

**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

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APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Shirley C. Robinson, Administrative Law Judge

Case No.: 18-ALJ-22-0211-AP

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Appellate Case No. 2018-001685

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Cynthia G. Aldaqqaq, Appellant,

v.

South Carolina Department of Employment  
and Workforce & IQOR Holdings US, LLC, Respondents.

**RECEIVED**  
FEB 28 2020  
SC Court of Appeals

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**Motion to Dismiss for Failure to File Amended Record on Appeal**

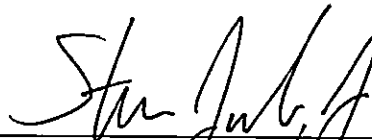
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Respondent South Carolina Department of Employment and Workforce (the Department) moves this Court to dismiss Appellant Cynthia G. Aldaqqaq's appeal because Appellant failed to comply with this Court's October 25, 2019 order, which required Appellant to file an amended record on appeal. Under the appellate court rules, "Whenever it appears that an appellant or a petitioner has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal, which shall have the same force and effect as an order of the appellate court." Rule 260(a), SCACR.

In an order dated October 25, 2019, this Court ordered Appellant to file an amended record on appeal within thirty days of the order. Thus, this Court's order required Appellant to file an amended record on appeal by November 25, 2019. To date, approximately three months have

passed since the due date for Appellant's amended record on appeal, and Appellant has failed to comply with the Court's order. Further, Appellant has not filed a motion for extension of time or any other document explaining her delay in filing the amended record on appeal. Accordingly, the Department respectfully requests this Court dismiss this appeal pursuant to Rule 260(a) based on Appellant's failure to comply with the Court's October 25, 2019 order. *See Henning v. Kaye*, 307 S.C. 436, 438, 415 S.E.2d 794, 794-95 (1992) ("Counsel is advised that the South Carolina Appellate Court Rules are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide appeals in this State."); *TNS Mills, Inc. v. S.C. Dep't of Revenue*, 331 S.C. 611, 620, 503 S.E.2d 471, 476 (1998) ("There would be no purpose in establishing deadlines if failure to meet them was of no consequence." (brackets removed)); *Georganne Apparel, Inc. v. Todd*, 303 S.C. 87, 92, 399 S.E.2d 16, 19 (Ct. App. 1990) ("There is a limit beyond which the court should allow a litigant to consume the time of the court and to prolong unnecessarily time, effort, and costs to defending parties.").

Respectfully Submitted,



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SC Department of Employment and Workforce  
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803.737.0124 (fax)  
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**Attorney for Respondent SC Department of  
Employment and Workforce**

February 26, 2020

THE STATE OF SOUTH CAROLINA  
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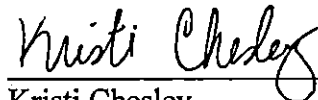
PROOF OF SERVICE

I certify that I have served the Motion to Dismiss for Failure to File Amended Record on Appeal Respondent on the parties in this case by depositing a copy of it in the United States Mail, postage prepaid, on February 26, 2020, addressed to the parties at their addresses of record:

Cynthia G. Aldaqqaq  
5933 Natures Drive  
Las Vegas NV 89122

Brian Magargle  
1301 Gervais St, Ste 810  
Columbia SC 29201

February 26, 2020



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February 26, 2020

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SC Court of Appeals

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

RE: Cynthia G. Aldaqqaq v. South Carolina Department of  
Employment and Workforce and IQOR Holdings US, LLC  
Appellate Case No: 2018-001685

Dear Ms. Kitchings:

Enclosed are the original and six copies of the Motion to Dismiss for Failure to File Amended Record on Appeal of Respondent SC Department of Employment and Workforce in the above referenced case. A Proof of Service is also included in this packet.

Please let me know if you have any questions.

Sincerely,

Kristi Chesley  
Administrative Legal Assistant for  
Steven Jordan  
Attorney for Respondent South Carolina  
Department of Employment and Workforce

**SOUTH CAROLINA**  
**DEPARTMENT OF EMPLOYMENT AND WORKFORCE**  
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