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JAN 29 2015

SC Court of Appeals

The South Carolina Court of Appeals

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4 Billie D. Mueller,

5 Appellate,

6 vs

7 South Carolina Dept. of Employment &
8 Workforce & Ebtron, Inc.,

9 Respondent

Appellate Case No.: 2014-002489

INITIAL BRIEF of APPELLANT

Judicial Review from the decision
of the
State Of South Carolina
Administrative Law Court
dated November 07, 2014

10
11 Billie D. Mueller

12 PO Box 98, Davis Station, SC 29041

13 Telephone: 803-236-2775 / E-mail address: dinker@sccoast.net

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Petitioner has no Attorney

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APPELLATE'S BRIEF

STATEMENT OF THE CASE

The Nature of the Proceeding and the Relief Sought

This is a Petition for Review of a decision of the Administrative Law Court affirming the decision of a Court of Appeals Judge decision denying unemployment benefits to Appellate. Appellate requests that the decision be reversed.

The Nature of the Decision To Be Reviewed

A final decision made and entered on November 07, 2014 by the Administrative Law Court.

Statement of the Statutory Basis for Appellate Jurisdiction

This court has appellate jurisdiction over this matter pursuant to S.C. Code Ann. 41-35-750

Statement of Appellate Jurisdiction

The Administrative Law Court entered its decision on November 07, 2014. The Petition for Judicial Review was filed on November 13, 2014.

Questions Presented on Review

- A. Did the SCDEW Appellate Panel err in finding the appellate's action constituted misconduct under S.C. Code 45-35-120(2)-(4) Act 247?
- B. Did the SCDEW Appellate Panel err in finding that appellate willfully failed to perform her duties under S.C. Act 247?

1 C. Did the SCDEW Appellate Panel err in allowing the testimony and
2 the submission of the Request For Information from Greg
3 McBride because of a Complete Conflict of Intrest.

4 **Summary of Argument**

5 During the telephone hearing with the SCDEWS Appeal Tribunal the
6 Appellate was not given any of the documents that are part of the Appellates
7 unemployment file so the Appellate could put on a proper defense. Appellate
8 was also not given a copy of the telephone hearing regulations. Appellates
9 Subpoenaed witnesses Greg McBride was to submit Personnel File only
10 David Dougan who did not participate was to testify of what was said by
11 him at the supposed termination meeting at the telephone hearing. The
12 Appellate had never seen any of the unemployment file documents till
13 September 22, 2014.

- 14 1) Never a formal letter or reprimand from management
15 2) Never a notice of warning or management's attention to variance
16 3) Approximately \$6,350.00 of unpaid commissions falling into
17 the 3rd Quarter of the 2013 obligation was all I had in my
18 possession from Sept. 9th 2013 till Jan. 20th 2014
19 4) There was absolutely no loss of revenue to Ebtron or the accuracy
20 of the Invoicing to Daikin / McQuay.

21
22
23 Dated this 27th day of January, 2015

24 *Bellee Mueller*
25

COPY

PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL THE ORDER FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Appellate Case No. 2014-002489

South Carolina Department of Employment
and Workforce. And Ebtron, Inc., Administrative
Law Court

Respondent,

v.

Billie Mueller

Appellant

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Sandra Grooms
by depositing a copy of it in the United States Mail, postage paid, on January 27,
2015, addressed to the Office of General Counsel-SCDEW, PO Box 8597
Columbia, SC 29202

January 27, 2015

Billie Mueller

Billie Mueller

PO Box 98

Davis Station, SC 29041

Appellant Has No Attorney

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SC Court of Appeals

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Ralph King Anderson, III, Chief Administrative Law Judge

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South Carolina Department of Employment
and Workforce. And Ebtron, Inc., Administrative
Law Court

Respondent,

v.

Billie Mueller

Appellant

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Kris Cato
by depositing a copy of it in the United States Mail, postage paid, on January 27,
2015, addressed to the Rogers Townsend & Thomas, PC, 220 Executive Center
Drive, Columbia, SC 29210

January 27, 2015

Billie Mueller

Billie Mueller

PO Box 98

Davis Station, SC 29041

Appellate has no Attorney

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SC Court of Appeals

PO BOX 99

Davis Station, SC 29041



The South Carolina Court of Appeals
Jenny Abbott Kitchings – Clerk
Appellate Case No.: 2014-002489
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Columbia, SC 29211

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