

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from the Administrative Law Court
Honorable S. Phillip Lenski, Administrative Law Judge
Docket No. 19-ALJ-18-0047-AP

RECEIVED

Case No. 2019-001835

JAN 21 2020

SC Court of Appeals

Alonzo C. Jeter, III, APPELLANT,

v

South Carolina Department of
Social Services, RESPONDENT.

RETURN TO MOTION TO DISMISS

Appellant, Alonzo C. Jeter, III, files this Return pursuant to Rule 240(e), SCACR wherein he opposes the Motion to Dismiss which was filed with this Court by Respondent. Appellant received a copy of the Respondent's Motion to Dismiss on January 7, 2020, by and through the Tyger River Correctional Institution mailroom.¹

Respondent states several reasons within its motion for why the Motion to Dismiss is submitted. However, Appellant does oppose the Respondent's motion as the Respondent should rather submit the arguments which it advances in a Brief (Respondent's Brief) whereby Appellant will then be afforded opportunity to submit a Reply for this

¹ Respondent's Motion to Dismiss bears no date. However, the Certificate of Service associated with the motion bears the date of January 2, 2020.

Court's review and ultimate equitable adjudication on the merits of this case.

This case presents novel issues which this Court has not addressed and adjudicated upon such as:

1. Once a felony, always a felony?
2. Evolving Standards of Decency.
3. Retroactivity in regards of civil sanctions and lack of savings clause.
4. Due process violations, abuse of discretion, when party is erroneously denied equitable opportunity to file Reply Brief.

No South Carolina case law exists which addresses these novel and complex issues and questions of law.

CONCLUSION

Simply put, Respondent's motion to Dismiss and relief which it seeks should be denied and this Court should adjudicate this case by making an equitable ruling on the merits of the novel and complex issues presented in this case, without deference given to the ruling of the ALC as questions of law exists and Appellant in fact does present meritorious grounds for appeal.

Respectfully submitted, 

Alonzo C. Jeter, III
APPELLANT / Pro Se

Tyger River Correctional Institution
200 Prison Road
Enoree, SC 29335

This 15th day of January, 2020
at Enoree, South Carolina.

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Docket No. 19-ALT-18-0047-AP

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Alonzo C. Jeter, III, APPELLANT,

South Carolina Department of Social Services, RESPONDENT.
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CERTIFICATE OF SERVICE

JAN 21 2020

SC Court of Appeals

I, Alonzo C. Jeter, III, hereby certify that I have served the RETURN TO MOTION TO DISMISS, on Respondent by depositing the same in the United States Mail, postage prepaid, by and through the interagency mailroom at Tiger River Correctional Institution on this 16th day of January, 2020, addressed as follows: Chad A. Mitchell, Esq., SCDSS Office of General Counsel, P.O. Box 1520, 1535 Confederate Avenue, Columbia, SC 29202.

SWORN and subscribed before me
this 16th day of JAN.

Paul [Signature], 2020

Notary Public for South Carolina

My Commission Expires: Dec. 10, 2024

[Signature]

Alonzo C. Jeter, III

Tiger River Correctional Inst.

200 Prison Road

Enoree, SC 29335

January 15, 2020

Alonzo C. Jeter, III
Tyger River Correctional Institution
U-7-101/#282902
200 Prison Road
Enoree, SC 29335

The Honorable Jenny A. Kitchens
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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JAN 21 2020

SC Court of Appeals

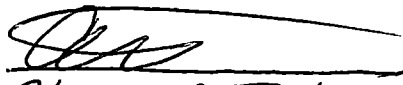
RE: Alonzo Jeter, III, v. SCOSS
Appellate Case No. 2019-001835

Dear Honorable Clerk:

Enclosed, please find for filing the RETURN TO MOTION TO DISMISS, dated January 15, 2020, along with Certificate of Service for the same.

Please also find enclosed, one (1) additional copy of the same along with a self-addressed stamped envelope. Please return to me by way of this SASE, file-stamped copies of these said documents.

Thank you for your assistance in this matter.

Sincerely, 
Alonzo C. Jeter, III
APPELLANT/Pro se

CC: Chad A. Mitchell, Esquire
FILE

DSS SOUTH CAROLINA
DEPARTMENT of SOCIAL SERVICES

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
OFFICE OF GENERAL COUNSEL, ROOM 621
P.O. BOX 1520, COLUMBIA, SC 29202-1520

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JAN 07 2020

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Mr. Alonzo Jeter, III
Tyger River Correctional Institution
U-90216A/282902
200 Prison Road
Enoree, SC 29335

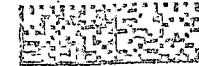
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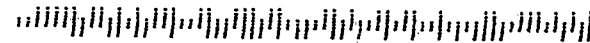
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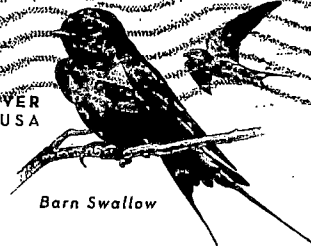


Alonzo C. Jeter, III
Tyger River Correctional Institution
U-7-101/#282902
200 Prison Road
Enoree, SC 29335

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USA



Barn Swallow

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JAN 16 2020

TYRGI MAILROOM

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

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SC Court of Appeals



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