

**STATE OF SOUTH CAROLINA**

**In the Court of Appeals**

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APPEAL FROM THE ADMINISTRATIVE LAW COURT  
H.W. Funderburk, Jr. Administrative Law Judge

Case No.: 20-ALJ-22-0070-AP

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Appellate Case No. 2020-000981

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Robert M. Ardis,

Appellant,

v.

South Carolina Department of Employment and  
Workforce and Sykes Enterprises, Inc.,

Respondents,

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**RECEIVED**  
**Oct 07 2020**  
**SC Court of Appeals**

**APPELLANT’S MOTION FOR ABEYANCE AND/OR FOR EXTENSION OF TIME**

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COMES NOW, the Appellant, Robert M. (Mike) Ardis, on his own behalf<sup>1</sup> and

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<sup>1</sup> See *Erickson v. Pardus* 551 U.S. 89, 127 S. Ct. 2197 U.S., 2007. 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. Pleadings in this case are being filed by the Petitioner *in propria persona*, wherein pleadings are to be considered without regard to technicalities. *Propria* pleadings are not to be held to the same high standards of perfection as practicing lawyers. See *Haines v. Kerner* 92 S. Ct. 594, also See *Powell v. Lennon*, 914 F2d 1459 (11th Cir 1990).

respectfully files this **Motion for Abeyance and/or for Extension of Time**. It is respectfully submitted to this Honorable Court that I am not an attorney, and I will be speaking in a first person, narrative form in order to make my points to the Court.

1. On October 5, 2020, I received a copy of the Return to Appellant's Motion to Strike and to Impose Sanctions filed by the Respondents, via electronic mail.

2. Upon a review of the Return to Appellant's Motion to Strike and to Impose Sanctions a plethora of disingenuous arguments which lack legal efficacy abound. Furthermore, there is an abundance of arguments concerning matters that I did not raise in my **Appellant's Motion to Strike and to Impose Sanctions**, which is attached as **Appendix A** to this pleading.

3. I am a *pro se*, self-represented litigant who has been forced to bring this suit against a non-responsive, mismanaged state agency, which has a consistent pattern of not complying with the laws of South Carolina. Accordingly, I am respectfully requesting additional time to file a Rebuttal to the Return to Appellant's Motion to Strike and to Impose Sanctions filed by the Respondents.

4. This request is being made in good faith and not for any unnecessary delay. The only party being harmed and prejudiced is me, in that I am entitled to thousands of dollars in unemployment compensation which is being illegally held from me, by the Respondents, in direct contradiction of multiple state and federal laws. The Respondents will in no way be harmed by the GRANTING of this request.

5. I am respectfully requesting that this Honorable Court **GRANT** the requested Abeyance and/or Extension of Time, in the interests of justice.

**WHEREFORE**, the Appellant Prays for the following Relief:

a) That this Honorable Court gives these matters consideration, in the interests of justice since the undersigned and his family have been unlawfully denied the unemployment compensation due since November of 2019;

b) That due to the undersigned being a self-represented, pro se litigant, that the Court **GRANTS** the undersigned sufficient time to conduct the necessary legal research and legal arguments to Rebut the meritless, spurious arguments raised by the Respondents in their Return to Appellant's Motion to Strike and to Impose Sanctions filed on October 5, 2020;

c. It is respectfully requested that the Court **GRANTS** the Appellant until Friday, October 30, 2020, to file his Rebutal to the Return to Appellant's Motion to Strike and Impose Sanctions. Such time is necessary for the undersigned to conduct the necessary and required legal research at the law library and on Westlaw;

d. In the alternative, that the Court chooses an appropriate date for the undersigned to file his Return to the Return to Appellant's Motion to Strike and Impose Sanctions, providing the undersigned with sufficient time, in the interests of justice;

e. Any and all further Relief the Court, in its discretion, deems just, proper, and in the interests of justice;

Respectfully submitted on October 7, 2020

*/s/ Robert Michael Ardis*  
Robert Michael Ardis, Appellant  
105 North Guignard Drive  
Sumter, S.C. 29150  
(803) 236-0859  
michael.ardis2001@gmail.com

**VERIFICATION**

COMES NOW the Appellant, ROBERT MICHAEL ARDIS, who, under penalty of perjury and under the laws of the United States of America and the state of South Carolina, does hereby declare that I have read the foregoing, and that the facts alleged therein are true and correct to the best of my knowledge and belief. I understand that a false statement in this verification, and above in Paragraphs 1-5, will subject me to penalties of perjury.

