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JUN 25 2019
SC Court of Appeals

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Cortez M. Jiles,

Appellant,

vs.

South Carolina Department of Employment
and Workforce and House of Raeford Farms,
Inc.,

Respondents.

Docket No. 18-ALJ-22-0409-AP

**ORDER DENYING RESPONDENT'S
MOTION TO DISMISS
AND
SCHEDULING ORDER**

This matter is before the South Carolina Administrative Law Court (ALC) pursuant to the Notice of Appeal filed September 21, 2018 by Appellant Cortez M. Jiles (Inmate). The Notice of Assignment was filed with this Court on November 6, 2018. On November 19, 2018, Respondent South Carolina Department of Employment and Workforce (Respondent) filed a Motion to Dismiss this appeal stating that Appellant did not serve on Respondent his Notice of Appeal within 30 days of receiving the final agency decision from which he is appealing. Respondent included an affidavit with its motion stating that its Administrative Assistant has not received a notice of appeal from Appellant. The Court has in its file the Notice of Appeal, including the Certificate of Service, filed September 27, 2018, indicating it served Respondent with a copy, addressed to, "SCDEW, 1550 Gadsden Street, Columbia, S.C. 29201." A copy of the Notice of Appeal is attached for the convenience of the Respondent.

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

IT IS FURTHER ORDERED that the Record shall be due thirty (20) days from the date of this order. Respondent shall have twenty days from the date the Record is filed to submit a brief. Any reply brief must be filed within ten days from the date Respondent's brief is filed.

AND IT IS SO ORDERED.

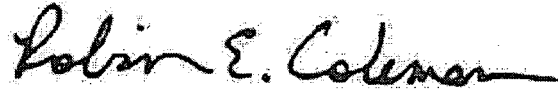


Deborah Brooks Durden, Judge
S.C. Administrative Law Court

December 5, 2018
Columbia, South Carolina

CERTIFICATE OF SERVICE

I, Robin E. Coleman, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, in the Interagency Mail Service, or by electronic mail to the address provided by the party(ies) and/or their attorney(s).



Robin E. Coleman
Judicial Aide to Deborah Brooks Durden

December 5, 2018
Columbia, South Carolina

FILED

December 5, 2018

SC ADMIN. LAW COURT