

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

RECEIVED

MAY 22 2014

SC Court of Appeals

John S. Estep,

Appellant,

v.

South Carolina Department of
Employment and Workforce and
Greatwide Dedicated Transport, III, LLC,

Respondents.

NOTICE OF ASSIGNMENT

DOCKET NO. 14-ALJ-22-0026-AP

NOTICE IS GIVEN that a notice of appeal seeking review of agency action was filed on January 17, 2014. In accordance with S.C. Code Ann. § 1-23-570 (Supp. 2013), the **Honorable Carolyn C. Matthews**, Administrative Law Judge, has been assigned to preside in this appeal. The Administrative Law Judge may be contacted by mail at 1205 Pendleton Street, Suite 224, Columbia, South Carolina 29201, and by telephone at (803) 734-0550.

Rules of Procedure governing matters before the Court may be obtained from the Clerk of Court or on the Court's website, www.scalc.net.

The parties are directed to the relevant provisions of the Rules of Procedure for deadlines for perfecting the appeal and briefing the issues on appeal.

This the twenty-third day of January, 2014.

Ralph King Anderson, III
Chief Administrative Law Judge

By: *Jana E. Shealy*
Jana E. Shealy, Clerk
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

FILED

JAN 23 2014

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John ESTEP, 3rd)

Appellant/Petitioner,)

vs. South Carolina Department)
of Employment and workforce)
and Greatwide Dedicated)
transport III, LLC,)
Respondent.)

Docket No. 14-ALJ-22-0026-AP

CERTIFICATE OF SERVICE

I hereby certify that I am the Appellant (Appellant/Petitioner/Respondent) in the above-captioned matter and that on the 19 day of February, 2014, in Columbia (city), South Carolina, I served a copy of the forgoing Brief (type of document) on the following person(s) by depositing the same in the United States Mail, postage paid, and addressed as follows:

Greatwide Dedicated transport
Name _____ Name _____
Po Box 280100
Address _____ Address _____
Nashville, TN 37228
City/State/Zip _____ City/State/Zip _____

Office of General Counsel DEW
Name _____ Name _____
Po Box 8597
Address _____ Address _____
Columbia, SC 29202
City/State/Zip _____ City/State/Zip _____

John ESTEP 3rd
(Print Name)

[Signature]
(Signature)

1800 Longcreek DR Apt 5W
(Street)

Columbia, SC 29210
(City, State, Zip Code)

FILED

FEB 19 2014

SC ADMIN. LAW COURT

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John Sherman Estep

Appellant/Petitioner,

vs. South Carolina Department
of Employment and workforce
and Greatwide Dedicated
transport, III, LLC,
Respondent.

Docket No. 14-ALJ-22-0026-AP

CERTIFICATE OF SERVICE

I hereby certify that I am the Appellant (Appellant/Petitioner/Respondent) in the above-captioned matter and that on the 13 day of February, 2014, in Columbia (city), South Carolina, I served a copy of the forgoing Motion (type of document) on the following person(s) by depositing the same in the United States Mail, postage paid, and addressed as follows:

Greatwide Dedicated transport

Name

PO Box 22000

Address

Nashville, TN 37228

City/State/Zip

Name

Address

City/State/Zip

Office of General Counsel D.E.W.

Name

PO Box 8597

Address

Columbia, SC 29202

City/State/Zip

Name

Address

City/State/Zip

John Estep 3rd
(Print Name)

[Signature]
(Signature)

1800 Longcreek DR Apt 5W
(Street)

Columbia, SC 29210
(City, State, Zip Code)

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John Sherman Estep, 3rd)

Appellant/Petitioner,)

vs. South Carolina Department)
of Employment and Workforce)
and Greatwide Dedicated)
transport, III, LLC,)
Respondent.)

Docket No. 14-ALJ-22-0026-AP

CERTIFICATE OF SERVICE

I hereby certify that I am the Appellant (Appellant/Petitioner/Respondent) in the above-captioned matter and that on the 27 day of January, 2014, in Columbia (city), South Carolina, I served a copy of the forgoing Appeal (type of document) on the following person(s) by depositing the same in the United States Mail, postage paid, and addressed as follows:

Greatwide Dedicated transport
Name
Po Box 220100
Address
Nashville, TN 37228
City/State/Zip

Name

Address

City/State/Zip

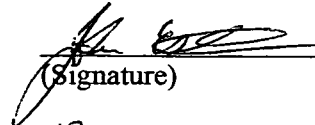
Office of General Counsel DEW
Name
Po Box 8597
Address
Columbia, SC 29202
City/State/Zip

Name

Address

City/State/Zip

John Estep 3rd
(Print Name)


(Signature)

1700 Longcreek DR Apt 5W
(Street)

Columbia, SC 29202
(City, State, Zip Code)

John Sherman Estep III
1800 longcreek drive apt# 5W
Columbia, SC 29210
Phone# 410-212-2062
EstepLawSince2011@USA.com

To The Honorable Carolyn C. Matthews Administrative Law Judge

(Reply Brief)

STATEMENT OF ISSUE ON APPEAL

Did John Sherman Estep III violate S.C. Code Ann. 41-35-120? The answer is no the Appellate is not in violations. S.C. Code Ann. 41-35-120(2)(a) requires disqualification from benefits for twenty weeks, with a corresponding monetary reduction, when the Department finds that a claimant has been discharged for misconduct connected with the employment. "Misconduct" includes deliberate violations or disregard of the standards of behavior that an employer has the right to expect of an employee, and carelessness or negligence of such a degree or frequency as to show an intentional and substantial disregard of the employer interests or of the employee's duties and obligations to his employer.

STATEMENT OF THE FACTS

I the appellant made contact with my immediate supervisor Dean Keesler on the day of October 3, 2013

"I have about 30min of drive time remaining. I am about 1hr from the yard can I have permission to use the safe haven rule Dean Reply "yes John come to the yard with it.

ARGUMENT

Misconduct: includes deliberate violations or disregard of the standards of behavior that an employer has the right to expect of an employee, "I John Estep called Dean Keesler at that time I the appellant did not show deliberate violations or disregard of the standards of behavior that an employer has the right to expect of an employee, I was doing what I was told to do so is there a violations yes but was it Deliberate the answer is no.

Deliberate: Means to carefully think or talk something through.