*/s/ Robert Michael Ardis*  
Robert Michael Ardis, Appellant  
105 North Guignard Drive  
Sumter, SC 29150  
michael.ardis2001@gmail.com  
(803) 236-0859

**RECEIVED**  
**Oct 07 2020**  
**SC Court of Appeals**

**CERTIFICATE OF GOOD FAITH**

I HEREBY CERTIFY that this Motion is being filed in Good Faith and not for unnecessary delay. I am making this statement of Good Faith under Penalty of Perjury.

*/s/ Robert Michael Ardis*  
Robert Michael Ardis, Appellant

# APPENDIX A

## STATE OF SOUTH CAROLINA

### In the Court of Appeals

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Robert M. Ardis,

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v.

South Carolina Department of Employment and  
Workforce and Sykes Enterprises, Inc.,

Respondents,

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### **APPELLANT'S MOTION TO STRIKE AND TO IMPOSE SANCTIONS AND FOR OTHER RELIEF**

---

COMES NOW, the Appellant, Robert M. (Mike) Ardis, on his own behalf<sup>1</sup> and

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<sup>1</sup> See *Erickson v. Pardus* 551 U.S. 89, 127 S. Ct. 2197 U.S., 2007. 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. Pleadings in this case are being filed by the Petitioner *in propria persona*, wherein pleadings are to be considered without regard to technicalities. *Propria* pleadings are not to be held to the same high standards of perfection as practicing lawyers. See *Haines v. Kerner* 92 S. Ct. 594, also See *Powell v. Lennon*, 914 F2d 1459 (11th Cir 1990).

respectfully files this **Motion to Strike and to Impose Sanctions and for Other Relief**. It is respectfully submitted to this Honorable Court that I am not an attorney, and I will be speaking in a first person, narrative form in order to make my points to the Court. I categorically **DENY** and **REFUTE** all defamatory, unfounded allegations made by SCDEW in its recent pleading.

1. I am going on the Record making this Court aware that I hate, loathe and despise everything concerning the South Carolina Department of Employment and Workforce. Hereinafter referred to as SCDEW. It, and its Senior Administrators, are especially repugnant and offensive. This firmly held opinion will be borne out in this pleading and in the attached **Appendixes A-J**.

2. Case in point, their Return to Appellant's Motion to Expedite, dated August 17, 2020, and received by me on August 22, 2020. The sole purpose of this unethical filing was their feeble brained attempt to prejudice this Court against me. One thing I did not mention in my confidential email is that I have had three attorneys Sanctioned in the state of Florida, and one attorney Sanctioned in the state of South Carolina. It appears that I shall now add to the total in South Carolina. Never mind that they violated their ethical duties with the inclusion of a **confidential email** that they have labeled as **Exhibit A**. I am of the firm belief that the Office of Disciplinary Counsel will be interested in these matters, regardless of what actions this Court does or does not take against them.

3. As clearly indicated in their **Exhibit A**, I clearly and unequivocally stated, as follows: “. . . *pursuant to the law of this state, consider this email a “settlement negotiation.” Here is the applicable law on such matters and nothing in this email can be used in any court proceeding or pleading.*” Then I included the specific link as indicated in their **Exhibit A**. This meant

absolutely nothing to SCDEW. Their actions, with the inclusion of **Settlement Negotiations**, in a Court Pleading, is beyond reprehensible, and should be indicative to this Court of the exceptionally low and infamous caliber of “attorneys” and “public servants” that it is now dealing with. I would say they should be ashamed, but having dealt with this rogue, state agency, since December of 2019, I am of the firm belief that they have **no shame**. One must have morals in order to feel shame, and from the top (Dan Ellzey) down, this Agency is disgusting and unscrupulous.

