



Appellant's original brief. See Rule 37(A), SCALCR (setting forth rules for filing of briefs). Indeed, the photographs attached to Appellant's Motion do not portray an Appellant brief.³ Additionally, the contents of the package received by the Court do not coincide with the contents shown in the photographs. Specifically, the package received by the Court only included one black binder clip, not four as shown in Appellant's photographs.

Compliance with Rule 4(B), SCALCR

Even so, Appellant asserts that since the filing date is the date of mailing, the brief's absence does not establish nonfiling for purpose of compliance with Rule 4(B) of the Rules of Procedure for the South Carolina Administrative Law Court (SCALCR). In addition, Appellant cites to *Paschal v Price*, 380 S.C. 419, 670 S.E.2d 374 (Ct. App 2008), to support the contention that precedent cautions against allowing ministerial intake or docketing procedures to defeat an otherwise timely appeal. At the outset, Appellant's argument is nonsensical. Certainly, the Court could never deem something filed that is never received. Moreover, in *Paschal* although the notice of appeal was **timely received** by the circuit court, it was not accepted by the court because it was missing a Civil Cover Sheet which, notably, is not required by statute. Conversely here, not only is an Appellant's brief required but, more importantly, Appellant did not timely provide an Appellant's brief to the Court. Rule 37(A) ("The party first noticing the appeal **shall file an original of its brief** with the Court within thirty (30) days after the filing of the Record on Appeal." (emphasis added)).

Compliance with Court's Rules

Appellant, however, argues that since Rule 38, SCALCR, is discretionary, the Court should allow him to correct his brief, as opposed to dismissing his case. However, in this case, Appellant has repeatedly disregarded this Court's Rules. Indeed, the Court gave Appellant more than one chance to correct his filings. First, the Court sent an email to Appellant on June 9, 2026, informing

May 26, 2026. While Appellant acknowledges that this discrepancy does not establish the contents of the package, he asserts that it "reinforces the need to review the intake, scanning, routing, and docket history before dismissal with prejudice is allowed to stand." However, the Court's reference to May 27, 2026 was merely a clerical error. In fact, the Order of Dismissal goes on to state twice that it received Appellant's package on May 26, 2026. Nonetheless, the Court has amended the Order of Dismissal to correct that clerical error. Rule 67, SCALCR ("clerical mistakes in orders ... may be corrected by the administrative law judge at any time of their own initiative or on the motion of any party").

³ Appellant contends his original brief was on top of the binder bound by the gold binder clip along with his Motion to Stay which further asserts was bound by the black binder clip. Notably, as provided in the Court's Order of Dismissal, Appellant's Motion to Stay was not included in the package. Indeed, the Court did not receive Appellant's Motion to Stay until July 7, 2026. Nonetheless, the Motion was not properly filed, so, the Court did not consider it.

him that it had not received his Motion to Stay. However, the document that he subsequently filed did not include a docket number, an original signature or contact information for Appellant, proof of service, or the requisite filing fee. *See* Rule 6, SCALCR (providing that all documents filed with the Court shall contain an original signature and contain caption, docket number, and name, address, phone, and email of the person who prepared the document); Rule 4(B), SCALCR (providing any document filed with the Court shall be accompanied by a proof of service of such document...); Rule 7, SCALCR (providing that all motions must be accompanied by a filing fee as provided in Rule 71); *see* Rule 34, SCALCR (providing all motions shall comply with Rule 7); Rule 71(D), SCALCR (providing the schedule of filing fees for Motions that are filed with the Court). The Court also sent Appellant a letter on June 26, 2026, requesting he inform the Court within ten days whether he served a brief. Nevertheless, here again, Appellant failed to timely comply with the Court's request. Significantly, this Court's rules are not mere technicalities but provide the parties and this Court with an orderly mechanism to facilitate appellate review.