Daily Routine: Things you do every day safe haven rule is something that Dean Keesler tells drivers to do on a daily routine.

ARGUMENT

The appellant should or should have known that violating his logbook would lead to his discharged. The appellant would not know or should have known if the safe haven rule was abused. As a Daily Routine by the employer.

Don Crisco was not in the office on the day of October 3, 2013 the day of questioning of the violation S.C. Code Ann. 41-35-120. The things he listed in the record of appeal is all hearsay and not relevant in any body of court of law. The day in question is October 3, 2013.

APPELLANT ABANDONED ISSUES

It is the employer duties to prove that the employee is in violations of S.C. Code Ann. 41-35-120 not the employee.

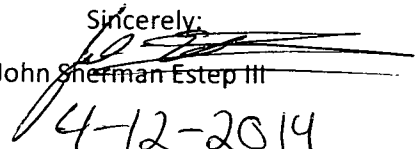
CONCLUSION

I John Sherman Estep III holding a **United States** public trust clearance ask the Administrative Law court to rule in the Appellant favor.

Cc: Greatwide Dedicated Transport
Po Box 280100
Nashville, TN 37228

Cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

Sincerely:


John Sherman Estep III

4-12-2014

John Sherman Estep III
1800 longcreek drive apt# 5W
Columbia, SC 29210
Phone# 410-212-2062
EstepLawSince2011@USA.com

FILED

APR 03 2014

SC ADMIN. LAW COURT

To The Honorable **Carolyn C. Matthews**, Administrative Law Judge

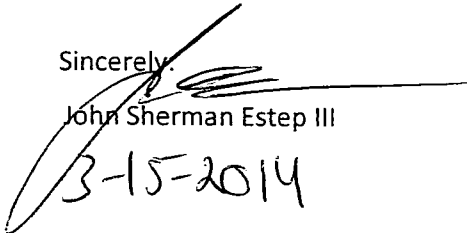
(Motion) to file, I John Estep the Appellant, a 33 year old African American male, having no children formerly of Annapolis, MD. I Have hatred and disgust that runs so deep inside of me from the heel of my feet to the tip of my toes up to the tip of my hair. With the level of racism and unjust acts of the STATE OF SOUTH CAROLINA ADMINISTRATIVE LAW COURT. The South Carolina Department of Employment and Workforce claiming John Estep (appellant) to be in violation of S.C. Code Ann. § 41-35-120(2)(a) and witch is not a criminal offence. All though SCDEW is in violation of Mr. Estep FOIA in witch is a criminal offence S.C. Code Ann. §30-4-10 proven by S.C ALC. The case Docket No. 14-ALJ-22-0026-AP should be ruled in favor of Mr. Estep the (appellant) I John Sherman Estep III being of sound mind and body feel like a slave with no sound to his or her voice calling out for water on a slave ship knowing and understanding that I am understood by everyone on the slave ship. The ALC has the water this is unjust S.C. DEW claiming the appellant to be in violation of S.C. Code Ann. § 41-35-120(2)(a). The S.C ALC will allow S.C. DEW to be in violation of S.C. Code Ann. §30-4-10 FOIA to prove that John Estep the (appellant) is in violation of S.C. Code Ann. § 41-35-120(2)(a). How can Mr. Estep believe to get a fair trial or judgment if the justice scale is tipping over with in the appellant favor and the facts are being over looked? The S.C. DEW provided false statements to the ALC and incorrect information on the (ROA) over 13pages and over 28 errors. I ask the ALC to take actions to do what is right by the liberty and justice for all for all mankind and women of the United States of America. The words that come to my mind feelings that I hold are spilled out over a vanilla folder with a 1.0m pin around 10:40pm @night of a Saturday and transformed into a Motion Sunday afternoon .

I John Sherman Estep III the (appellant) feel inside of me if he was a Caucasian person the case would have been ruled in my favor a long time ago based on the level of laws that have been broken by S.C. DEW and the errors. The Honorable **Carolyn C. Matthews**, Administrative Law Judge. I pray that you can rule this case in my favor by law and nothing more or less.

Cc: Greatwide Dedicated Transport
Po Box 280100
Nashville, TN 37228

Cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

Sincerely,


John Sherman Estep III

3-15-2014

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John Estep

Appellant/Petitioner,

vs South Carolina Department
of Employment and Workforce
and Greatwide Dedicated,
transport, III, LLC.
Respondent.

Docket No. 14-ALJ22-0026-AP

CERTIFICATE OF SERVICE

I hereby certify that I am the Appellant (Appellant/Petitioner/Respondent) in the above-captioned matter and that on the 15 day of March, 2014, in Columbia (city), South Carolina, I served a copy of the forgoing Motion (type of document) on the following person(s) by depositing the same in the United States Mail, postage paid, and addressed as follows:

<u>Greatwide Dedicated transport</u>	_____
Name	Name
<u>PO Box 280100</u>	_____
Address	Address
<u>Nashville, TN 37228</u>	_____
City/State/Zip	City/State/Zip

<u>Office of General Counsel D.E.W</u>	_____
Name	Name
<u>PO Box 8597</u>	_____
Address	Address
<u>Columbia, SC 29202</u>	_____
City/State/Zip	City/State/Zip

John Estep
(Print Name)

[Signature]
(Signature)

1800 Longcreek Dr Apt #5W
(Street)

Columbia, SC 29210
(City, State, Zip Code)

FILED

APR 03 2014

SC ADMIN. LAW COURT

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

John S. Estep,

Appellant,

vs.

South Carolina Department of Employment
and Workforce and Greatwide Dedicated
Transport, III, LLC,

Respondents.

