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Jan 24 2025

SC Court of Appeals

Plaintiff's Notice of Appeal

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG
IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT

Case No.: 2023-CP-38-00331

Serge R. Wandji, Plaintiff,
v.
The Regional Medical Center, Defendant.

FILED FOR RECORD
WINNIFER B. CLARK
2025 JAN 17 A 11:43
CLERK OF COURT
ORANGEBURG, SC
(km)

NOTICE OF APPEAL

TO: THE CLERK OF THE STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT, AND THE REGIONAL MEDICAL CENTER,
DEFENDANT:

PLEASE TAKE NOTICE that the Plaintiff, **Serge R. Wandji**, Pro Se, hereby appeals to the **South Carolina Court of Appeals** from the decision granting Defendant's Motion for Summary Judgment. The Plaintiff was notified via email on **December 16, 2024**, by the Law Clerk of the Honorable Maite Murphy that the Defendant's Motion for Summary Judgment had been granted. However, as of the date of this Notice, the Plaintiff has not received a written order prepared and signed by the Judge memorializing this decision.

The Plaintiff contends that the Court erred in granting the Defendant's Motion for Summary Judgment on the Plaintiff's workers' compensation retaliation claim. The grounds for this appeal include, but are not limited to, the following:

- Errors in Findings of Fact:** The trial court improperly concluded that there were no genuine issues of material fact regarding the Plaintiff's claim of workers' compensation retaliation. The Plaintiff contends that sufficient evidence was presented to demonstrate a causal connection between the filing of his workers' compensation claim and his termination.
- Errors in Application of Law:** The trial court misapplied South Carolina Code § 41-1-80 and relevant case law, failing to fully consider evidence suggesting pretext in the Defendant's justification for the Plaintiff's termination.
- Failure to Consider Temporal Proximity and Retaliatory Motive:** The Court dismissed the temporal proximity between the Plaintiff's workers' compensation claim and his termination without adequately considering it as evidence of retaliatory intent.
- Improper Weighing of Evidence:** The Court improperly weighed evidence favorable to the Defendant and failed to construe all inferences in the light most favorable to the Plaintiff, as required under Rule 56, SCRPC.

MAILED

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ATTEST: TRUE COPY
Winnifer B. Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

This appeal is brought pursuant to Rule 203(b)(1) of the South Carolina Appellate Court Rules (SCACR).

RELIEF SOUGHT

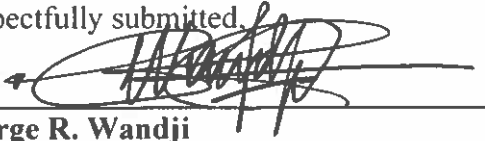
The Plaintiff respectfully requests that the South Carolina Court of Appeals reverse the decision granting Defendant's Motion for Summary Judgment and remand the case for trial on the merit

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this **Notice of Appeal** on the Defendant's counsel, **Amanda C. Williams, Esq.**, via U.S. Mail and email, on this 11th day of **January 2025**, to her address as shown below.

Amanda C. Williams
PARKER POE ADAMS & BERNSTEIN LLP
850 Morrison Drive, Suite 400
Charleston, SC 29403
amandawilliams@parkerpoe.com
ATTORNEY FOR DEFENDANT

Respectfully submitted,



s/Serge R. Wandji
Pro Se Plaintiff
579 Folly Road, PO Box 12112
Charleston, SC 29422
Email: sergewandji@gmail.com
Phone: 678-612-9649

Dated: January 11, 2025