Prejudice

Yet still, Appellant argues the Court should consider his arguments because the Department was not prejudiced since it received and filed a response to his brief. However, even if the Court considered Appellant's brief, the outcome would not change. Indeed, this matter was also dismissed because Appellant's brief was woefully deficient. Specifically, it not only exceeded the thirty-page limitation, but it did not contain a docket number, an original signature, contact information for Appellant or, proof of service. *See* Rule 6, SCALCR (listing required content for documents filed with the Court); *see* Rule 37(B), SCALCR ("Each brief **shall contain**: 5. a proof of service of the brief on all parties of record) (emphasis added); Rule 37(A), SCALCR ("[t]he principal briefs shall not exceed thirty (30) pages and the reply brief shall not exceed ten (10) pages."). Additionally, while Appellant included the standard of review, the first thirty pages provide **no other citation to legal authority** to support the conclusory assertions set forth therein. *See* Rule 37(B)(3), SCALCR (brief shall include issues to be argued and discussion and citation of authority); *see* *Potter v. Spartanburg School Dist.* 7, 395 S.C. 17, 24, 716 S.E.2d 123, 127 (Ct. App. 2011) ("An issue is deemed abandoned if the argument in the brief is not supported by authority or is only conclusory."). Thus, even if Court considered Appellant's brief, the Court finds his arguments were abandoned. *See, e.g., Equivest Fin., LLC v. Ravenel*, 422 S.C. 499, 506, 812 S.E.2d 438, 441 (Ct. App. 2018) ("When a party provides no legal authority regarding a particular

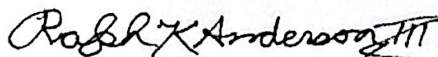
argument, the argument is abandoned and the court will not address the merits of the issue.”); *State v. Hill*, 394 S.C. 280, 297, 715 S.E.2d 368, 377 (Ct. App. 2011) (considering a citation to a case “without any analysis whatsoever as to how or why [it] applies” insufficient to preserve an issue on appeal, and thus rendering that issue abandoned on appeal); *see, e.g., Potter v. Spartanburg School Dist. 7*, 395 S.C. 17, 24, 716 S.E.2d 123, 127 (Ct. App. 2011) (“An issue is deemed abandoned if the argument in the brief is not supported by authority or is only conclusory.”).

Finally, even if the Court were to consider Appellant’s improper brief in its entirety, the only issues that were supported by legal authority were challenges to the sufficiency of the evidence. However, a review of the Record shows that the Department’s decision is supported by substantial evidence. *Friends of the Earth v. Pub. Serv. Comm’n of S.C.*, 387 S.C. 360, 366, 692 S.E.2d 910, 913 (2010).

Conclusion

While reinstatement of an appeal can occur upon good cause shown, Appellant has failed to show good cause to vacate the Court’s July 16 Order of Dismissal. *See* Rule 260, SCACR. Indeed, Appellant has repeatedly failed to comply with the Court’s Rules. *See* Rule 38, SCALCR (providing an administrative law judge may resolve an appeal adversely to a party who fails to comply with the rules of procedure for appeals, including the failure to comply with time limits provided by the rules). In addition, the Court need not consider the merits of the issues set forth in the belatedly filed Appellant’s brief, as the arguments were abandoned. *Equivest*, 422 S.C. at 506, 812 S.E.2d at 441; *Potter*, 395 S.C. at 24, 716 S.E.2d at 127; *State v. Hill*, 394 S.C. at 297, 715 S.E.2d at 377. Accordingly, the Court concludes Appellant’s Motion must be denied.

IT IS THEREFORE ORDERED that Appellant’s Motion for Rehearing is **DENIED**.
AND IT IS SO ORDERED.

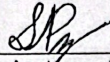


Ralph King Anderson, III
Chief Administrative Law Judge

August 6, 2026
Columbia, South Carolina

CERTIFICATE OF SERVICE

I, Stephanie Armada, 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, or by electronic mail, to the address provided by the party(ies) and/or their attorney(s).



Stephanie Armada
Judicial Law Clerk

August 6, 2026
Columbia, South Carolina