

The South Carolina Court of Appeals

Eric Samuel, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2024-001134

ORDER

Appellant filed and served a notice of appeal from an order granting summary judgment to Respondent concerning a medical malpractice claim. Subsequently, Appellant moved to proceed *in forma pauperis* on appeal. In the alternative, Appellant requests this court institute a payment plan pursuant to section 24-27-100 of the South Carolina Code (2007). After careful consideration, we deny Appellant's request to proceed *in forma pauperis* and his alternative request for the institution of a payment plan. See *Ex Parte Martin*, 321 S.C. 533, 535, 471 S.E.2d 134, 134-35 (1995) ("In the absence of a statutory provision allowing the general waiver of filing fees, we conclude motions to proceed *in forma pauperis* may only be granted where specifically authorized by statute or required by constitutional provisions."); *Martin v. S.C. Dep't of Corr.*, 350 S.C. 196, 197, 565 S.E.2d 756, 757 (2001) (holding the payment plan in section 24-27-100 is not applicable to filing fees incurred at either the supreme court or the court of appeals).

Appellant has fifteen days from the filing date of this order to provide this court with the \$250 notice of appeal filing fee. Failure to provide the filing fee will result in the dismissal of this appeal.



FOR THE COURT

Columbia, South Carolina

FILED
Jul 22 2024

cc:

Eric Samuel, 277784

William U. Gunn, Esquire

FILED
Jul 22 2024
