

RECEIVED

JUN 16 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM THE ADMINISTRATIVE LAW COURT

George E. Brown, Administrative Law Judge

---

Appellant Case No. 2023-000825

South Carolina Department of  
Labor, Licensing and  
Regulations, South Carolina  
Board of Registration for  
Professional Engineers, and  
Surveyors, Respondent,

v.

Andre, Brooks, Appellant.

---

APPEALABILITY MEMORANDUM

On May 31, 2023, a letter was received from the court requesting that the Appellant and the Respondent file a memo of appealability based on a preliminary review that the order challenged on appeal might not be appealable.

The order is appealable based on the following:

On March February 6, 2023, the ALC issued a Final Order regarding case No. 22-ALJ-11-0313-AP was issued by the court.

On February 16, 2023, a motion to extend time to file the motion of reconsideration was filed with the ALC by the Appellant.

On March 14, 2023, the court granted the extension of time to file the motion for rehearing. The motion for rehearing was due on March 20, 2023.

On March 21, 2023, the Appellant filed a motion for a rehearing.

On March 30, 2023, the court denied the motion for rehearing because the motion was untimely, the motion was due on March 20, 2023.

On April 10, 2023, the appellant filed a motion to extend time for late filing of the motion to reconsider with the ALC due to a hardship. The Motion to reconsider was due on March 20, 2023, the Appellant submitted it on March because of the hardship.

On April 28, 2023, the court issued an order denying the Appellant's motion to extend time for late filing of the motion to reconsider.

On May 20, 2023, a Notice of Appeal was filed with the South Carolina Court of Appeals. Hard copies were sent to the Court of Appeals, the ALC and the SCDLLR.

The Notice of Appeal was filed timely after receiving the order regarding the motion to extend time from the Honorable Robert L. Reibold dated May April 28, 2023. The order challenged on appeal is appealable based on the timeline of the of the case listed above and court rules of the South Carolina Appellant Court. If the Court is unable to grant this appeal, the Appellant will suffer an irreparable harm and will further delay his ability to present the merits of his case.

June 8, 2023

s/ Andre Brooks, PE  
19200 Canterbury Road  
Detroit, Michigan 48221  
(313) 475-2549  
Andre Brooks, PE, pro se  
Appellant

T. Kyle Tennis  
S. C. Department of Labor, Licensing  
and Regulation  
P. O. Box 11329  
Columbia, S. C. 29211-1329  
Respondent

**RECEIVED**

JUN 16 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM THE ADMINISTRATIVE LAW COURT

George E. Brown, Administrative Law Judge

---

Appellant Case No. 2023-000825

---

South Carolina Department of  
Labor, Licensing and  
Regulations, South Carolina  
Board of Registration for  
Professional Engineers, and  
Surveyors, Respondent,

v.

Andre, Brooks, PE, Appellant.

---

PROOF OF SERVICE

---

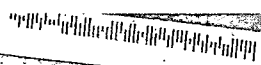
I certify that I have served the Appealability Memo on Court of Appeals and the Respondent, T. Kyle Tennis in this matter via email and by mail to the addresses as follows:

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

T. Kyle Tennis  
S. C. Department of Labor, Licensing  
and Regulation  
P. O. Box 11329  
Columbia, S. C. 29211-1329  
Respondent

June 8, 2023

s/ Andre Brooks, PE  
19200 Canterbury Road  
Detroit, Michigan 48221  
(313) 475-2549  
Andre Brooks, PE, pro se



FROM:

Frank & Serrano Fields  
107 ALLEN Dr.  
Ridgeland, SC  
29936

U.S. POSTAGE PAID  
RDC 99  
RIDGE LAND, SC  
9354  
JUN 23  
AUCTION  
**\$5.89**  
R2305M148158-09

7022 1670 0003 3508 6497  
PLEASE STICK ON TOP OF ENVELOPE TO THE FRONT  
OF THE MAIL PIECE. DO NOT WRITE OVER.  
**CERTIFIED MAIL**  
7022 1670 0003 3508 6497

TO:

South Carolina Court of Appeals  
Jenny Abbott Kitchings Clerk  
P.O. Box 11629  
COLUMBIA, SC 29211

RECEIVED  
JUN 16 2003  
SC Court of Appeals

Utility Mailer  
10 1/2" x 16"

ReadyPost