Docket No. 14-ALJ-22-0026-AP

AMENDED SCHEDULING ORDER

This matter is before the Administrative Law Court (“ALC”) pursuant to an appeal filed by John S. Estep (“Appellant”). Appellant filed a Notice of Appeal on January 17, 2014. The ALC issued the Notice of Assignment on January 23, 2014. The ALC issued an Order Governing Procedure on February 3, 2014. The Record on Appeal was filed on February 11, 2014 by the South Carolina Department of Employment and Workforce (“SCDEW”). The Appellant filed a Motion to Dismiss on March 3, 2014 claiming violations of the Freedom of Information Act (“FOIA”), as personal information, such as Appellant’s Social Security Number, have not been redacted from the Record on Appeal. On March 10, 2014, the ALC denied Appellant’s Motion to Dismiss, and also ordered SCDEW to redact all personal information. SCDEW has complied with the Court’s Order, filing a redacted copy of page 64 of the Record on Appeal on March 13, 2014. In order to reach a prompt conclusion of this proceeding, SCDEW shall have **twenty (20) days** from the date of this Order to file Respondent’s Brief. Appellant may file a Reply Brief no later than **ten (10) days** after SCDEW has filed Respondent’s Brief. Therefore,

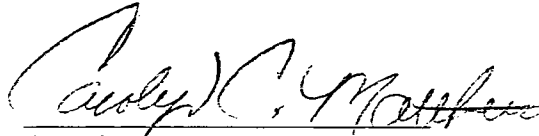
FILED

MAR 18 2014

SC ADMIN. LAW COURT

IT IS ORDERED that the SCDEW shall have **twenty (20) days** from the date of this Order to file Respondent's Brief. Appellant may file a Reply Brief no later than **ten (10) days** after SCDEW has filed Respondent's Brief.

AND IT IS SO ORDERED.



CAROLYN C. MATTHEWS
S.C. Administrative Law Judge

March 18, 2014
Columbia, South Carolina

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, postage paid, in the United States mail addressed to the party(ies) or their attorney(s).

This 18th day of March 2014

BY MMK

Judicial Law Clerk


complied with ALC Rule 36(B). The ALC will not order SCDEW to provide the Appellant with a copy of the recording of the testimony.

ORDER

IT IS ORDERED that Appellant's Motion to Dismiss is **DENIED**.

IT IS FURTHER ORDERED that the SCDEW shall have **ten (10) days** from the date of this Order to redact all identifying or personal information in the Record on Appeal pursuant to ALC Rule 36(B) and file and serve a revised copy of the Record on Appeal with the ALC and the Appellant. SCDEW shall then have **twenty (20) days** from the date the amended Record on Appeal is filed, to file Respondent's Brief. Appellant may file a Reply Brief no later than **ten (10) days** after SCDEW has filed Respondent's Brief.

AND IT IS SO ORDERED.


CAROLYN C. MATTHEWS
S.C. Administrative Law Judge

March 10, 2014
Columbia, South Carolina

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, postage paid, in the United States mail addressed to the party(ies) or her attorney(s).

This 10th day of March 2014
BY Mary Beth Campbell
Judicial Law Clerk

John Sherman Estep III
1800 longcreek drive apt# 5W
Columbia, SC 29210
Phone# 410-212-2062

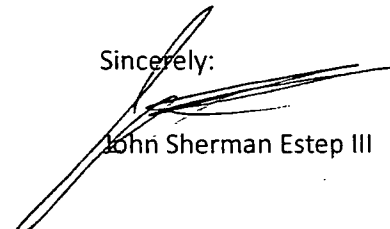
To The Honorable **Carolyn C. Matthews**, Administrative Law Judge

Motion to file the ALC law case in the favor of John Estep the appellant for reasons of the Record on Appeal. The appellant received did not have the original recorded testimony before Erika S. Davis Administrative hearing officer on the day of twenty-six of November, 2013. I John Estep the appellant respect the ruling of The Honorable **Carolyn C. Matthews**, Administrative Law Judge on the motion I file before you on this the twenty-eight day of February, 2014 Pursuant to ALC Rule 36, the agency in possession of the Record (the Department of Employment and Workforce) shall file with the undersigned Judge and serve on all parties the Record on Appeal within 20 days after the date of assignment. Under ALC Rule 36(B). Do to the matter John Estep the appellant would like to receive a copy of the original recorded testimony for review and compare by the Record on appeal submitted by the SCDEW. The Record on appeal is also incorrect by the ALC rule 36. The Freedom of Information Act agency with possession of the Record is responsible for redacting all identifying or personal information, such as social security numbers, from the Record before it is filed with the Court. Once a document is filed with the Court, it is a public record subject to disclosure under the Freedom of Information Act. Page 64, of the Record of appeal is in volition do to the information of the appellant social security number being listed on the top of the page description of the document is SCDEW FFATNET Report. So I would like to ask the ALC to rule the case in the favor of the appellant John Estep for the record of appeal. Being in volition of the Freedom of Information Act as of the ALC filed date of February 11, 2014 of the Record of appeal.

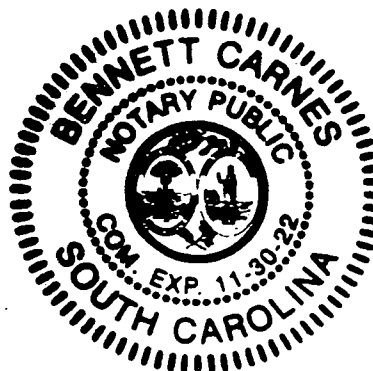
Cc: Greatwide Dedicated Transport
Po Box 280100
Nashville, TN 37228

Cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

Sincerely:



John Sherman Estep III



FILED

MAR 03 2014

SC ADMIN. LAW COURT

State of South Carolina County of Richland
Subscribed and sworn before me on 3.3.14
Bennett Carnes (Date)

(Notary Signature)

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John Estep

Appellant/Petitioner,

vs. South Carolina Department
of Employment and Workforce
and Greatwide Dedicated
transport, III, LLC.
Respondent.

Docket No. 14-ALJ-22-0026-AP

CERTIFICATE OF SERVICE

I hereby certify that I am the Appellant (Appellant/Petitioner/Respondent) in the above-captioned matter and that on the 3 day of March, 2014, in Columbia (city), South Carolina, I served a copy of the forgoing Motion (type of document) on the following person(s) by depositing the same in the United States Mail, postage paid, and addressed as follows:

Greatwide Dedicated transport

Name
PO Box 270100
Address
Nashville, TN 37228
City/State/Zip

Name

Address

City/State/Zip

Office of General Counsel
Name
PO Box 8597
Address
Columbia, SC 29202
City/State/Zip

Name

Address

City/State/Zip

John Estep
(Print Name)

[Signature]
(Signature)

1800 Longcreek Dr Apt 5
(Street)

Columbia, SC 29210
(City, State, Zip Code)

FILED

MAR 03 2014

SC ADMIN. LAW COURT

John Sherman Estep III
1800 longcreek drive apt# 5W
Columbia, SC 29210
Phone# 410-212-2062

To The Honorable **Carolyn C. Matthews**, Administrative Law Judge

Motion to file) I John Estep the Appellant asks The Honorable **Carolyn C. Matthews**, Administrative Law Judge to take in deep consideration to the questions and answers as well as the request. I put be for you on this Saturday of March 15, 2014 in this motion. I the Appellant have knowledge to know.

