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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Derham Cole, Jr., Circuit Court Judge
Circuit Court Case No. 2026-CP-42-05667

_____

Appellate Case No. _____

_____

Bruce Wilson — Appellant,

v.

TransForce, Inc. and Averitt Express, Inc. — Respondents.

NOTICE OF APPEAL OF
APPELLANT BRUCE WILSON

Respectfully submitted,

Bruce Wilson
14 Freestone Street
Greenville, South Carolina 29605
(864) 907-7080
Brucewilson23@gmail.com
Appellant, Pro Se

COMES NOW Appellant Bruce Wilson, proceeding pro se, and respectfully gives notice of appeal pursuant to Rule 203, SCACR. This is an action under S.C. Code Ann. § 41-1-70 for retaliation against an employee who complied with a subpoena and testified in a workers' compensation proceeding. Appellant appeals the order denying him leave to proceed in forma pauperis and the resulting dismissal of his action, and challenges on state and federal constitutional grounds the filing fee requirement of S.C. Code Ann. § 8-21-310(C)(1) as applied to him.

RULE 203 INFORMATION

(A) **Court, judge, and county.** Court of Common Pleas for Spartanburg County, Seventh Judicial Circuit; the Honorable J. Derham Cole, Jr., Circuit Court Judge.

(B) **Lower court docket number.** C/A No. 2026-CP-42-05667. Appellant has no knowledge of any related appeal pending.

(C) **Orders appealed and dates of notice.** (1) The Form 4 Order dated October 29, 2026, and filed October 30, 2026, denying Appellant's motion for leave to proceed in forma pauperis pursuant to *Ex parte Martin*, 321 S.C. 533, 471 S.E.2d 134 (1995). The order states that it "does not end the case." Appellant has not received a mailed copy of this order or written notice of its entry. He viewed and printed it from the Spartanburg County Public Index on October 30, 2026, the day it was entered. (2) The disposition entered November 2, 2026, dismissing the action ("Dismissed by Court - not Rule 40J"). Appellant viewed this entry on the Public Index on November 2, 2026, the day it was entered, and has not received a written order of dismissal or written notice of its entry. This notice is timely under Rule 203(b)(1), SCACR, whether measured from those dates or from written notice of entry, which Appellant has not received. The Form 4 Order (as printed from the Public Index) and the Public Index entry of dismissal are attached as Exhibits A and B pursuant to Rule 203(d)(1)(B)(ii), SCACR.

(D) **Party taking the appeal.** Bruce Wilson, Plaintiff below.

(E) **Attorneys of record.** Appellant is proceeding pro se: Bruce Wilson, 14 Freestone Street, Greenville, South Carolina 29605, (864) 907-7080. No attorney has appeared for either Respondent, and neither Respondent had been served with process when the action was dismissed. The Respondents' addresses appear in the Certificate of Service.

JURISDICTION, APPEALABILITY, AND FILING FEE

This notice is filed with the Clerk of the Supreme Court under Rule 203(d)(1)(A)(ii), SCACR, because the appeal challenges, on state and federal constitutional grounds, the constitutionality of a state law, S.C. Code Ann. § 8-21-310(C)(1), as applied to an indigent plaintiff, and because the appeal asks whether *Ex parte Martin* remains controlling after the 2011 and 2024 amendments to Rule 3(b), SCRCP, a question that only this Court can decide. Should the Court find the constitutional issue not significant, Appellant respectfully asks that the Court nonetheless retain the appeal for the reasons stated in his accompanying motion, which are the grounds for certification under Rule 204(b), SCACR.

The order denying leave to proceed in forma pauperis is immediately appealable because it affects a substantial right and has the effect of discontinuing the action. S.C. Code Ann. § 14-3-330(2)(a); *Lakes v. State*, 333 S.C. 382, 384-85, 510 S.E.2d 228 (Ct. App. 1998) (holding that an order denying in forma pauperis status "effectively discontinued the action" where that was the litigant's only means of proceeding). The November 2, 2026 dismissal is a final judgment. S.C. Code Ann. § 14-3-330(1).

In lieu of the filing fee required by Rule 203(d)(1)(B)(iii), SCACR, Appellant is filing with this notice a Motion for Leave to Proceed In Forma Pauperis on Appeal.

Respectfully submitted,

Bruce Wilson
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(864) 907-7080
Brucewilson23@gmail.com
Appellant, Pro Se