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Nov 28 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of
Appeals

APPEAL FROM THE ADMINISTRATIVE LAW
The Honorable Deborah Brooks Durden, Administrative
Law
Docket No. 21-ALJ-22-0448-AP

Appellate Case No. 2022-001433

Wendell D. Cooper, Appellant,

v.

South Carolina Department
Of Employment and Workforce, and
School District of Greenville County, Respondents.

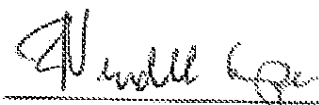
APPELLANT'S MOTION TO SET ASIDE DISMISSAL,
REMEDY DEFAULT, REINSTATE APPEAL, AND/OR

MOTION FOR LEAVE TO FILE DOCUMENTS AND
CORRECT CLERICAL ERRORS OUT OF TIME AND
REMEDY DEFAULT AND/OR

MOTION TO STAY MANDATE OR RECALL MANDATE

Wendell D. Cooper, Pro Se
117 Palm Springs Way
Simpsonville SC, 29681
(864) 230-7049

Respectfully submitted this 28th day of November 2023.



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Email-wendelldoncooper@yahoo.com

Comes Now, Appellant Wendell Cooper, who files this Appellant's Motion to *Set Aside Dismissal, Remedy Default, and Reinstate Appeal; and /or Motion for Leave to File Documents Out of Time and Correct Clerical Errors Remedy; Remedy Defaults; and/or Motion to Stay Mandate or Recall Mandate.*

On November 22, 2023, the Clerk issued an order dismissing the Appellant's appeal on grounds under Rule 210 and failure to follow the Court's October 16, 2023, order. In reviewing this order, it lacks the specificity behind the reason to dismiss the Appellant's Appeal. Thus, the Appellant called the Clerk's office on November 28, 2023, to clarify their decision to dismiss his appeal. The Appellant was informed that they never received a copy of his Record on Appeal. The Appellant told the Clerk's office that he mailed the Record on Appeal on November 3, 2023 (*See Exhibit I*).

Due to the Appellant's limited experience in appeals and the fact there are numerous South Carolina Appellate Court Rules and Procedures. Consequently, the Appellant Rules of Procedure are quite challenging to understand, coupled with the Appellant's limited resources have made this process very difficult. In another matter, the Administrative Law Court closed the case, thus denying the Appellant access to review the record online. Therefore, the documents that need to be included in the Record on Appeal were emailed to him twice because the documents could not be opened for review. The Appellant spent countless hours and resources trying to open these files. However, once the files were opened, some would not print. Nevertheless, the Appellant has attempted to follow the above rules and procedures. Moreover, the Appellant is not sure of the proper titling for this Motion; therefore, in an abundance of caution, the Appellant attempts to cover all possibilities and scenarios applicable given the limited information the Clerk has provided for dismissing his appeal.

Conclusion

The Appellant prays that this Court will be lenient, understand the Pro Se status, and grant this Motion or Motions based on the above information. The appellant has made a good-faith effort to remedy any defaults, and he quickly complied with the Courts on October 16, 2023.

Exhibit 1

POSTALANEX+ #370
 2607 Woodruff Road Suite E
 Five Forks Food Lion Shopping Center
 Simpsonville, SC 29681
 864-288-1171 Phone
 864-288-7701 Fax
 www.postalanex.com/370

Shipment-----

USPS Media Mail

Ship To:

BENJAMIN T COOK

PO BOX 8597

COLUMBIA, SC 29202-8597

Package ID: 638408 0.70

Contents:

DOCUMENTS

Tracking #: 9449011206209304432893

Pkg Dims: 11.00 x 8.00 x 2.00

USPS Tracking [\$0.00]

Shipment-----

USPS Media Mail

Ship To:

COURT OF APPEALS

1220 SENATE STREET

COLUMBIA, SC 29201

Package ID: 638409 10.10

Contents:

DOCS

Tracking #: 9449011206209304412793

Pkg Dims: 11.00 x 10.00 x 2.00

USPS Tracking [\$0.00]

Shipment-----

USPS Media Mail

Ship To:

GPS GENERAL COUNSEL

PO BOX 2848

GREENVILLE, SC 29602-2848

Package ID: 638411 8.70

Contents:

DOCS

Tracking #: 9449011206209304441007

Pkg Dims: 11.00 x 9.00 x 2.00

USPS Tracking [\$0.00]

Stamps 17.00

SUBTOTAL 44.50

TAX 0.00

TOTAL 44.50

TEND MasterCard 44.50

Total shipments: 3

COOPER WENDELL

ZACH 11/03/2023

#643089 05:35 PM

Workstation: 24 - Auxiliary Front

CCTran# c439dfda-784b-4e44-83f5-47037541e353

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Deborah Brooks Durden, Administrative Law Judge

Case No. 21-ALJ-22-0490-AP

Appellate Case No. 2022-001433

Wendell D. Cooper,

Appellant,

v.

South Carolina Department of
Employment of Workforce and
School District of Greenville County,

Respondents,

PROOF OF SERVICE

I certify that I have served the *Set Aside Dismissal, Remedy Default, and Reinstate Appeal; and /or Motion for Leave to File Documents Out of Time and Correct Clerical Errors Remedy; Remedy Defaults; and/or Motion to Stay Mandate or Recall Mandate* to the South Carolina Department of Employment of Workforce and School District of Greenville County by depositing a copy of it in the United States Mail postage paid on November 28, 2023, addressed to their attorney of record, Benjamin T. Cook, Post Office Box 8597, Columbia, SC 29202, and General Counsel for School District of Greenville County Post Office Box 2848, Greenville SC 29602.


November 28, 2023





Wendell Cooper Pro Se
117 Palm Springs Way
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864-230-7049


Fax Cover Page


RECEIVED**Nov 28 2023****SC Court of Appeals**


 Recipient: +1 (803) 734-1839
Denesha Staley


 Date Sent: 11/28/2023


 Number of Pages: 6 (including cover page)

 Sender: Wendell D. Cooper -

 Reply-to Email: wendelldoncooper@yahoo.com

 Reply-to Phone: +1 (864) 230-7049

 Reply-to Fax: +1 (864) 399-1003

 Subject: Reinstate Appeal

 Message: Dear Mrs. Staley:

This letter follows our conversation this morning regarding my filing the Record on Appeal. As we discussed, I am submitting this motion to reinstate my Appeal, etc. You will find the receipt with a tracking number showing that the above information was mailed to your office on November 3, 2023.

Please call at 864-230- 7049

