

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Administrative Law Court
Hon. Crystal M. Rookard, Presiding
Docket No. 25-ALJ-04-0139-AP

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NOV 18 2025

SC Court of Appeals

MARCO BATES #249552 -- APPELLANT,

-Vs-

SOUTH CAROLINA DEP'T OF CORR. -- RESPONDENT,

Appellate case No. _____

MOTION AND REQUEST TO PROCEED

IN FORMA PAUPERIS

COMES NOW, above captioned Appellant, Marco Bates #249552, pro-se, respectfully moving this Honorable Court for permission to proceed in forma pauperis and without pay the required filing fee of \$250.00.

In support of this motion and request Appellant would respectfully show unto this Court the following:

1). Appellant is an inmate housed in the South Carolina Department of Corrections on an unrelated matter;

2). However, the instant appeal is the Administrative Law Court's denial of Appellant's prevailing wage claim;

3). Appellant participated in the Prison Industries Program and it was revealed that Respondents were in violation of statutory law §24-3-430, in that Respondent were not paying

inmates the hourly prevailing wage as mandate by S.C. Code of Law §24-3-430;

4). Appellant just like hundreds of other unwary inmates, our Supreme Court held that inmates wishing to challenge Respondent's failure to comply wit the prevailing wage statute and inmates may challenge those pay rates through Respondents internal grievance system GA.1-12; Torrence v. SCDC, 433 S.C. 633 (2021)(citing Wicker v. SCDC)

5). Appellant has statutory created liberty interest in his monies and wages for the hours of labor peformed;

6). It is therefore based on this premise that Appellant is informed and believes he should be allowed to proceed informa pauperis and without being required to pay the filing fee; as well as the fact that Appellant is serving a life sentence and has been incarcerated since 1997;

CONCLUSION

based on the above Appellant respectfully prays this Court will grant his request to proceed informa pauperis in this appeal.

Respectfully Submitted,
/s/ Marco Bates #249552

Marco Bates #249552

Appellant, pro-se

~~xxx xxx~~

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-Vs-

SOUTH CAROLINA DEP'T OF CORR. -- RESPONDENT,

CERTIFICATE OF SERVICE

the undersigned hereby certifies he has served a true and correct copy of the enclosed Motion and request to Proceed Informa Pauperis on the persons whose names and addresses appear below by placing the aforesaid in properly addressed, first-class postage affixed envelopes and placed in the U.S. Mail this 7th day of Nov., 2025.

Those Served:

SC. Court of Appeals
Clerk's Office
P.O. Box 11629
Columbia, SC. 29211

Hon. Crystal M. Rookard
ALC
1205 Pendelton St., Suite 224
Columbia, SC. 29201

General Counsel
SCDC
P.O. Box 21787
Columbia, SC. 29221-1787

Respectfully Submitted,

/s/ Marco Bates
Marco Bates, pro-se

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 7th Nov DAY OF 20, 2025

NOTARY PUBLIC

MY COMM. EXPIRES 4/14/26

Marco Bates #249552-U2-220
Tyger River Corr. Inst.

200 Prison Rd.
Endree, SC 29335



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