

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Mar 29 2023

SC Court of Appeals

Appeal from the Administrative Law Court  
Honorable Milton G. Kimpson, Administrative Law Judge

**Appellate Case No.: 2023-000441**

Stephen Mueller, ..... Appellant,

v.

South Carolina Department of Health and Environmental Control, and  
Carla Varn DuPre and Jasper B. Varn, III, ..... Respondents.

**JOINT MOTION OF RESPONDENTS TO DISMISS PETITION FOR APPEAL AND  
FOR ATTORNEY'S FEES**

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On March 9, 2023, by electronic mail directed to the Court (and, perhaps, by U. S. Mail although not delivered to Respondents), Appellant in the underlying Administrative Law Court case, Stephen Mueller, attempted to file an Appeal with this Court *pro se*. As stated in Appellant's Motion, "[t]he Appellant in the referenced action do appeal the [the] Court of Appeals from the judgment entered against me by Judge Milton Kimpson of the SCALC, Edgar A. Brown Bldg.[.] 1205 Pendleton St. Suite 224, Columbia, SC 29201 and request that the judgement be reversed. The decision was rendered on June 7, 2022, and a Motion for Relief was Denied March 3, 2023." As such, it appears that Appellant is attempting to appeal the Final Order issued by the ALC.

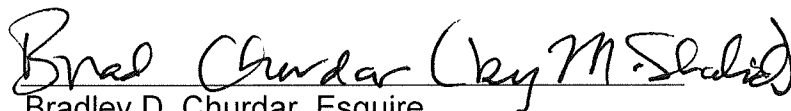
Respondents seek dismissal of this appeal as this Court lacks jurisdiction over the appeal based on the timing of the appeal. This appeal is of a Final Order and Decision of the S. C. Administrative Law Court which was issued on June 17, 2022.

Following his initial filing, this Court notified Appellant of certain deficiencies for correction within 10 days of the Court's notification, dated March 17, 2023. Appellant, as is his practice, submitted corrected filings outside of the deadline provided by the Court.

This Motion is further supported by the accompanying Memorandum. Respondents respectfully request dismissal of this untimely appeal.



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