A person should not have to be a professional Auto Detailer to clean an automobile to one's satisfaction.
A person should not have to be Juliette "Daisy" Gordon Low who organized the first Girl Scout troop meeting to see a persons Dishonored.
A person should not have to be a professional skyscraper window washer of New York City, NY to be able to clean a one level house storm window successfully in the city of Columbia, SC.
A person should not have to be a South Carolina Bar graduate practicing law in South Carolina to understand. The case DOCKET NO.14-AJ-22-0026-AP should be ruled in favor of the Appellant.

The professionalism and knowledge of each topic explained are very good for a person to have when in situation of which the appellant explained. However may be not needed to handle the situation above and beyond the requirements that are needed for each topic. I the Appellant ask the ALC to rule in my favor do to the numerous errors of the original Record on Appeal and the revised (ROA). SCDEW on March 10, 2014 filed the revised (ROA) with the ALC and I quote from SCDEW

"The redaction that Mr. Estep brought to the court's attention on ROA p.64 has also been corrected. A copy of the audio recording has also been provided to the Appellant, Mr. Estep with his copy of the Corrected Record on Appeal."
However the revised ROA was also in volition of **The Freedom of Information Act**. The SCDEW gave a false statement to the ALC. The Appellant takes in deep consideration on this Saturday of March 15, 2014 that the ALC rule in my favor for the Volitions of the SCDEW. I thank you for taking time out to read my thoughts and concerns in this Motion.

Cc: Greatwide Dedicated Transport
Po Box 280100
Nashville, TN 37228

Cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

FILED

MAR 17 2014

SC ADMIN. LAW COURT



Sincerely:

[Signature]
John Sherman Estep III
[Signature]
Notary Public

3/17/14

after the Brief of Respondent is filed. All documents shall be filed directly with Judge Matthews at the address below. Please note that the appearance of the briefs, including margin and cover requirements, must comply with ALC Rule 37. The rules of the Administrative Law Court may be found at www.scalc.net.

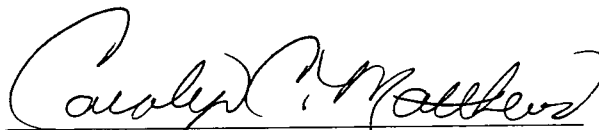
III. Presentation of the Case by the Parties

After the Record on Appeal and all Briefs have been received, the parties will be notified of the date, time, and place of the hearing of the case, if the Judge chooses to hold a hearing. The Notice of Hearing will be provided at least twenty (20) days in advance of the hearing date.

IV. Communication with Judge Matthews' Office

Parties are not allowed to contact Judge Matthews' office or speak with her law clerk or staff attorney **directly** for legal advice or to discuss the merits of the case. This ex parte communication, or communication other than with all parties and their attorneys participating, is strictly prohibited. If you have any questions concerning your appeal, you may call the ALC at (803) 734-0550 and ask to speak with the Clerk.

AND IT IS SO ORDERED.



CAROLYN C. MATTHEWS
Administrative Law Judge
Edgar Brown Building
1205 Pendleton Street, Suite 224
Columbia, SC 29201

February 3, 2014
Columbia, South Carolina.

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party(ies) or their attorney(s).

This 3rd day of February 2014
By: May Beth Cavell
Judicial Law Clerk

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John EStep,
Appellant/Petitioner,

vs. South Carolina Department
of Employment and Workforce
and Great Wide Dedicated
transport, III, LLC.
Respondent.

Docket No. 14-ALJ22-0026-AP

CERTIFICATE OF SERVICE

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Greatwide Dedicated transport
Name P O Box 280100 Address
Nashville, TN 37228
City/State/Zip

Office of General Counsel D.E.W
Name P O Box 8597 Address
Columbia, SC 29202
City/State/Zip

John EStep
(Print Name)

[Signature]
(Signature)

1700 Longcreek DR Apt # 5W
(Street)

Columbia, SC 29210
(City, State, Zip Code)

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John Estep

Appellant/Petitioner,

vs. South Carolina Department
Of Employment and Workforce
and Greatwide Dedicated

transport, III, LLC.

Respondent.

Docket No. 14-ALJ22-0026-AP

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Greatwide Dedicated transport
Name _____ Name _____
Po Box 280100
Address _____ Address _____
Nashville, TN 37228
City/State/Zip _____ City/State/Zip _____

Office of General Counsel D.E.W
Name _____ Name _____
Po Box 8597
Address _____ Address _____
Columbia, SC 29202
City/State/Zip _____ City/State/Zip _____

John Estep
(Print Name)


(Signature)

1800 Longcreek DR Apt 51
(Street)

Columbia, SC 29210
(City, State, Zip Code)

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John EStep

Appellant/Petitioner,

vs. South Carolina Department
of Employment and Workforce
and Greatwide Dedicated
transport, III, LLC.
Respondent.

Docket No. 14-ALJ-22-0026-AP

CERTIFICATE OF SERVICE

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Greatwide Dedicated transport
Name
PO Box 270100
Address
Nashville, TN 37228
City/State/Zip

Name

Address

City/State/Zip

Office of General Counsel
Name
PO Box 8597
Address
Columbia, SC 29202
City/State/Zip

Name

Address

City/State/Zip

John EStep
(Print Name)

[Signature]
(Signature)

1800 Longcreek Dr Apt 56
(Street)

Columbia, SC 29210
(City, State, Zip Code)

DOCKET NO. 14-AJ-22-0026-AP

John Sherman Estep III
1800 longcreek drive apt# 5W
Columbia, SC 29210
Phone# 410-212-2062

To The Honorable **Carolyn C. Matthews**, Administrative Law Judge

NOTICE IS GIVEN that a report was filed with Richland County Sheriff's Department seeking charges of the **Freedom of Information** Act violation by the South Carolina Department of Employment and Workforce file date of report March 12, 2014. In accordance with S.C. Code Ann. §30-4-10 (1978 Act) the purpose of this order is to inform the **STATE OF SOUTH CAROLINA ADMINISTRATIVE LAW COURT** of the actions the appellant John Sherman Estep III is taking.

