

Motion to Reinstate

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AUG 28 2023

SC Court of Appeals

I am requesting a motion to reinstate my appeal.

- Rule 221 (a) Rehearing. Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court. A petition for rehearing shall be in accordance with Rule 240 and shall state with particularity the points supposed to have been overlooked or misapprehended by the court. No return to a petition for rehearing may be filed unless requested by the appellate court. Ordinarily, however, rehearing will not be granted in the absence of such a request. No petition for rehearing shall be allowed from an order denying a petition for a writ of certiorari under Rule 242, SCACR, or declining to entertain a matter under Rule 245, SCACR.

On February 3, 2023, SC Courts sent correspondence stating I had 10 days to correct my initial brief per Rule 267 (a).

- The caption title does not comply with Rule 267 (a), SCACR Specifically, you must title the document and include the name and addresses of the parties to the appeal.

I responded to the courts on February 13, 2023, and made the correction requested. On March 6, 2023, SCDEW sent a Motion to Strike my Designation of Matter, Initial Brief and Additional Documents Outside of Record. They filed this outside of the required time for Rule 59 New Trails: Amendment of Judgments timeline and did not provide a valid reason that meets the guidelines for a Motion to Strike.

- Motion to Alter or Amend a judgment. A motion to alter or amend the judgment shall be served not later than 10 days after receipt of written notice of the entry of the order.
- Motion to strike means on motion of either party, the court may order a stricken from any pleading any insufficient defense, or any redundant, immaterial, impertinent or scandalous matter. Fed. R. Civil P. 12(f)

The Courts honored SCDEW Motion to Strike on April 12, 2023, and the Courts lacked jurisdiction over the subject matter, failure to state facts sufficient to constitute a cause of action and did not follow the Motion to Strike rule.

- Rule 12 (b) (1) lack of jurisdiction over the subject matter
- Rule 12 (b) failure to state facts sufficient to constitute a cause of action.

The evidence in the Designation of Matter is admissible due to the nature of this case. The documents provided are relevant evidence to provide proof I did not voluntarily leave my employment at good will; it was coerced, and several traumatic incidents occurred.

- Rule 401 “Relevant evidence” means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.

Conclusion

I am requesting the Courts to reinstate my appeal and have a fair decision made using information and evidence that the courts have jurisdiction over and the laws that are relevant to this appeal. During this process, I have provided relevant evidence and responded to all correspondence. Due to the events that have transpired and per Rule 221, this request should be granted. My appeal request does not have any insufficiencies and provides relevant evidence that burdens the proof my benefits should have never been denied and I did have a good cause for leaving my employment, it was coerced by the leadership team at Verizon Wireless DBA Cellco Partnership.

Sincerely,

Lavisha Green

FORM 7
PROOF OF SERVICE OF Motion to Reinstate

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

AUG 28 2023

SC Court of Appeals

ADMINISTRATIVE LAW COURT
Administrative Law Court Judge

Milton G. Kimpson, Administrative Law Court Judge

Case No. 2022-01566

South Carolina Department of
Employment and Workforce
Cellco Partnership,

Respondent,

v.

Lavisha Green,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice for a Motion to Reinstate to South Carolina Department of Employment and Workforce and Cellco Partnership by depositing a copy of it in the United States Mail, postage prepaid, on August 25, 2023 addressed to his attorney of record, Steven Jordan and employer. PO Box 8597 Columbia, South Carolina 29202 and PO Box 66744 St. Louis MO 63166 on August 25, 2023.

August 25, 2023

s/ Lavisha Green
Lavisha Green
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Goose Creek, South Carolina
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visha.green@yahoo.com

Lavisha Green
154 Buchanan Cir
Goose Creek, SC 29445

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SC Court of Appeals

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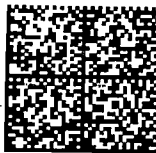
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