

The South Carolina Court of Appeals

Robert Osbey, #299910, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2025-000230

ORDER

On February 6, 2025, Appellant filed a notice of appeal seeking review of a decision by an administrative law judge. Appellant sought to be paid pursuant to the prevailing wage statute for work performed as part of an industry within the South Carolina Department of Corrections, and entered into a settlement agreement with Respondent. Because Appellant alleges he has been denied his full prevailing wage, we grant his motion to proceed *in forma pauperis*. See *Ex Parte Martin*, 321 S.C. 533, 535, 471 S.E.2d 134, 134-35 (1995) ("Motions to proceed *in forma pauperis* may be granted only when authorized by statute or required by constitutional provisions."); *Wicker v. S.C. Dep't of Corrs.*, 360 S.C. 421, 424, 602 S.E.2d 56, 58 (2004) (recognizing a state-created property interest in the payment of a prevailing wage); *id.* at 424, 602 S.E.2d at 57 ("[W]here . . . the state has created a statutory right to the payment of a prevailing wage, it cannot thereafter deny that right without affording due process of law.").

Krish Cutes J.
FOR THE COURT

Columbia, South Carolina

cc:
Robert Osbey, 299910
Christina Catoe Bigelow, Esquire

FILED
Feb 26 2025