Deputy: CPL Hendrik

Case number: 1403028112

Cc: Greatwide Dedicated Transport
Po Box 280100
Nashville, TN 37228

Cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

Sincerely:

John Sherman Estep III

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John Estep

Appellant/Petitioner,

vs. South Carolina Department
of Employment and Workforce
and Greatwide Dedicatop

transport, III, LLC,
Respondent.

Docket No. 14-ALJ-22-0026-AP

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<u>Greatwide Dedicatop transport</u>	_____
Name	Name
<u>Po Box 280100</u>	_____
Address	Address
<u>Nashville, TN 37228</u>	_____
City/State/Zip	City/State/Zip

<u>Office of General Counsel</u>	_____
Name	Name
<u>Po Box 8597</u>	_____
Address	Address
<u>Columbia, SC 29202</u>	_____
City/State/Zip	City/State/Zip

John Estep
(Print Name)

[Signature]
(Signature)

1700 Longcreek Dr Apt 5w
(Street)

Columbia, SC 29210
(City, State, Zip Code)

FILED

MAR 12 2014

SC ADMIN. LAW COURT

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John S. Estep,)
)
) Appellant,)
 vs.) DOCKET NO. 14-ALJ-22-0026-AP
)
)
) South Carolina Department of)
) Employment and Workforce and)
) Greatwide Dedicated Transport, III, LLC,)
)
) Respondents.)
)

A Notice of Appeal was filed at the Administrative Law Court on January 17, 2014. The case was assigned to the undersigned judge on January 23, 2014. The purpose of this Order is to state the dates and procedures to follow in presenting this matter. Failure to comply with this Order may result in dismissal of the appeal.

I. Record on Appeal

Pursuant to ALC Rule 36, the agency in possession of the Record (the Department of Employment and Workforce) shall file with the undersigned Judge and serve on all parties the Record on Appeal within 20 days after the date of assignment. Under ALC Rule 36(B), the Record on Appeal shall consist of the following:

1. All pleadings, motions, intermediate rulings, and depositions filed with the Agency;
2. All evidence received or considered;
3. A statement of matters judicially noticed;
4. All proffers of proof of excluded evidence;
5. The final decision of the agency;
6. A transcript of the testimony taken during the agency proceeding;

Note that under Rule 36(C) the Record shall be put in order complete with an index and consecutively numbered pages.

II. Briefs

The Appellant shall file a Brief of Appellant with the undersigned Judge at the address below within twenty (20) days after the Record on Appeal is filed. The Appellant shall also serve his or her Brief of Appellant on the opposing parties within the same time period. The Respondent must file a Brief of Respondent within twenty (20) days after the date the Brief of Appellant is filed. The Appellant is not required, but may, file a Reply Brief within ten (10) days

FILED

FEB 03 2014

SC ADMIN. LAW COURT

P.O. Box 995
1550 Gadsden Street
Columbia, SC 29202
dew.sc.gov



Nikki R. Haley
Governor

Cheryl M. Stanton
Executive Director

Post Office Box 8597
Columbia, SC 29202
Telephone: (803) 737-0395
Fax: (803) 737-0124

March 10, 2014

The Honorable Carolyn Matthews
South Carolina Administrative Law Court
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

RE: Transcript corrections Estep v. SCDEW and Greatwide Dedicated
Transport, III, LLC
Docket No. 14-ALJ-22-0026-AP

Dear Judge Matthews:

The Court has ordered SCDEW to review the transcript of the Appeal Tribunal hearing in the above referenced case. Enclosed is the original and one copy of the Corrected Record on Appeal.

For your information, upon review, corrections were made to the following lines of the transcript:

Record on Appeal (ROA) p. 36, line 8
ROA p. 37, lines 6, 9, 11
ROA p. 39, lines 10, 13
ROA p. 40, line 25
ROA p. 41, line 17
ROA p. 42, lines 2, 6
ROA p. 43, lines 15, 19, 33
ROA p. 44, lines 4, 6, 9, 12, 27, 28, 35
ROA p. 45, line 5
ROA p. 46, line 22
ROA p. 50, lines 11, 16
ROA p. 51, lines 16, 19, 23

FILED

MAR 12 2014

SC ADMIN. LAW COURT

The redaction that Mr. Estep brought to the Court's attention on ROA p. 64 has also been corrected. A copy of the audio recording has also been provided to the Appellant, Mr. Estep with his copy of the Corrected Record on Appeal.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

John Sherman EStep

Appellant/Petitioner,

vs. South Carolina Department
of Employment and Workforce
and Greatwide Dedicated.

transport, IIT, LLC,
Respondent.

Docket No. 14-ALJ-22-0026-AP

CERTIFICATE OF SERVICE

I hereby certify that I am the Appellant (Appellant/Petitioner/Respondent) in the above-captioned matter and that on the 28 day of February, 2014, in Columbia (city), South Carolina, I served a copy of the forgoing Motion (type of document) on the following person(s) by depositing the same in the United States Mail, postage paid, and addressed as follows:

Greatwide Dedicated transport
Name Po Box 280100 Address
Address Nashville, TN 37228 Address
City/State/Zip City/State/Zip

Office of General Counsel, D.E.W
Name Po Box 8597 Name
Address Columbia, SC 29202 Address
City/State/Zip City/State/Zip

John EStep 3rd
(Print Name)

[Signature]
(Signature)

1800 Longcreek Dr Apt 5W
(Street)

Columbia, SC 29210
(City, State, Zip Code)

John Sherman Estep III
1800 longcreek drive apt# 5W
Columbia, SC 29210
Phone# 410-212-2062

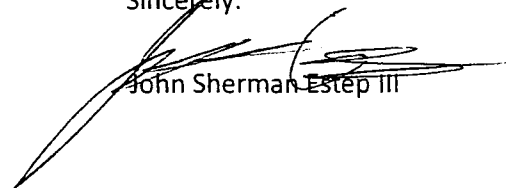
To The Honorable **Carolyn C. Matthews**, Administrative Law Judge

