

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Docket No. 13-ALJ-22-0288-AP

Barbara T. Chappelle,)
)
Appellant,)
)
v.)
)
South Carolina Department of Employment)
Workforce and Greenville County)
Disabilities and Special Needs Board,)
)
Respondents.)
)

ORDER OF DISMISSAL

This matter is before the Administrative Law Court (Court or ALC) on the appeal of Barbara T. Chappelle (Appellant) filed on June 6, 2013. The case was assigned on June 28, 2013. On July 8, 2013, the Court issued an Order Governing Procedure which required that the Brief of Appellant to be filed within twenty (20) days after the Record on Appeal was filed as set forth in the ALC Rules of Procedure. On July 26, 2013, the Department of Employment and Workforce (Department or DEW) filed a Motion for a Ten (10) Day Extension of Time to File the Record on Appeal (Motion). The Court granted the Motion and DEW filed the Record on Appeal on August 7, 2013. Therefore, the Appellant's brief was due twenty (20) days after August 7, 2013, 2012, or August 27, 2013. As of the date of this Order of Dismissal, the Court has not received the Appellant's brief or a timely Motion to Extend Time to File a Brief.

Pursuant to ALC Rule 38, an Administrative Law Judge may dismiss an appeal for "the failure to comply with any of the time limits provided in these rules or by order of the Court."

This delay is well beyond the time period set forth in the Rules of Procedure for the Administrative Law Court. In addition, the Appellant has failed to comply with the Order of Procedure issued in this case. As the Appellant has been afforded ample time to file his Brief and

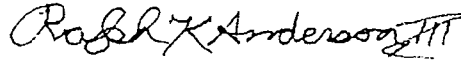
FILED

October 23, 2013
SC ADMIN. LAW COURT

has not notified the ALC of any extenuating circumstances regarding his failure to file, I conclude that this matter should be dismissed.

IT IS THEREFORE ORDERED that this appeal is DISMISSED.

AND IT IS SO ORDERED.



Ralph King Anderson, III
Chief Administrative Law Judge

October 23, 2013
Columbia, South Carolina

CERTIFICATE OF SERVICE

I, E. Harvin Belser Fair, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof in the United States mail, postage paid, in the Interagency Mail Service, or by electronic mail, to the address provided by the party(ies) and/or their attorney(s).

E. Harvin Belser Fair

E. Harvin Belser Fair
Judicial Law Clerk

October 23, 2013
Columbia, South Carolina
