

THE STATE OF SOUTH CAROLINA In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT (Richland County)

Ralph King Anderson III Judge Case # 15-ALJ-22-0138-AP

Diana Jordan, Appellant Case # 2015-001912

v

REQUEST FOR RULING

(SCDEW)

South Carolina Department

of Employment & Workforce, Respondent

Appellant Diana Jordan moves the Court to issue a ruling on Appellant's Motion to Enlarge submitted 12/19/15.

History and Relevant Background

- 1) On 12/19/15 Diana Jordan filed a Motion to Enlarge the record under appeal asking that all time requirements and deadlines be held in abeyance pending resolution of the motion.
- 2) On 12/15/15 SCDEW submitted a letter in opposition to Appellant's 12/19/15 Motion to Enlarge record under appeal.
- 3) On 12/10/15 the Court declined to rule upon Appellant's motion to enlarge the record on appeal.

CONCLUSION

For the reasons outlined above, Appellant Diana Jordan respectfully requests that the Court issue a ruling on the motion.

Submitted by

Diana B. Jordan, Appellant

February 9, 2016

104 Woodglen Lane

Chapin, SC 29036

(803) 733-1762 Phone

PROOF OF SERVICE A copy of this request for ruling will be sent on 2/10/16 by US mail postage prepaid to SCDEW, P.O. Box 85517, Columbia, SC 29202.

Diana B. Jordan

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

December 15, 2015

Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Diana Jordan v. S. C. Department of Employment and Workforce
Case # 2015-00192

Dear Ms. Kitchings:

Respondent S.C. Department of Employment and Workforce, by its undersigned attorney, respectfully submits this letter in opposition to Appellant's Motion to Enlarge Record on Appeal, dated December 9, 2015. Pursuant to Rule 210(c) & (h), SCACR. the Record on Appeal "shall not ... include matter which was not presented to the lower court or tribunal" and "the appellate court will not consider any fact which does not appear in the Record on Appeal.". Therefore, this Court should deny Appellant's Motion to Enlarge Record on Appeal.

Sincerely,

A handwritten signature in cursive script that reads "Sandra Grooms".

Sandra Grooms, Assistant General Counsel
S.C. Department of Employment & Workforce
legal@dew.sc.gov

cc: Diana Jordan, 104 Woodglen Lane, Chapin, S.C. 29036

THE STATE OF SOUTH CAROLINA In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT (Richland County)

Ralph King Anderson III Judge Case # 15-ALJ-22-0138-AP

Diana Jordan, Appellant

Case # 2015-001912

(JCDEW)

South Carolina Department

MOTION TO

of Employment & Workforce, Respondent

ENLARGE

Appellant Diana Jordan moves the Court to enlarge the record under appeal because of JCDEW's Notice of Action Regarding Federal Income Tax Returns.

History and Relevant Background

- 1) On 10/11/15 JCDEW sent Diana Jordan Notice of Action Regarding Federal Income Tax Returns.
- 2) On 11/25/15 Appellant emailed BPCollections@dcw.sc.gov that the debt was not legally enforceable, was under appeal and attached W2's for 2012, 2011, 2008, 2007, 2005 and Diana Jordan's Social Security record back to 2004 visible.
- 3) The submission was within the sixty day limit on the notice.

CONCLUSION

For the reasons outlined above, Diana Jordan moves that the record under appeal be enlarged to include Appellant's W2's from 2012, 2011, 2008, 2007, 2005 and Social Security record back to 2004 and that all time requirements and deadlines be held in abeyance pending resolution of this motion.

Respectfully Submitted

Diana B. Jordan

104 Woodglen Lane

Chapin, SC 29036

(803) 732-1762

Appellant

December 9, 2015

The South Carolina Court of Appeals

Diana Jordan, Appellant,

v.

South Carolina Department of Employment and
Workforce, Respondent.

Appellate Case No. 2015-001912

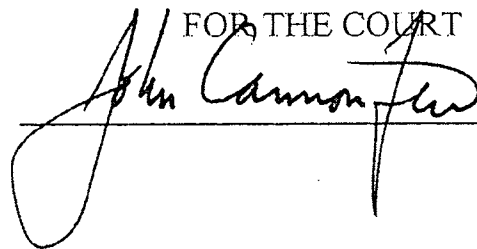
The Honorable Ralph King Anderson, III
Trial Court Case No. 2015ALJ220138AP

ORDER

Appellant has failed to file the initial brief and designation of matter, as required by Rules 208 and 209 of the South Carolina Appellate Court Rules, and this Court's letter dated November 25, 2015. Accordingly, this matter is dismissed.

Based on this disposition, we decline to rule upon Appellant's motion to enlarge the record on appeal. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

 _____, C.J.

Columbia, South Carolina

cc:

Diana Jordan

Sandra Bell Grooms, Esquire

FILED

12-21-15