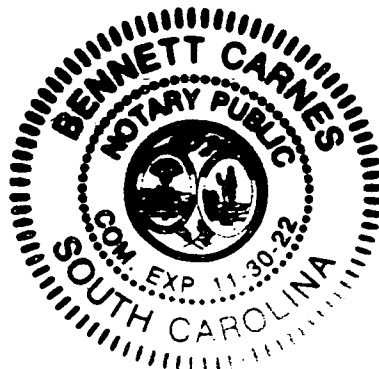
Motion to file the ALC law case in the favor of John Estep the appellant for reasons of the Record on Appeal. The appellant received did not have the original recorded testimony before Erika S. Davis Administrative hearing officer on the day of twenty-six of November ~~2014~~ John Estep the appellant respect the ruling of The Honorable **Carolyn C. Matthews**, Administrative Law Judge on the motion I file before you on this the twenty-eight day of February, 2014 Pursuant to ALC Rule 36, the agency in possession of the Record (the Department of Employment and Workforce) shall file with the undersigned Judge and serve on all parties the Record on Appeal within 20 days after the date of assignment. Under ALC Rule 36(B). Do to the matter John Estep the appellant would like to receive a copy of the original recorded testimony for review and compare by the Record on appeal submitted by the SCDEW. The Record on appeal is also incorrect by the ALC rule 36. The Freedom of Information Act agency with possession of the Record is responsible for redacting all identifying or personal information, such as social security numbers, from the Record before it is filed with the Court. Once a document is filed with the Court, it is a public record subject to disclosure under the Freedom of Information Act. Page 64, of the Record of appeal is in volition do to the information of the appellant social security number being listed on the top of the page description of the document is SCDEW FFATNET Report. So I would like to ask the ALC to rule the case in the favor of the appellant John Estep for the record of appeal. Being in volition of the Freedom of Information Act as of the ALC filed date of February 11, 2014 of the Record of appeal.

Cc: Greatwide Dedicated Transport
Po Box 280100
Nashville, TN 37228

Cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

Sincerely:


John Sherman Estep III



State of South Carolina County of Richland
Subscribed and sworn before me on 2/28/14
Bennett Carnes (Date)
(Notary Signature)

FILED

FEB 28 2014

SC ADMIN. LAW COURT

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

John S. Estep,

Appellant,

vs.

South Carolina Department of Employment
and Workforce and Greatwide Dedicated
Transport, III, LLC,

Respondents.

Docket No. 14-ALJ-22-0026-AP

**ORDER DENYING MOTION TO
DISMISS**

This matter is before the Administrative Law Court (“ALC”) pursuant to an appeal filed by John S. Estep (“Appellant”). Appellant filed a Notice of Appeal on January 17, 2014. The ALC issued the Notice of Assignment on January 23, 2014. The ALC issued an Order Governing Procedure on February 3, 2014. The Record on Appeal was filed on February 11, 2014 by the South Carolina Department of Employment and Workforce (“SCDEW”). The Appellant filed a Motion to Dismiss on February 18, 2014 claiming that the Record on Appeal was filed untimely. The Appellant further claims that the Record on Appeal contains an error.

DISCUSSION

ALC Rule 36 establishes that SCDEW must provide the Record on Appeal “within twenty (20) days of the date of the notice of assignment.” The Order Governing Procedure, issued by the ALC on February 3, 2014, also notes that SCDEW must file and serve the Record on Appeal “within 20 days after the date of assignment.” The Notice of Assignment was issued by the ALC on January 23, 2014, and the Record on Appeal was filed by SCDEW on February 11, 2014, which is within the twenty day limit prescribed by ALC Rule 36. Therefore, the Record on Appeal was filed timely.

The Appellant further claims that there is an error in the Record on Appeal, specifically on page 44, line 6. The Appellant claims that the word used was “he,” however; the word in the Record on Appeal is “I.” SCDEW shall review the transcript and the Record on Appeal to determine whether this error exists and whether any other error exists.

FILED

FEB 26 2014

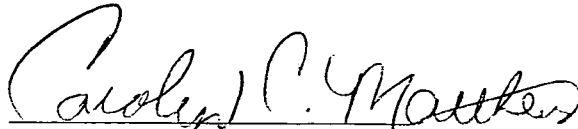
SC ADMIN. LAW COURT

ORDER

IT IS ORDERED that Appellant's Motion to Dismiss is **DENIED**.

IT IS FURTHER ORDERED that the SCDEW shall have **ten (10) days** from the date of this Order to review the Record on Appeal to verify that there are no errors.

AND IT IS SO ORDERED.


CAROLYN C. MATTHEWS
S.C. Administrative Law Judge

February 26, 2014
Columbia, South Carolina

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, postage paid, in the United States mail addressed to the party(ies) or their attorney(s).

This 26th day of February 2014
BY May Beth Campbell
Judicial Law Clerk

John Sherman Estep III
1800 longcreek drive apt# 5W
Columbia, SC 29210
Phone# 410-212-2062

To The Honorable **Carolyn C. Matthews**, Administrative Law Judge

Brief I John Estep III seek a reversal of a decision rendered by the South Carolina Department of Employment and Workforce. I John Estep was told by my immediate supervisor to break a Department of Transportation rule on October 3, 2013. My log book clerk Tina is aware of the things Dean Keesler asks drivers to do on a day to day basis. Don Crisco the manager of Dean Keesler is also aware of the activate that Dean tells the drivers to do. Tina the log book clerk got the attention of Mark Hadley the operations manager a person that is not aware of the company and DOT rules that Dean asks drivers to break. S.C. Code Ann. 41-35-120(2)(a) requires disqualification from benefits for twenty weeks, with a corresponding monetary reduction, when the Department finds that a claimant has been discharged for misconduct connected with the employment. "Misconduct" includes deliberate violations or disregard of the standards of behavior which an employer has the right to expect of an employee, and carelessness or negligence of such a degree or frequency as to show an intentional and substantial disregard of the employer interests or of the employees duties and obligations to his employer. Misconduct: Deliberate violations or disregard, I John Estep called Dean Keesler as stated in the hearing I am out of drive time so what would you like for me to do with the load Dean reply was to bring the load to the yard. I believe deliberate violations or disregard was not shown on the day of October 3, 2013. Carelessness or negligence: I John Estep ask Dean for the safe haven rule the company use also I was sent for a drug test and a breathalyzer test on the day of October 3,2013 and I passed them both so I believe Carelessness or negligence of disregard of the employers interests was not shown on the day of October 3,2013. I John Sherman Estep III ask the ALC to decide in my favor based on the facts I have listed. I thank you for taking time out to read my concerns in this letter.

