

# South Carolina Court of Appeals

Nicholas Bean

302151

Appellant

v.

South Carolina Department  
of Corrections,  
Defendant

Appellant Case

No. 2024-000130

APR 25 2024

SC Court of Appeals

Initial Brief

April 23, 2024

1.) Now comes the Appellant, Nicholas Bean, 302151, asking this court to review the record on Appeal from the decision of the Administrative Law Courts decision.

2.) The Appellant ask this court to review the Law and statutes and see that the statute 24-3-430(D), no inmate participating in the program may earn less than

prevailing wages for work of a similar nature in the private sector.

This statute is what governing my case. I worked for S.C.D.C. [PIP] from 2005 until 2007, but the ACh judge applied a statute that wasn't in effect until August 1, 2007 after I had performed the work.

3.) Also I ask this court to review Sourence v. S.C.D.C., which this court stated that the South Carolina Supreme Court has already stated that the program at issue operated under section 29-3-430, and section

29-3-410 provides  
(A) It is unlawful to sell or offer for sale on the open market... articles or products manufactured

or produced wholly or in part  
by inmates...

(B.) The provisions of this section  
do not apply to...

products... produced by inmates  
of the department... employed in  
[PTP] if the inmate worker participates  
voluntarily, receive comparable wages,  
and the work does not displace  
employed workers.

4.) Therefore under the law and  
statutes I ask this court to  
award me full wages in that of a  
similar nature, back wages, overtime,  
room and board, and full interest for  
all the years withheld.

cc: South Carolina  
Department of Corrections  
File  
South Carolina Court  
of Appeals (3)

Respectfully,  
Dedrick Brown

# Proof OF Service

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Department of Corrections depositing a  
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Broad River Pk. Columbia, S.C.  
29221, by mail.

April, 23, 2024

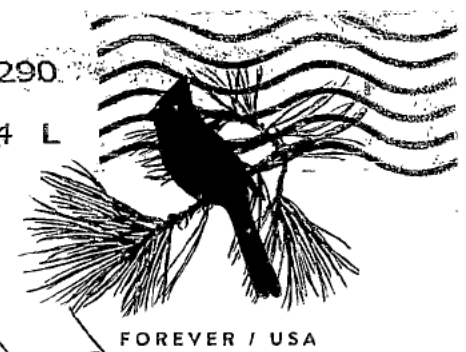
S/ Nicholas Boan

cc: South Carolina  
Department of Corrections  
South Carolina Court  
of Appeals  
File

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