

IN THE COURT OF APPEALS OF SOUTH CAROLINA

R. MICHAEL ARDIS,

Plaintiff-Appellant,

v.

SYKES ENTERPRISES, INCORPORATED, et. Al.

Defendant-Appellee.

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JUL 19 2024
SC Court of Appeals

Appeal from the Third Judicial Circuit
Case No. 2022-43-1781

NOTICE OF APPEAL Notice is hereby given that R. Michael Ardis, Plaintiff in the above-captioned case, acting *pro se*, appeals to the South Carolina Court of Appeals from the Order of the Honorable R. Ferrell Cothran, Jr., dated June 7, 2024, which was received by the Plaintiff on June 18, 2024.

1. Party Taking Appeal: R. Michael Ardis, Plaintiff-Appellant
2. Judgment or Order Appealed From: Order dated June 7, 2024, issued by the Honorable R. Ferrell Cothran, Jr. of the Third Judicial Circuit of South Carolina.
3. Court Appealed To: South Carolina Court of Appeals
4. Date of Entry of Judgment: June 7, 2024
5. Date of Service of Notice of Entry of Judgment: June 18, 2024 (date received by Plaintiff)
6. Authority Conferring Jurisdiction on the Court of Appeals: S.C. Code Ann. § 14-8-200 and Rule 203, SCACR.

7. Grounds for Appeal:

a. The trial court erred in granting summary judgment to the Defendant when such relief was never requested or pled by the Defendant, thereby denying the Plaintiff due process of law as guaranteed by the Fourteenth Amendment to the United States Constitution and Article I, Section 3 of the South Carolina Constitution.

b. The order fails to address critical issues raised in the complaint, including but not limited to:
i. The alleged violations of the South Carolina Payment of Wages Act, S.C. Code Ann. § 41-10-10 et seq.
ii. The alleged breach of contract claims.
iii. The alleged violations of public policy regarding employment practices in South Carolina.

c. The order misapplies relevant law and precedent, particularly regarding:
i. The standards for summary judgment under South Carolina law.
ii. The interpretation and application of the South Carolina Payment of Wages Act.

d. The order fails to consider the substantial evidence presented by the Plaintiff regarding unpaid wages and commissions, which form the core of the Plaintiff's claims against Sykes Enterprises, Incorporated.

e. The order improperly dismisses the Plaintiff's claims without providing a fair opportunity to present evidence and arguments, in violation of fundamental principles of justice and due process.

8. Post-Trial Motions: A Rule 59 motion has been filed contemporaneously with this Notice of Appeal and is attached hereto.

This motion further elucidates the errors in the trial court's order and the grounds for this appeal.

9. Transcript: A transcript of all relevant proceedings will be ordered for this appeal to ensure a complete record for the Court of Appeals to review.

This appeal is taken in good faith and not for the purpose of delay. The issues presented are of significant importance, involving fundamental rights of employees in South Carolina and the proper application of the South Carolina Payment of Wages Act and other legal authorities. The Appellant seeks a full and fair review of these critical matters by the Court of Appeals.

Dated this 16th of July, 2024.

Respectfully submitted,



R. Michael Ardis, *Pro Se*
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CERTIFICATE OF SERVICE

I hereby certify that on this 16th of July, 2024, I served a true and correct copy of the foregoing Notice of Appeal and attached Rule 59 motion via electronic mail and U.S. Mail, to all counsel of record and parties,



R. Michael Ardis, *Pro Se*

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SC Court of Appeals

R. Michael Ardis
PO Box 2949
Sumter, SC 29151



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South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
Attn: Clerk of Court

29201-376999