Cc: Greatwide Dedicated Transport
Po Box 280100
Nashville, TN 37228

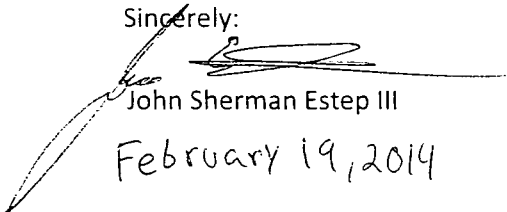
Cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

FILED

FEB 20 2014

SC ADMIN. LAW COURT

Sincerely:


John Sherman Estep III

February 19, 2014

John Sherman Estep III
1800 longcreek drive apt# 5W
Columbia, SC 29210
Phone# 410-212-2062

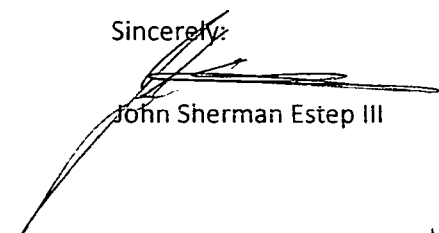
To The Honorable **Carolyn C. Matthews**, Administrative Law Judge

Motion to file the ALC law case in the favor of John Estep the appellant for the reason of the Record on Appeal in possession of the Department of Employment and Workforce is not on the ALC file as of February 18, 2014 I John Estep the appellant find that in the record on appeal the copy of the original transcript of testimony is incorrect page 44, of the record on appeal line 6, the word the appellant used was "He" the word recorded was "I" also I the appellant did not receive the original recorded testimony. Pursuant to ALC Rule 36, the agency in possession of the Record (the Department of Employment and Workforce) shall file with the undersigned Judge and serve on all parties the Record on Appeal within 20 days after the date of assignment. Under ALC Rule 36(B). The Record on Appeal was not filed within the time required by the ALC and the Record on Appeal the appellant received does not have the one copy of the original transcript of testimony. I ask the state of South Carolina Administrative Law Court to rule in the favor of John Estep the appellant.

Cc: Greatwide Dedicated Transport
Po Box 280100
Nashville, TN 37228

Cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

Sincerely,



John Sherman Estep III

*Notarized this 18, day of
February 2014.
Rebecca L Odum*

My Commission Expires 8/18/2016

FILED

FEB 18 2014

SC ADMIN. LAW COURT

John Sherman Estep III
1800 longcreek drive apt# 5W
Columbia, SC 29210
Phone# 410-212-2062

To The Honorable **Carolyn C. Matthews**, Administrative Law Judge

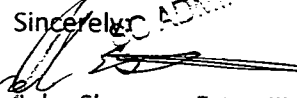
I John Estep III seek a reversal of a decision rendered by the South Carolina Department of Employment and Workforce. I John Estep was told by my immediate supervisor to break a Department of Transportation rule on October 3, 2013. My log book clerk Tina is aware of the things Dean Keesler asks drivers to do on a day to day basis. Don Crisco the manager of Dean Keesler is also aware of the activate that Dean tells the drivers to do. Tina the log book clerk got the attention of Mark Hadley the operations manager a person that is not aware of the company and DOT rules that Dean asks drivers to break. S.C. Code Ann. 41-35-120(2)(a) requires disqualification from benefits for twenty weeks, with a corresponding monetary reduction, when the Department finds that a claimant has been discharged for misconduct connected with the employment. "Misconduct" includes deliberate violations or disregard of the standards of behavior which an employer has the right to expect of an employee, and carelessness or negligence of such a degree or frequency as to show an intentional and substantial disregard of the employer interests or of the employees duties and obligations to his employer. Misconduct: Deliberate violations or disregard, I John Estep called Dean Keesler as stated in the hearing I am out of drive time so what would you like for me to do with the load Dean reply was to bring the load to the yard. I believe deliberate violations or disregard was not shown on the day of October 3, 2013. Carelessness or negligence: I John Estep ask Dean for the safe haven rule the company use also I was sent for a drug test and a breathalyzer test on the day of October 3,2013 and I passed them both so I believe Carelessness or negligence of disregard of the employers interests was not shown on the day of October 3,2013. I John Sherman Estep III ask the ALC to decide in my favor based on the facts I have listed. I thank you for taking time out to read my concerns in this letter.

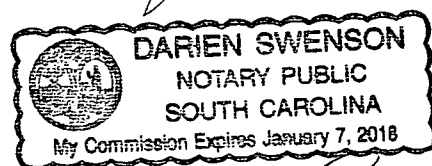
Cc: Greatwide Dedicated Transport
Po Box 280100
Nashville, TN 37228

Cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

FILED
JAN 27 2014

ADMIN. LAW COURT

Sincerely,

John Sherman Estep III



SOUTH CAROLINA DEPARTMENT OF EMPLOYMENT AND WORKFORCE
Columbia, South Carolina

IN THE MATTER OF THE CLAIM OF:

Received:
January 17, 2014

John S. Estep)
1800 Longcreek Drive, Apartment 5-W)
Columbia, SC 29210)
Claimant SSN: XXX-XX-7972)
Greatwide Dedicated Transport, III, LLC)
c/o Thomas & Thorngren, Inc.)
PO Box 280100)
Nashville, TN 37228)
Liable Employer)

APPELLATE PANEL
DECISION

Appellant: Claimant

The claimant appealed Appeal Tribunal Decision 2013-A-19547 to the Appellate Panel. The Tribunal held the claimant disqualified from benefits upon finding he was discharged for misconduct. This decision affirmed the claims adjudicator's determination.

The Appellate Panel issued its decision upon review of the record on appeal.

DECISION

Appeal Tribunal Decision 2013-A-19547 is affirmed. The claimant is disqualified from benefits for twenty (20) weeks, from September 29, 2013, to February 15, 2014, with a corresponding monetary reduction, upon finding he was discharged for misconduct connected with the employment.

