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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM THE S.C. ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

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Appellate Case No. 2014-002489

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Billie Mueller,

Appellant.

v

South Carolina Department of Employment  
and Workforce, and Ebtron, Inc., S C

Respondents,

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**RESPONDENTS' JOINT RETURN IN OPPOSITION TO APPELLANT'S  
MOTION TO STRIKE AND REMOVE RESPONDENT EBTRON'S AND  
SCDEW'S MOTION TO DISMISS**

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Respondents, the South Carolina Department of Employment and Workforce ("DEW") and Ebtron, Inc. ("Ebtron") respectfully respond to and oppose Appellant Billie Dawn Mueller's (Mueller) Motion to Strike Respondents' Motion to Dismiss on the following grounds:

1) Appellant's Motion to strike Respondents' Motion to Dismiss is not a proper motion or pleading pursuant to the South Carolina Rules of Appellate Procedure; 2) Appellant fails to cite any legal authority in support of her motion; 3) Appellant continues to raise issues and make factual allegations that are improperly included in her Designation of Matter, and 4) In this appeal from an ALC Order, Appellant's motion requests a new hearing before DEW, which is relief that this Court cannot grant upon motion.

WHEREFORE, Respondents respectfully request the Court to deny Appellant's Motion to Strike, or in the alternative, construe her Motion as a Return to Respondents' Motion to Dismiss. Respondents further note that if Appellant's Motion is construed as a Return to Respondents' Motion to Dismiss, Appellant's Return to Respondents' Motion was untimely filed and served.

**SOUTH CAROLINA DEPARTMENT  
OF EMPLOYMENT AND  
WORKFORCE**

Sandra Grooms

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***Attorneys for Respondent South Carolina  
Department of Employment and  
Workforce***

**BLAIR CATO PICKREN CASTERLINE,  
LLC**

Kristine L. Cato (by SG with permission)

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***Attorneys for Respondent Ebtron, Inc.***

April 23, 2015

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APPEAL FROM THE S.C. ADMINISTRATIVE LAW COURT

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v.


South Carolina Department of Employment  
and Workforce, and Ebtron, Inc., S.C.

Respondents,

**PROOF OF SERVICE**

I hereby certify that I have this 23rd day of April, 2015 served a copy of the foregoing **RESPONDENTS' JOINT RETURN IN OPPOSITION TO APPELLANT'S MOTION TO STRIKE AND REMOVE RESPONDENT EBTRON'S AND SCDEW'S MOTION TO DISMISS** by mailing copies of same, postage prepaid, in the United States mail, with sufficient postage affixed as follows.

Billie D. Mueller  
P.O. Box 98  
Davis Station, SC 29041

  
\_\_\_\_\_  
Kristi Chesley  
Administrative Legal Assistant

P.O. Box 995  
1550 Gadsden Street  
Columbia, SC 29202  
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Nikki R. Haley  
Governor

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Post Office Box 8597  
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April 23, 2015

**RECEIVED**  
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SC Court of Appeals

The Honorable Jenny Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Billie Mueller v. SCDEW and Ebtron Inc.  
Appellate Case No: 2014-002489

Dear Ms. Kitchings:

Enclosed is the original and six copies of the Respondents' Joint Return to Appellant's Motion to Strike. Also enclosed is a certificate of service to the parties.

Please let me know if you have any questions.

Sincerely,

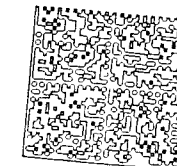
A handwritten signature in cursive script that reads "Jessica Chesley".

Jessica Chesley  
Administrative Legal Assistant for  
Sandra Grooms  
Assistant General Counsel

**SOUTH CAROLINA  
DEPARTMENT OF EMPLOYMENT AND WORKFORCE  
COLUMBIA SC 29202**  

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