4. I respectfully move this Honorable Court to hold SCDEW to account for its unethical actions, in contradiction of the Court Rules, the SC Bar Model Rules of Professional Conduct, and also in contradiction of the Decisional Law of this very Court, with their Return to Appellant’s Motion to Expedite.

5. I am moving this Court to **Strike** the Respondent’s Return to Appellant’s Motion to Expedite, and am also requesting the Court to Impose **Sanctions** for SCDEW’s brazenly unethical, immoral, and indecent behaviors. This Court must act, unlike the Administrative Law Court, a Court that I call into question for even existing.

## **ARGUMENT AND AUTHORITY**

### **Standard of Review**

6. “In ruling on a [Motion to Strike], a Court decides whether a party should be allowed to plead a defense or other matter, not whether there are facts supporting what has been pleaded.” *Alladin Plastics, Inc. v. Wintenna, Inc.*, 301 S.C. 90, 93, 390 S.E.2d 370, 372 (Ct.App.190). “In a

motion to strike as irrelevant, immaterial or redundant, only the pleadings may be considered.”  
*Lancaster v. Sweat*, 239 S.C. 120, 124, 121 S.E.2d 444, 446 (1961).

7. “It is recognized that striking a pleading is a severe remedy and should be resorted to only in cases palpably requiring it for the administration of justice. The remedy will be granted only when the defect is plain, for where there is a semblance of a cause of action or defense set up in the pleading, its sufficiency cannot be determined on motion to strike out.” 41. *Archambault v. Sprouse*, 215 S.C. 336, 343, 55 S.E.2d 70, 73 (1949) *citing* Am.Jur.,Sec. 354, Page 532.

8. “Any objections to impertinent or scandalous matters in a pleading are properly raised by a party in a motion to strike.” *Doe v. Doe*, 324 S.C. 492, 499, 478 S.E.2d 854, 857 (Ct.App.1996).  
“A motion to strike that challenges a theory of recovery in the pleading is in the nature of a motion to dismiss under Rule 12(b)(6), SCRPC.” *McCormick v. England*, 328 S.C. 627, 632, 494 S.E.2d 431, 433 (Ct.App.1997).

9. The law and rules are clear. I clearly, and without any room for interpretation, clarified and stipulated that my July 31, 2020, email, included as their **Exhibit A**, and discussed at length in their Return to Appellant’s Motion to Expedite, was a **Settlement Negotiation**. Regardless of what they thought, they were Obligated to treat it as such. This forms a partial basis of my forthcoming Complaint to the Office of Disciplinary Counsel. The Model Rules regarding Fairness to Opposing Parties, and Fairness to Unrepresented Persons, etc., among other arguments, will be detailed at length. Again, if they had any ethics, they should be ashamed. But they do not.

10. In an ironic twist, this very Court has been crystal clear in such matters. Attached as my **Appendix A**, is this Court's Decision in *Fesmire v. Digh*, 385 S.C. 296 (S.C. Ct. App. 2009) 683 S.E.2d 803, held in part, as follows:

**Evidence** of (1) furnishing or offering or promising to furnish, or (2) accepting or **offering or promising** to accept, a valuable **consideration** in compromising or attempting **to compromise** a claim which was disputed as to either validity or amount, **is not admissible to prove liability** for or invalidity of the claim or its amount. **Evidence of conduct or statements made in compromise negotiations is likewise not admissible.**

11. The emphasis that is notable above, in this Court's Decision (**Appendix A**), was not added by me, but rather, was added by this Court.

