

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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**Jul 13 2020**

APPEAL FROM RICHLAND COUNTY  
Administrative Law Court

**SC Court of Appeals**

The Honorable H. W. Funderburk, Jr., Administrative Law Judge

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Case No. 19-ALJ-21-0158-AP

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Shante Michele Eugene. . . . . Respondent,

v.

South Carolina Department of Motor Vehicles . . . . . Appellant.

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**NOTICE OF APPEAL**

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The South Carolina Department of Motor Vehicles hereby appeals from the Orders of the Honorable H. W. Funderburk, Jr. dated June 19, 2020 and February 6, 2020 (copies attached). Appellant received written notice of these Orders on the dates they were issued by the Court.

s/Brandy A. Duncan  
BRANDY A. DUNCAN, SC Bar # 72052  
Assistant General Counsel  
FRANK L. VALENTA, JR., SC Bar # 5682  
General Counsel  
PHILIP S. PORTER, SC Bar # 4526  
Deputy General Counsel  
South Carolina Department of Motor Vehicles  
Post Office Box 1498  
Blythewood, South Carolina 29016-0020  
Telephone: 803.896.9900  
Email: brandy.duncan@scdmv.net  
ATTORNEY FOR APPELLANT

July 13, 2020

Other Counsel of Record:  
Arie D. Bax, Esquire

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Shante Michele Eugene . . . . . Respondent,

v.

South Carolina Department of Motor Vehicles . . . . . Appellant.

**PROOF OF SERVICE**

PURSUANT TO SUPREME COURT ORDER 2020-000447(g)(3), I HEREBY CERTIFY that today, July 13, 2020, I served one (1) copy of the Notice of Appeal upon Respondent, the South Carolina Administrative Law Court, the Office of Motor Vehicle Hearings by electronically serving (via e-mail) a true and correct copy of each document to:

Arie Bax, Esquire  
At: [arie.baxlaw@gmail.com](mailto:arie.baxlaw@gmail.com)

As Counsel for Respondent;

The Honorable Jana Shealy  
At: [jshealy@scalc.net](mailto:jshealy@scalc.net)

As the Clerk of the South Carolina Administrative Law Court; and

Yolanda Williams  
At: [ywilliams@scalc.net](mailto:ywilliams@scalc.net)

As a Clerk of the Office of Motor Vehicle Hearings.

s/Brandy A. Duncan  
Brandy A. Duncan  
Assistant General Counsel

July 13, 2020

## Duncan, Brandy A

---

**From:** Duncan, Brandy A  
**Sent:** Monday, July 13, 2020 11:15 AM  
**To:** arie.baxlaw@gmail.com; jshealy@scalc.net; ywilliams@scalc.net  
**Cc:** Jeannine Moore (Nina) (Jeannine.Moore@scdmv.net)  
**Subject:** Shante Eugene v. SCDMV - Notice of Appeal to Court of Appeals  
**Attachments:** Shante Eugene v. SCDMV - ALC AMENDED FINAL ORDER 6.19.20.pdf; Shante Eugene v. SCDMV - ALC Final Order 2.6.20.pdf; Shante Eugene v. SCDMV - Cover Letter.pdf; Shante Eugene v. SCDMV - Notice of Appeal.pdf; Shante Eugene v. SCDMV - Proof of Service.pdf

Mr. Bax, Clerk Shealy, and Ms. Williams,

Attached please find PDFs of the following:

- 1) SCDMV's Cover Letter to the Court of Appeals regarding the above referenced appeal;
- 2) SCDMV's Notice of Appeal regarding the above referenced appeal;
- 3) SCDMV's Proof of Service regarding the above referenced appeal.

You are all being served electronically as permitted by the South Carolina Supreme Court's Order # 2020-000447(g).

Clerk Shealy and Ms. Williams I have turned on "Request a Read Receipt" for both of you to serve as SCDMV's "clocked" copy from both of your Courts. If you declined to send a read receipt, please send me a clocked copy of this Notice of Appeal back at Brandy.Duncan@scdmv.net.

Thanks,

Brandy A. Duncan, Asst. General Counsel  
S.C. Department of Motor Vehicles  
P. O. Box 1498  
Blythewood, South Carolina 29016  
(803) 896-9937

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**Jul 13 2020**

**SC Court of Appeals**

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## **Duncan, Brandy A**

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**From:** Yolanda Williams <ywilliams@scal.net>  
**Sent:** Monday, July 13, 2020 11:24 AM  
**To:** Duncan, Brandy A  
**Subject:** Read: Shante Eugene v. SCDMV - Notice of Appeal to Court of Appeals  
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## **Duncan, Brandy A**

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**From:** Jana E. Shealy <jshealy@scalc.net>  
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**To:** Duncan, Brandy A  
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**Duncan, Brandy A**

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**From:** Microsoft Outlook  
**To:** arie.baxlaw@gmail.com  
**Sent:** Monday, July 13, 2020 11:15 AM  
**Subject:** Relayed: Shante Eugene v. SCDMV - Notice of Appeal to Court of Appeals

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[arie.baxlaw@gmail.com](mailto:arie.baxlaw@gmail.com) ([arie.baxlaw@gmail.com](mailto:arie.baxlaw@gmail.com))

Subject: Shante Eugene v. SCDMV - Notice of Appeal to Court of Appeals

Henry McMaster  
Governor



Kevin A. Shwedo  
Director

*State of South Carolina*  
*Department of Motor Vehicles*

July 13, 2020

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

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**Jul 13 2020**  
**SC Court of Appeals**

**RE: *Shante Michele Eugene v. South Carolina Department of Motor Vehicles***  
**ALC Case No: 19-ALJ-21-0158-AP**

Dear Ms. Kitchings:

Enclosed for filing please find a PDF of the South Carolina Department of Motor Vehicle's Notice of Appeal and Proof of Service in the above-captioned matter. Please file these documents and return a "clocked" copy to me via e-mail at Brandy.Duncan@scdmv.net.

Thank you for your assistance with this matter.

Sincerely,

s/Brandy A. Duncan

Brandy A. Duncan  
Assistant General Counsel

Attachments as Stated

cc: Arie D. Bax, Esquire  
The Honorable Jana Shealy, Clerk, S.C. Administrative Law Court  
Yolanda P. Williams, Office of Motor Vehicle Hearings