

**IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

Appeal from the Administrative Law Court

The Honorable Shirley C. Robinson, Administrative Law Judge

Case No.: 2014-001484

Stephanie Stewart,
Appellant,

v.

**South Carolina Department of Employment & Workforce,
and Oconee County, South Carolina,**
Respondents.

**APPELLANT'S REPLY TO RESPONDENT'S RETURN IN OPPOSITION TO
APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME TO
FILE INITIAL BRIEF**

Stephanie Stewart, Pro-Se
2142 Toccoa Highway
Westminster, South Carolina 29693
Phone: 864-647-2216

E.B. McLeod III, Esquire
S. C. Dept. of Employment & Workforce
Post Office Box 8597
Columbia, South Carolina 29202
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SEP 15 2014

SC Court of Appeals

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OPPOSITION TO APPELLANT'S
SECOND MOTION FOR EXTENTION
OF TIME TO FILE INITIAL BRIEF**

COMES NOW, Stephanie C. Stewart, Appellant, (hereinafter "Stewart"), Pro-Se, in reply to the Respondent's aforementioned return dated September 4, 2014. Stewart shows as follows:

1. Stewart notices this Court the Respondent's return references a pleading styled "Respondent's Joint Motion to Dismiss" pursuant to S.C. Ann. Section 1-23-610(A)(1) for lack of jurisdiction. As of the date of the pleading, Stewart has not received or had any prior knowledge of the subject pleading. As noticed to this Court in Stewart's letter dated August 25, 2014, the Respondent throughout the procedural history in this case has repeatedly failed to adhere to administrative rules of the courts: 1) Failure to file the Record on Appeal in its entirety on three separate instances without the Court ordering such, 2) Failure to remove personal identifying information from each of the three Records on Appeal submitted, 3) Displaced numerous exhibits and pages of pleadings by Appellant clearly numbered and filed with the Appeal Tribunal and Appellate Panel. See 6/9/14 ALC Order pages 9-10. Here the respondent has continued its administrative disregard of the Courts rules by failing or refusing to forward Stewart a copy of its motion to dismiss in accordance with SCACR 262(b). Such inaction now potentially prejudices Stewart's position.

2. Though Stewart has not received the Respondent's motion to dismiss, she vehemently opposes any proposition her Notice of Appeal was untimely or improperly filed, thus, not granting this Court jurisdiction to resolve this appeal. Stewart submits that any adverse ruling on

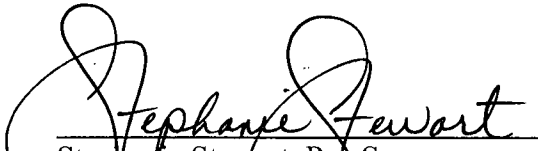
the Respondent's motion prior to her having a formal opportunity to respond places extreme prejudice against her as a result of the Respondent's failure or refusal to follow SCACR 262(b). As Such, Stewart should be afforded an opportunity to offer a return to the Respondent's pleading, if necessary. As this Court has not ruled, allowing such does not place any prejudice on the Respondent.

3. Lastly, Stewart submits her Notice of Appeal was in fact timely and properly submitted to confer jurisdiction upon this Court to resolve her claim: 1)The ALC's order is dated June 9, 2014, 2) Stewart's Notice of Appeal was filed and served pursuant to SCACR 203(b)(6) within 30 days on July 8, 2014. (The 29th day pursuant to Rule 263(a).), 3) The Notice of Appeal was timely filed and serviced pursuant to Rule 262(a)(2), and (b) by deposit of such in U.S. Mail with sufficient postage for delivery to the ALC, all Parties and this Court's Clerk. (Rule 262 states "the date of filing shall be ...the date of mailing" and "Service by mail is complete upon mailing.").

WHEREFORE, Stewart moves this Court for an Extension of Time To File her initial Brief or in the alternative an opportunity to respond to the Respondent's Motion to Dismiss upon retrieving a copy from this Court's Clerk or Denial or the Respondent's Motion.

Dated this 10th Day of September 2014.

Respectfully Submitted,


Stephanie Stewart, Pro Se
2142 Toccoa Highway
Westminster, South Carolina 29693
Phone: 864-647-2216

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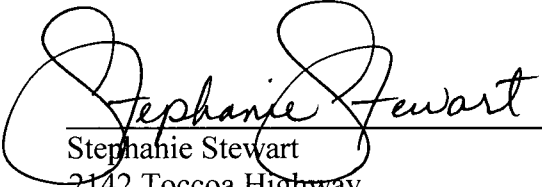
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CERTIFICATE OF SERVICE

I certify that I have served the above Appellant's Reply to Respondent's Return in Opposition to Appellant's Second Motion for Extension of Time to File Initial Brief on the SCDEW's Counsel of Record and Oconee County's Counsel of Record by faxing a copy of it on September 10, 2014 to each parties' fax number listed in the above captioned case.

Dated this 10th day of September 2014.


Stephanie Stewart
2142 Toccoa Highway
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Phone: 864-647-2216
Pro-Se

September 11, 2014

Stephanie Stewart
2142 Toccoa Highway
Westminster, South Carolina 29693

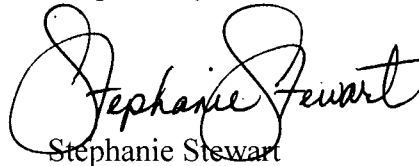
Clerk of Court, Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Stewart v. SCDEW et. al., Case No.: 2014-001484

Ms. Kitchings:

Please find enclosed for filing, the original copy of Appellant's Reply to Respondent's Return in Opposition to Appellant's Second Motion for Extension of Time to File Initial Brief, faxed to your office on September 10, 2014. Should you have any questions or need additional information, please do not hesitate to contact me.

Respectfully Submitted,



Stephanie Stewart
2142 Toccoa Hwy
Westminster, SC 29693
864.647.2216

cc: SCDEW Counsel of Record
Oconee County Attorney for Employer

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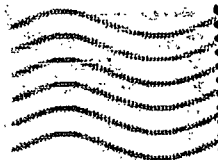
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