The claimant worked from March 1, 2013, to October 3, 2013, most recently as a driver. He was discharged after it was discovered the claimant falsified his driving time in violation of employer policy and state regulations. State regulations prohibit commercial drivers from driving in excess of eleven hours a day. The employer permits a driver who has reached the maximum hours and is within fifteen minutes of the terminal to return to the duty station without reprimand. On or about October 3, 2013, the log clerk discovered a discrepancy between the claimant's logbook and the vehicle's global positioning system. The claimant acknowledged he was 1½ hours over his allowable work time, but asserts he requested permission from a supervisor to return to the terminal. He further asserts the supervisor did not ask how many hours he had worked that day. Upon consideration of prior warnings for falsifying information, the employer discharged the claimant. The claimant stated it did not occur to him to advise the general manager upon his termination that he was granted

John Sherman Estep 3rd
1800 longcreek drive apt# 5W
Columbia SC 29210
Phone# 410-212-7425

I John Estep 3rd a certified class A driver, seeks a reversal of a decision rendered by the South Carolina Department of Employment and Workforce. I John Estep work with Great wide Dedicated Transport from March 1, 2013 to October 3, 2013 I have been a class A driver for over 7yrs so I know the rules and regulations of the Department of Transportations on the day of October 3, 2013 I was sent to take a drug test and then sent for a Breathalyzer test and witch I passed them both. The log book clerk Tina got the attention of the operations manager Mark Hadley that I was in violation of my log book something that my immediate supervisor Dean Keesler tells drivers to do all the time because if he does not then the company would have to pay the drivers layover pay witch is \$125.00 so when you run out of drive time on your log book you call Dean and he ask how fair are you and if you are 60miles or 90miles out witch is about 1hr or 1hr and 30min form the yard he tells the drivers to bring the load in to the yard. Don Crisco told me to say what my log book say not the way I run the load he is the manager of Dean but under Mark so when Mark asked me the question about my log book I remember what Don told me to say what my book say not the way I drove I was trying to fit in and do things the way they wanted them done. Tina the log clerk wonted me discharged from the company for some reason so she took something that she know the company dose but is not allowed to do and put me on the spot for it. I thank you for taking time out to read my concerns in this letter.

Cc: Greatwide Dedicated Transport
c/o Thomas & Thorngren, Inc.
Po Box 280100
Nashville, TN 37228

cc: Office of General counsel
S.C. Department of Employment and work force
Po Box 8597
Columbia, SC 29202

Sincerely:



John Sherman Estep 3rd

P.O. Box 995
1550 Gadsden Street
Columbia, SC 29202
dew.sc.gov



Nikki R. Haley
Governor

Cheryl M. Stanton
Executive Director

P.O. Box 8597
Columbia, South Carolina 29202
(803) 737-2666
FAX (803) 737-0124
April 7, 2014

The Honorable Carolyn Matthews
South Carolina Administrative Law Court
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

Re: John Estep v. SCDEW and Greatwide Dedicated
Transport, III, LLC
Docket Number: 14-ALJ-22-0026-AP

Dear Judge Matthews:

Enclosed are the original and one copy of the Brief of the Respondent SC DEW in the above referenced case. Also enclosed is a certificate of service to the other parties. If you have any questions, please contact me at the above number.

With kind regards, I am

Sincerely Yours,


A handwritten signature in cursive script that reads "Jessica Chesley".

Jessica Chesley
Administrative Legal Assistant for
Maura Dawson Baker
Attorney for SC DEW

Also, please find a Motion for Extension to allow Mr. Estep time to amend his Brief based on the corrected transcript.

If you have any questions, please contact me at the number or address above.

Sincerely,


Kristi Chesley
Office Manager
Office of General Counsel
SC Dept. of Employment and Workforce

P.O. Box 995
1550 Gadsden Street
Columbia, SC 29202
dew.sc.gov



Nikki R. Haley
Governor

Cheryl M. Stanton
Executive Director

Post Office Box 8597
Columbia, SC 29202
Telephone: (803) 737-0395
Fax: (803) 737-0124

March 13, 2014

The Honorable Carolyn Matthews
South Carolina Administrative Law Court
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

RE: Transcript corrections Estep v. SCDEW and Greatwide Dedicated
Transport, III, LLC
Docket No. 14-ALJ-22-0026-AP

Dear Judge Matthews:

Mr. Estep brought to the attention of the Department that page 64 was not redacted in his copy of the Corrected Record on Appeal. Enclosed please find two copies of redacted page 64. Please substitute these pages for the corresponding pages in the Corrected Record on Appeal.

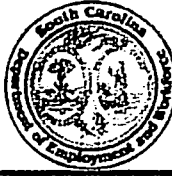
Copies of page 64 and this letter have been sent to Mr. Estep and the employer.

If you have any questions, please contact me at the number or address above.

Sincerely,

A handwritten signature in cursive script that reads "Kristi Chesley".

Kristi Chesley
Office Manager
Office of General Counsel
SC Dept. of Employment and Workforce



SC Department of Employment and Workforce FFATNET Report

ESTEP, JOHN

(803) 467-5255

Gender: M

estepjohn007@gmail.com

Date of Birth: 1/27/1981

Claim Office: 400

Effective Date:

Entered On: 10/7/2013

BYE: 9/28/2014

WBA: \$326.00

Interview Appointments:

Claimant Rebuttals:

Employer Rebuttals:

Issues:

Employers:

Employer Name: GREATWIDE

DEDICATED

TRANSPORT III

ESPTT L

Bonafide employer: Yes

Hire date: 3/1/2013

Termination date: 10/3/2013

Earned at least \$2,608.00: No

Owner or corporate officer of a business: True

Employer Acct Number: 518169

NAICS Code: 484121550

Claimant Separation Reason:

Employer Separation Reason:

Total Wages: \$3,339.56

Employer Issues:

Kind Description

Discharge

Create Date

10/4/2013 12:00:00 AM

Last Modified Time

10/23/2013 2:50:57 PM

Attachment Info

Description

Created Time

Upload Date

Contact Attempts:

History Events:

FactFindingIssueCreated at 10/4/2013 10:53:56 AM by john sh Estep III (PUBLIC\John198127): Created 'Discharge' Fact Finding Issue for employer 'GREATWIDE DEDICATED TRANSPORT III LLC' with status Submitted as part of submit Claim Application.