

South Carolina Court
of Appeals
P.O. Box 11629
Columbia, SC.
29211

Nicholas Bean 3021
B.R.C.I. Nation 146
4460 Broad River Rd
Columbia SC
29210

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SEP 09 2024
SC Court of Appeals

Dear Clerk,

I am writing again, because I received a letter today saying my case was dismissed when I filed my final brief on June 27, to the street address you provided, and I did not know you did not receive it until August 31, 2024, from your letter date July 17, 2024. I do not understand how it took over a month to receive a notice that you did not receive my brief when I filed on time. I have included a copy of my final

brief entered showing I
filed on time, and I
do not understand why
D.C. D.C. held my legal
mail for more than a
month. Thank you for
your time in this
matter.

cc: File
South Carolina Court
of Appeals

Respectfully,

Rich Boon

State of South Carolina
In the Court of Appeals

Appeal From the Administrative
Law Court

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Administrative Law Judge
S. Phillip Henski

SEP 09 2024

SC Court of Appeals

Appellate Case No.
2024 - 000130

Nicholas Bean
302151,

Appellant

v.

South Carolina Department
of Corrections,

Respondent

Final Brief

Nicholas Bean 302151
B.R.C.I. Marion 146
4460 Broad River Rd.
Columbia, S.C. 29210

Table of Authorities

- 1.) Order from Judge Nov 10, 2022
- 2.) Order from Judge May 26, 2023
- 3.) Appeal from Administrative Court
- 4.) Final order Jan 23, 2024
Dec 9, 2023
- 5.) Contract from S.C. D.C and
company
- 6.) Complaint on May 6, 2023
- 7.) Summons on May 6, 2023
- 8.) Statute 24-3-430 (D)
- 9.) Statute 24-3-410
- 10.) Jennence v. S.C. D.C.

South Carolina Court of
Appeals

Nicholas Boan,
302151

Appellant

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SEP 09 2024

SC Court of Appeals

v.

South Carolina Department
of Corrections,

Respondent

Final Brief of
Appellant

Appellant Case No:
2024-000130

June 27, 2024

- 1.) Now comes the Appellant, Nicholas Boan, 302151, asking this Court to review the record on Appeal from the order from the Administrative Law Court.
- 2.) The Appellant ask this Court to review the laws and statutes

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. S.C.D.C. claims I worked for a [BIE], but under their contract with that company U.S. Textile Section 3.3(3) no goods produced under this agreement shall be placed in Commerce in violation of law and statute, yet everything we packaged was sold in Commerce all over the world. We packaged for different countries, and states. Also the judge applied a statute that shouldn't override other statutes and law.

3.) Also I ask this Court to review Jorrence 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 24-3-430, and Section

24-3-410 provides:

(A) It is unlawful to sell or offer for sale on the open market... articles or products manufactured or produced wholly or in parts by inmates...

(B) The provisions of this section do not apply to... products... produced by inmates of the department... employed in [PIZ], or [PIA] if the inmate worker participates voluntarily, receive comparable wages, and the work does not displace employed workers. If this court reviewed the S.C.D.C. Policy in 2005, if an inmate refusing a job, he can be charged a disciplinary for refusing to work. Also if this court reviews the Contract with this Company nothing was suppose to be in Commerce, but we packaged for several countries to be sold in.
So therefore the Contract was

broken buy selling on the open market, and also I was assigned this job buy the prison, where if I had refused I would be written up, so this was not voluntarily, and a violation of Section 24-3-410.

4) Therefore under the law and statutes I ask this court to review the Contract that also wasn't signed off on until after a year of me working under this company, so I should be paid in full because the contract didn't get signed until a year after I worked. I ask this court to award full wages, back pay, overtime, room and board, and full interest for all these years withheld.

cc: South Carolina
Department of Corrections
File
South Carolina Court of
Appeals (14)

Respectfully,
Dustin Boan

Proof of Services

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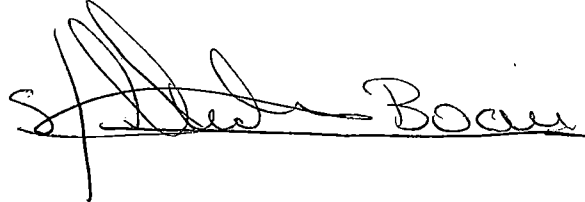
SEP 09 2024

SC Court of Appeals

I certify that I have served
the Final Brief on the attorney
Ms. Christina Catoe Bigelow, for
South Carolina Department of
Corrections at 4444 Broad River Rd.
Columbia, South Carolina 29221, and
a copy to the Court of Appeals at
1220 Senate Street, Columbia,
South Carolina, 29201, by depositing
a copy of it in the United States
Mail postage paid on the date
of 27th day of June, 2024, by
mail.

cc: South Carolina
Department of Corrections

File
South Carolina Court
of Appeals


Nicholas Boan

Nicholas Boan 302151
B.P.C.T. Marion 146
4460 Broad River Rd
Columbia SC 29210

Nicholas Boon 302151
B.R.C.I. Marion 1416
1460 Broad River Rd.
Columbia, S.C.
29210

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SC Court of Appeals

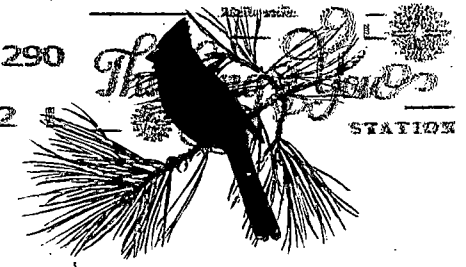
South Carolina Court
of Appeals

Jermey Kitchings, clerk
P.O. Box 11629

Columbia, S.C. 29210

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