissal should be reversed because the court's central conclusion—that Appellant was not asserting a state-created liberty or property interest—incorrectly characterized the nature of the claim and failed to apply the statutory and precedential law governing inmate wages and inmate-held funds.

Appellant did not challenge a discretionary right to obtain prison employment.
He challenged SCDC's refusal to provide access to wages already earned and placed into an interest-bearing escrow account under § 24-3-40(A)(5), which provides that the funds must be held "for the benefit of the prisoner."

Wicker recognizes a state-created statutory interest in inmate wages that cannot be denied without due process. *Torrence* confirms that inmate wage claims under the statutory scheme are properly pursued through SCDC's grievance process and the ALC. The 2021 *Torrence* decision further demonstrates that § 24-3-40's escrow and distribution provisions are subject to judicial statutory interpretation. *Gatewood* recognizes that an inmate's right to earned wages vests when those wages are earned. *Millholland* establishes that an inmate's funds held in an SCDC account can implicate a protected property interest and that an ALC summary dismissal based upon the supposed absence of such an interest may require reversal and remand. *Allen* clarifies that the ALC's jurisdiction over a properly perfected inmate grievance appeal is separate from the merits question whether the inmate has established a protected interest. The ALC therefore erred by treating the absence of a property interest as effectively dispositive without properly

determining whether Appellant's particular statutory wage and escrow claim implicated such an interest. The ALC further erred by invoking the "hands-off" doctrine without resolving the statutory questions presented under § 24-3-40 and ADM-15.13.

The premature termination of Appellant's ability to present his appellate brief also deprived him of the procedural opportunity to present the statutory and property-interest arguments upon which the ALC ultimately disposed of the case. Article I, § 22 and *Ross* support the constitutional importance of notice and an opportunity to be heard in administrative proceedings, while *Wallace*, although unpublished and nonprecedential under Rule 268(d)(2), provides a closely analogous example involving an SCDC inmate whose ALC appeal was terminated without allowing an appellant's brief.

WHEREFORE, Appellant respectfully requests that this Court:

REVERSE the Administrative Law Court's July 31, 2026 Order granting Respondent's Motion to Dismiss;

HOLD that the ALC erred in concluding that Appellant's grievance did not implicate a state-created property interest where Appellant challenged SCDC's refusal to provide access to wages allegedly already earned and held in an interest-bearing escrow account governed by S.C. Code Ann. § 24-3-40;

HOLD that the ALC erred by conflating the existence of a protected state-created property interest with the ALC's subject-matter jurisdiction over a properly perfected inmate grievance appeal;

HOLD that the ALC erred in applying the "hands-off" doctrine without properly addressing Appellant's statutory and property-interest claims under § 24-3-40 and the applicable South Carolina authorities;

REMAND the matter to the Administrative Law Court for further proceedings under the correct legal framework, including adjudication of whether Appellant possesses a protected property interest in the escrowed wages, whether SCDC Policy ADM-15.13 is consistent with § 24-3-40, whether SCDC lawfully applied the statute and policy to Appellant, and what relief, if any, is legally available; and

GRANT such other and further relief as this Court deems just and proper.

Respectfully submitted,

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Date: 9/2/26