

THE STATE OF SOUTH CAROLINA In The Court of Appeals

Appellant's Argument
CASE # 2022-001718

Robert E. Shirley Jr.

Appellant

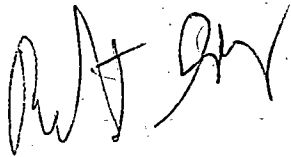
v

Respondent's

The S.C. Department of Employment and Workforce
The Attorney of record Vallerie McMellan PO Box 8597
Columbia, SC 29202. (803) -737-0395

The Boeing Co. PO Box 3707 MC6x5 02 Seattle WA 98124
Employer

Robert E Shirley Jr.
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Representing Self



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MAR 04 2024
SC Court of Appeals

To: The S.C. Appellate Court

I am asking the court if they would please read my Argument before a decision is made on my case. In the beginning, There was no doubt that I had received money from U.I. under any False conditions.

The Fact is I was walked off my job of 8 years without cause on June 1 st 2020. What happened and I stress this point. One employee took it upon himself to get rid of me. A sacrificial lamb so to say.No other reason and that's a FACT.

Mr. Medlock's deposition has quite a few flaws. He never brought the subject up of why I was released. I can see exactly why anyone who has read his outcome would come to his conclusion. It said Voluntary Quit for Monetary Reasons. It didn't sink in at first but he was using evidence that I would think he would have brought this up earlier. That would have given me the chance to explain it. I never had that chance. You see I don't use trickery or lie about anything. He knew this before he called and I believe that his decision was made before he called. I was upfront and transparent. The three other people on the phone had no clue as to what happened that day.

The fact is SCDEW can't come up with any evidence that would collaborate with his findings for June 1st, 2020. There simply isn't any.

What they have is old not on the day I was let go or before that date.

The FACT is after June 1st, 2020 my obligation with the Co. ceased to exist not by my doing but by Boeing Charleston and in my cell. Boeing Corporate had nothing to do with that day. There was a saying that played an important part and I stress in the cell in which I worked. WHAT HAPPENS IN THIS CELL STAYS IN THIS CELL. Did I agree with it NO absolutely not. The Retaliation factor. It's there believe me it's there.

The date June 1st, 2020 should be the only date in question. this Date only.

I was told by a SCDEW when I contacted them and explained myself to go to the SCDEW website and do the paperwork. I did not complete it properly contrary to Ms. McMellan saying I completed the application. I received a letter from SCDEW that I was turned down due to Able and Available. At that point no U.I. I just went on with life. I wasn't eligible for retirement at that time. We would have to pull money from our retirement to live. No income till the end of the year. It was about 4- 6 weeks we were going over our checking account. there was a deposit made by SCDEW. I reached out to them the agent told me that everything was approved. We were thankful. It helped tremendously. It was trying times during COVID. A lot of mistakes were made. Now it's just a

memory. My understanding is that facts are important to the court. I wasn't able to get an Attorney due to cost, I'm not by no means trying to be one.

The Facts and Timeline

On June 1st my lead asked if I was retiring. My answer was yes but not till the end of the year. In hindsight, I should have said that in front of other people due to trust issues.

He contacted H.R. What was said I have no idea. Boeing's Policy and Ethics Policy was not followed. I should have been there at the same time as that meeting was held to defend myself but H.R. took his word I feel that my rights were compromised.

On June 1st I was told by H.R. to leave. I walked up to ask her why I was told again Gather your belongings and leave. The manager walked out with me and told me you can blame your lead for this. I was let go without cause.

That same day H.R. sent paperwork that said LAYOFF June 2nd, 2020 That paperwork is on file with the Clerk Of Court.

I received a few deposits from SCDEW. Then the letter came Not Eligible due to Able and Available. 4 to 6 weeks later I was sent back payments from SCDEW I called and was told everything was fine

I didn't find this out until I was charged with an overpayment late in 2021. A SCDEW agent completed my application. Not ME! Without my knowledge or consent. That's not the law. This person by doing this has put My Wife and Myself in a bad financial position. We are on a fixed income we are both nearly 70 years old. We can't make payments due to income. Our only way would be to take it from our retirement. That amount would then reduce our income.

I have never seen any evidence from SCDEW so how can I defend myself? I sent in a motion of disclosure and no answer.

The legal paperwork for my W.C. closure which I avoided as long as I could was never shown to me until July 9th, 2020. My employment ended on June 1st, 2020. I had no legal ties with the co.

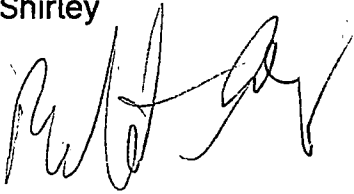
after that date. That paperwork is void. Inadmissible. If I hadn't closed my case that day any leverage I may or may not have had would have been lost. My settlement barely covered what I lost during that time. My Wife and I live a modest lifestyle we always do what's right. We have 2 Attorneys on my wife's side of the family and a police officer for 35-plus years. Did I ask for help from any of them No.

If nothing else my facts should show doubt.

These are the facts. I am asking the court to Dismiss this case on lack of true evidence not after the fact and allow me to go before the Tribunal with 3 judges. I was not allowed to face my accusers in The Administrative Law Court. Paperwork from me wasn't the issue as far as i know

Thank You For Your Time

Robert Shirley

A handwritten signature in black ink, appearing to read 'Robert Shirley', written in a cursive style.

PROOF OF SERVICE OF ARGUMENT

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Motion to hear Argument on appeal

Appellate Case No. 2022-001718

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MAR 04 2024

SC Court of Appeals

Robert E. Shirley JR.

Appellant

V.

The Boeing Co. South Carolina Department of Employment

and Workforce,

Respondents

PROOF OF SERVICE

I certify that I have served the Notice of Appellant's Motion To Reject SCDEW's Motion To Dismiss

The S.C. Department of Employment and Workforce

The Attorney of record Vallerie McMellan PO Box 8597

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S.C. Court Of Appeals

PO Box 11629

Columbia S.C. 29211

The Boeing Co. PO Box 3707 MC6x5 02 Seattle WA 98124

Employer

By depositing a copy of it in the United States Mail, postage prepaid, on

March 3, 2024

Robert E Shirley Jr.

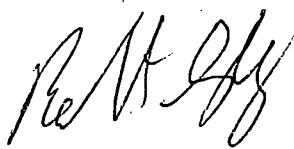
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March 3, 2024



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