

August 3, 2020

Re: SCDEW v. Robert Ardis

Appellate Case No. 2020-000

RECEIVED

AUG 03 2020

SC Court of Appeals

Dear Clerk of the S.C. Court of Appeals:

I am writing concerning your July 15, 2020, letter addressed to me, a copy of which is attached. I do offer my apologies for a hand-written response, but I am without ink for my printer, and I am without the unemployment benefits that I am legally entitled to.

Regarding the first issue addressed in your attached July 15, 2020, letter, you will please find the "Order Granting Respondent's Motion to Dismiss." It was entered by Administrative Law Judge H.W. Funderburk, JR. I am a self-represented pro se litigant and "A document filed pro se is to be liberally construed, and a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers. Please see *Krickson v. Pardus*, 551 U.S. 89, 127 S. Ct. 2197 U.S. (2007).

I am respectfully requesting that this Honorable Court fast-track and expedite these matters. It is currently August 3, 2020 and I have been

to wait for the unemployment benefits to which I am legally entitled, since December of 2019. My family is desperately hurting and I desperately need this Court's expedited Relief.

Judge Funderburk, of the Administrative Law Court, ignored the law in these matters, and treated me in a discriminatory manner because I am a pro se self-represented litigant. Instead Judge Funderburk showed deference to the 28 year old attorney of SC DEW, MR. Steven Jordan, simply because he is an attorney.

What matters in these matters are several fold. First there are the written South Carolina laws and the written South Carolina Regulations. In addition, other controlling legal authorities in these matters concern Constitutional Provisions of law, documented South Carolina Decisional Law, and finally the controlling Executive Orders of South Carolina Governor, Henry McMaster. If it would please the Court, what I would like to do is put such

Matters in proper context. And, in direct opposition to the erroneous and legally insufficient "Order" of Judge Funderburk, I am respectfully requesting this Honorable Court Carefully reads and reviews the legal arguments I set forth, for Judge Funderburk, in the following which are attached:

- 1) My Emergency Motion to Vacate Order of Dismissal, and to Schedule Emergency Contested Hearing, and for other Relief.

I filed this with the Court and opposing parties on May 26, 2020

The legal arguments contained in the aforementioned Emergency Motion, completely, and without reservation, eviscerate the "Order" entered by Judge Funderburk.

What absolutely gives absolute legal efficacy to the aforementioned Emergency Motion consists of its Appendix A, which is Executive Order 2020-10 entered by His Excellency South Carolina Governor, Henry McMaster on March 17, 2020.

It is respectfully submitted to this Court that my Emergency Motion to Vacate Order

of Dismissal, and to Schedule Emergency Contested Hearing, and for Other Relief, along with Executive Order 2020-10, of Governor McMaster, entered on March 17, 2020, completely renders Judge Funderburk's Dismissal "Order" as legally moot.

Under the requested Emergency /Expedited attention I have requested in these matters I would respectfully request that this Honorable Court issues an order which VACATES Judge Funderburk's Dismissal "Order" and subsequently Orders SC DEW to immediately RELEASE ALL UNEMPLOYMENT BENEFITS which are most certainly owed to me.

There are many more documents /pleadings that I filed in an attempt to demonstrate to Judge Funderburk the errors of his legal reasoning. I am not including every pleading I filed before the Administrative Law Court, but I am

including a Selected Bibliography of the most important and relevant of such pleadings:

- 2) I am respectfully requesting that this Honorable Court reads and reviews my Second Amended Emergency Motion for Reconsideration and to Schedule Emergency Contested Hearings and for Other Relief which I filed with the Administrative Law Court on June 15, 2020.

I would respectfully implore this Court to carefully and diligently review the controlling legal authorities cited in the aforementioned Emergency Motion. Upon such a review I am confident this Honorable Court will feel compelled to VACATE Judge Funderburk's Dismissal "Order"

- 3) Concurrently, I am requesting this Court's careful, diligent review of my Emergency Motion for Summary Judgment and Other Relief, which was dutifully filed with the Administrative Law Court on April 29, 2020

The legal arguments contained within

The aforementioned Summary Judgment Motions are not only legally sound, but it was egregious, harmful error on the part of the ALC to NOT Grant the requested Summary Judgment. Additionally, the attached Appendixes to the Summary Judgment Motion make it an extremely relevant and timely Summary Judgment and the controlling legal authorities, only to be, again, ignored by Judge Funderburk.

4) And, while there are many, many additional legally sufficient pleadings I could include in these matters, I will conclude with my Memorandum of Law and Emergency Motion for leave to Present Additional Evidence.

Even though, based on the clear legal arguments cited in the prior, legally sufficient legal pleadings, I gave Judge Funderburk an "out" so to speak in this Memo of Law and Emergency Motion filed with the ALC on April 29, 2020:

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Regarding the other matters addressed in this Court's July 15, 2020, letter which is attached, I am not able to pay the filing fee. I have been and am unemployed through no fault of my own, coupled with the Covid 19 situation. I do not have the funds available to pay the \$ 250 filing fee and am requesting indigent status as I had on the ALJ level.

I am writing this Statement regarding Service on the opposing party and the ALJ. At the time I filed the Notice of Appeal with this Court, I dutifully provided a copy on the opposing party and on the Administrative Law Court. It is respectfully submitted this Statement should suffice for Form 7, Appendix C part II of SCACR and Rule 203(e) SCACR.

To the Court, I have been illegally AND unlawfully denied my unemployment benefits contrary to multiple, controlling ~~legal~~ legal authorities.

All I am requesting is that this Honorable Court does not require me to submit to legal technicalities, when ~~NEITHER~~ SC DEW nor the Administrative Law Court have followed the law regarding my unemployment claim. I hereby ATTEST that everything in my attached legal pleadings is the absolute, complete truth. It is respectfully submitted that I am entitled to due Process of Law and the Right to be Heard. This has never, ever happened from the time that I originally filed for unemployment benefits in November of 2019 through the filing with this Court on August 3, 2020. Enough is enough! I am begging this Court to Expedite these matters and Order SC DEW to immediately Release my unemployment



The South Carolina Court of Appeals

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July 15, 2020

Robert M. Ardis
105 North Guignard Drive
Sumter SC 29150

Re: SCDEW v. Robert Ardis
Appellate Case No. 2020-000981

Dear Mr. Ardis:

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- The notice of appeal is not accompanied by the order(s) and/or judgment(s) challenged on appeal.
- The required filing fee has not been submitted. The correct filing fee is \$250.00
- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- A proof of service showing that a copy has been served on the Administrative Law Court has not been provided as required by Rule 203(e), SCACR.