12. However, this Court went further on this subject, and wrote the following, concerning precisely what the Respondents did, contrary to this Court's Decision in *Fesmire v. Digh*

This rule contemplates that the parties need to feel free to make certain assumptions for the purpose of settlement \*308 negotiations and that those statements are assumed by the author to be true only for the purpose of compromise negotiations. The rule codifies the longstanding principle that evidence of conduct or statements made in compromise negotiations is **not admissible**. See *QHG of Lake City, Inc. v. McCutcheon*, 360 S.C. 196, 209, 600 S.E.2d 105, 111 (Ct.App. 2004) ("Because the law favors compromises, our appellate courts have long held that testimony as to negotiations and **offers to compromise are inadmissible** for proving liability."); *Commerce Ctr. of Greenville, Inc. v. W. Powers McElveen Assocs., Inc.*, 347 S.C. 545, 558, 556 S.E.2d 718, 725 (Ct.App. 2001) ("The courts favor compromise; accordingly, evidence relating to settlements is generally not admissible to prove liability."); *Hunter v. Hyder*, 236 S.C. 378, 387, 114 S.E.2d 493, 497 (1960) ("[C]ompromises are favored and evidence of an offer or attempt to compromise or settle a matter in dispute cannot be given in evidence

against the party by whom such offer or attempt was made." ). 308  
**(emphasis added)**

13. This is not an oversight by an inexperienced attorney. Mr. Jordan, the attorney for SCDEW, from his own AVVO page, relates the following about himself:

#### **About Steven**

Steven Jordan practices out of Columbia, SC and has been licensed for 9 years. This attorney attended University of South Carolina School of Law and handles cases in Internet, Construction & Development, Appeals.

#### Practice areas

1. Appeals 34%
2. Construction and development 33%
3. Internet 33%

14. An attorney licensed for nearly a decade, who states that he devotes over 1/3 of his case work to Appeals, most certainly was/is aware that what I wrote was a **Settlement Negotiation**. Whether or not the Respondents questioned the “legitimacy” of my **Settlement Negotiation** email is of no moment. I clearly clarified it as such. However, I submit to this Honorable Court that SCDEW is scared. They are scared that they have repeatedly violated the laws, rules, and even the Constitution of South Carolina, for a least over a decade now, and counting. And they

desperately do not want this to come out. But come out it will. I have made it my mission that it will.

15. What SCDEW and its “attorneys’ thought of my July 31, 2020, email is immaterial and of no moment. The fact remains that I submitted it to them under the cloak of protection afforded to me as a **Settlement Negotiation**. This Honorable Court must **not** reward such despicable conduct. Accordingly this Court should Strike the Respondent’s Return to Appellant’s Motion to Expedite.

### **Request for Sanctions**

16. In the next section I intend to demonstrate to this Court the complete lack of oversight, management, and adherence to the laws of this State, as practiced by SCDEW. It is truly a repugnant and lawless State Agency. Sadly, because it rests within the Governor’s Cabinet, the Office of the Governor, which is responsible for its lawlessness, refuses to take corrective actions regarding it. I should know as my repeated Complaints to that Office are regularly ignored.

17. This Court recently issued a Decision in the case of *Harwell v. Harwell*, Appellate Case No. 2017-002290 (S.C. Ct. App. Apr. 8, 2020), wherein, in part, this Court wrote the following:

**Pursuant to Rule 11, a court may impose sanctions on a party or a party's attorney for filing a frivolous pleading, motion, or other paper.** *Id.*; see also *Ex parte Gregory*, 378 S.C. at 437, 663 S.E.2d at 50.

"The party and/or attorney **may also be sanctioned**

for filing a pleading, motion, or other paper in **bad faith** whether or not there is good ground to support it." *Ex parte Gregory*, 378 S.C. at 437, 663 S.E.2d at 50. "The sanction may include an order to pay the reasonable costs and attorney fees incurred by the party or parties defending against the frivolous action or action brought in bad faith . . . ." *Id.* at 437-38, 663 S.E.2d at 50. "**Further, if appropriate under the facts of the case, the court may order a party and/or the party's attorney to pay a reasonable monetary penalty to the party or parties defending against the frivolous action or action brought in bad faith.**" *Id.* at 438, 663 S.E.2d at 50. "(emphasis added)

18. The cretins at SCDEW have the nerve to allege that my case does not warrant being expedited. How dare they?! I have a 78 year old Mother who is suffering from Stage 4 Bone Cancer, that I am caring for, and we are facing eviction from our home. If there was ever a case more deserving of expedition, I would appreciate it if they would direct me to it.

