

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

L'Tonya Scott, Appellant,

v.

South Carolina Public Employee Benefit Authority,
Employee Insurance Program, Respondent.

Appellate Case No. 2017-000780

Appeal From The Administrative Law Court
Deborah Brooks Durden, Administrative Law Judge

Unpublished Opinion No. 2019-UP-003
Submitted November 1, 2018 – Filed January 4, 2019

AFFIRMED

Melissa Leila Louzri, of Greenville, for Appellant.

Michael T. Brittingham, of Nexsen Pruet, LLC, of
Columbia; and James T. Hedgepath, of Nexsen Pruet,
LLC, of Greenville, both for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: *Allen v. S.C. Pub. Emp. Benefit Auth.*, 411 S.C. 611, 615, 769 S.E.2d
666, 668 (2015) ("A party who has exhausted all administrative remedies available
within an agency and who is aggrieved by an [administrative law court's (ALC's)]

final decision is entitled to judicial review."); S.C. Code Ann. § 1-23-610(B) (Supp. 2018) ("The court of appeals may affirm the decision or remand the case for further proceedings; or, it may reverse or modify the decision if the substantive rights of the petitioner have been prejudiced because the finding, conclusion, or decision is: (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."); *id.* ("The court may not substitute its judgment for the judgment of the [ALC] as to the weight of the evidence on questions of fact."); *MRI at Belfair, LLC v. S.C. Dep't of Health & Env'tl. Control*, 379 S.C. 1, 6, 664 S.E.2d 471, 474 (2008) ("As to factual issues, judicial review of administrative agency orders is limited to a determination whether the order is supported by substantial evidence."); *Murphy v. S.C. Dep't of Health & Env'tl. Control*, 396 S.C. 633, 639, 723 S.E.2d 191, 194-95 (2012) ("When finding substantial evidence to support the ALC's decision, the [c]ourt need only determine that, based on the record as a whole, reasonable minds could reach the same conclusion."); *DuRant v. S.C. Dep't of Health & Env'tl. Control*, 361 S.C. 416, 420, 604 S.E.2d 704, 707 (Ct. App. 2004) ("The mere possibility of drawing two inconsistent conclusions from the evidence does not prevent a finding from being supported by substantial evidence."); *Wilson v. State Budget & Control Bd. Emp. Ins. Program*, 374 S.C. 300, 305, 648 S.E.2d 310, 313 (Ct. App. 2007) ("While we recognize . . . the Social Security Administration found otherwise, we remain cognizant that as an appellate court, we must affirm an agency's decision when substantial evidence supports the decision.").

AFFIRMED.¹

KONDUROS, MCDONALD, and HILL, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.