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**May 23 2025**

**SC Court of Appeals**

**IN THE COURT OF APPEALS  
STATE OF SOUTH CAROLINA  
Appellate Case No. 2024-001608**

**DeQuincey G. Simmons, Appellant**

v.

**South Carolina Department of Employment and Workforce and Bridgestone Americas  
Tire Operations, LLC, Respondents**

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**MOTION TO STAY PROCEEDINGS PENDING JUDICIAL CLARIFICATION AND  
AUTHENTICATION OF ORDERS**

**TO THE HONORABLE COURT:**

Appellant, DeQuincey G. Simmons, respectfully moves this Court for an immediate stay of all proceedings in the above-captioned case due to persistent procedural irregularities, the issuance of unsigned and unauthenticated orders, and the lack of judicial identification attached to rulings—including the most recent order issued on May 14, 2025.

This request is supported by constitutional authority, judicial conduct standards, and South Carolina Appellate Court Rules. Appellant cannot in good faith respond to any directives—such as preparing a brief or participating in further steps—without clarification regarding the legal validity of the orders that purport to govern this appeal.

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**BASIS FOR MOTION**

Appellant has submitted multiple motions and objections, none of which have received rulings from an identifiable judicial officer. Orders issued on December 30, 2024; January 28, 2025; February 20, 2025; March 7, 2025; April 7, 2025; May 7, 2025; and May 14, 2025 have all been either unsigned, attributed to clerks, or otherwise devoid of judicial authorship.

The May 14, 2025 order imposes obligations on Appellant, including briefing and record preparation deadlines, but does so without any judicial name or signature. The lack of an identifiable judge and the absence of any reasoning or legal justification behind this order renders it questionable at best—and unenforceable at worst.

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**GROUNDS FOR STAY**

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1. **Violation of Rule 269, SCACR:** Legal orders, especially those imposing deadlines and possible sanctions, must be signed by an appellate court judge. Delegation to clerks or administrative staff without judicial oversight violates the rule's intent and application.
2. **Violation of Rule 501, Canon 1, SCACR:** Judges are required to uphold the appearance and reality of impartial judicial authority. Orders bearing no judicial name undermine the court's independence and the parties' trust in its rulings.
3. **Violation of Rule 267, SCACR:** The rule provides for the proper form of decisions. A document bearing no signature and issued without clarity of authorship is not a lawful order under this rule.
4. **Due Process Violation (Fourteenth Amendment):** Appellant cannot be compelled to comply with anonymous directives lacking judicial authority. Without legal clarity, any forced compliance would constitute a violation of due process.
5. **Precedent from *Tumey v. Ohio*, *In re Murchison*, and *Chafin v. Chafin*:** These cases emphasize the constitutional requirement for neutral, identifiable decision-makers and transparent rulings. Appellant has received neither.
6. **Relevant South Carolina Case Law – *Salk v. Leiner*, 344 S.C. 568 (Ct. App. 2001):** An appellate court cannot substitute staff authority for judicial rulings. Procedural orders affecting appeal deadlines or dispositive matters require judicial input.

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## PRIOR MOTIONS AND NONRESPONSES

Appellant has previously filed motions for clarification, objections to orders, and requests for judicial review. Most notably, Exhibit F (prepared and ready for filing) documents a pattern of preferential treatment in submission handling—where Respondents' filings are acknowledged and amended in real time, while Appellant must call to confirm whether filings were received.

The Court has failed to rule on these motions or provide any judicial feedback, and now continues to issue unsigned mandates without addressing the due process concerns already raised.

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## NON-COMPLIANCE NOTICE:

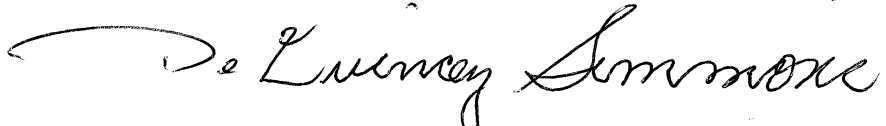
Appellant expressly declines to file any further responsive briefs or filings in this matter until the Court issues a properly authenticated, judicially signed order addressing the issues raised herein. Compliance with unsigned or anonymous directives would amount to voluntary submission to a procedurally void process. The Court is hereby placed on notice that Appellant will not proceed under ambiguous authority or continue participation in an appellate matter where no judge has affirmatively assumed responsibility.

**REQUEST FOR RELIEF**

Appellant respectfully requests that this Court:

1. Stay all proceedings and deadlines, including any brief submission or record preparation requirements outlined in the May 14, 2025 order;
2. Identify the judicial officer(s), if any, who reviewed and approved the May 14, 2025 order;
3. Provide clarification on whether any of the previously issued orders (Dec 30 through May 14) were reviewed and signed by a judge;
4. Rule on all outstanding motions and objections submitted by Appellant;
5. Affirm that Appellant is not required to proceed based on anonymous or clerk-signed orders lacking judicial authority;
6. Reaffirm that future orders must be signed and authored by judges of this Court, consistent with constitutional and appellate standards;
7. Grant any further relief this Court deems appropriate to preserve the integrity of the judicial process and Appellant's right to due process.

Respectfully submitted,  
**DeQuincey G. Simmons**  
2503 Hiers Court  
Hephzibah, GA 30815  
706-495-0738  
dequinceysimmons@gmail.com  
**Dated: May 23, 2025**

  
5/23/2025

**PROOF OF SERVICE**

I, DeQuincey G. Simmons, hereby certify that I have served a copy of the foregoing **Motion to Stay Proceedings Pending Judicial Clarification and Authentication of Orders** on the following parties by email and U.S. Mail, postage prepaid, on **May 23, 2025**:

**Benjamin T. Cook, Esquire**  
South Carolina Department of Employment and Workforce  
Post Office Box 8597  
Columbia, SC 29202  
(803) 737-0395  
BCook@dew.sc.gov

**Benjamin T. Hepner, Esquire**  
Littler Mendelson, P.C.  
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Greenville, SC 29601  
(864) 775-3200  
BHepner@littler.com

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I affirm that the above statements are true and correct to the best of my knowledge.

**Signature:** DeQuincey G. Simmons  
**DeQuincey G. Simmons**  
**Date:** May 23, 2025

5/23/2025