19. I am respectfully requesting that this Court enters monetary **Sanctions** against SCDEW, awarded to me, **in the amount of \$8,150.00.** The amount I am due from SCDEW for the unemployment compensation that it has illegally kept from me and my family since December of 2019. **This Honorable Court has the discretion, jurisdiction, and ability to make this award.**

### **Egregious, Unethical and Illegal Acts of SCDEW**

20. I would respectfully submit to the Court that these matters between myself and SCDEW is personal and ugly. Not on my part, but on the part of SCDEW. They have flagrantly violated the laws of this State for over a decade. Attached as **Appendix B** is **South Carolina Code 1976 § 41-35-760, Publication of department regulations on electronic website. Effective: March 30, 2010.**

21. This is but one issue that has developed into animosity between myself and SCDEW. I am inviting this Court to research the complete SCDEW Website. Look for SCDEW's compliance with **South Carolina Code 1976 § 41-35-760, Publication of department regulations on electronic website.** I will save the Court the time. It will **not** find compliance with this law passed **over ten (10) years ago! That is over a decade ago.** And, in a demonstration of its collective, passive aggressive behavior, SCDEW has repeatedly violated the laws, regulations, rules, and even the South Carolina Constitution, in its denial of my unemployment compensation. This is what I have been up against going on a year now. When you point out their abject failure to comply with a ten year old law, they get very recalcitrant and disagreeable. It is not my fault they are a grossly

incompetent Agency. It is the fault of whoever is doing the hiring over there.

22. In consideration of judicial brevity, I will not attempt to “reinvent the wheel” in this pleading. Rather, I will be including some previously filed pleadings, motions, emails, etc., and would ask that this Court takes Compulsory Judicial Notice of the following, which are self-explanatory.

23. In accordance with Rule 201 of the **South Carolina Rules of Civil Procedure**.

Specifically, **Rule 201(b)** and **Rule 201 (d)**, which read as follows:

**(b) Kinds of Facts.** A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

**(d) When Mandatory.** A court shall take judicial notice if requested by a party and supplied with the necessary information.

I am requesting **Compulsory Judicial Notice** of **Appendix A** and **Appendix B**, and of the following:<sup>2</sup>

**Appendix C      April 20, 2020, Memorandum of Law (minus attachments)<sup>3</sup>**

**8. The Appellant/Claimant avers that he has been Retaliated against, by SC DEW, for pointing out that that Agency has never complied with South Carolina Code**

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<sup>2</sup> I am taking the liberty of excerpting portions of each document below its listing for added emphasis on the true nature of these proceedings.

<sup>3</sup> I have not included the attachments, for any of the Appendixes, out of a sense of brevity. The attachments are part of the Record in the lower tribunal. However, I will provide them should the Court request it.

1976 § 41-35-760, which mandatorily requires the following:

(A) The department must promulgate all regulations described in this chapter and regulations governing procedures at all proceedings, hearings, and appeals before the department or any member or employee of the department, including claims for benefit determinations, and all appeals of determinations regarding those claims, and publish all regulations on an electronic website.(emphasis added)

**Appendix D April 29, 2020, Emergency Motion for Summary Judgment and Other Relief (minus attachments)**

30. Taking each subsection of **S.C. Code Ann. § 1-23-380(5)**), individually, the undersigned at all times is referencing what is contained above, and in all his prior pleadings before the Court:

**Did the Respondents take actions in (a) *in violation of constitutional or statutory provisions?***

The answer is a resounding yes. Please see their noncompliance and violations of **Article I, § 22**, of the S.C. Constitution; their noncompliance and violations of **S.C. Code of Regulations R. 47-51**; and their noncompliance, cited repeatedly by the undersigned, with **S.C. Code Ann. § 41-35-760**; along with multiple other violations not being cited for purposes of brevity;

**Did the Respondents take actions in (b) *in excess of the statutory authority of the agency?***

The answer is a resounding yes. Besides the violations cited immediately above, the Respondents never conducted an evidentiary hearing; the Respondents openly violated the **S.C. Freedom of Information Act**; the Respondents reviewed and considered and incorporated the undersigned's Official Complaint emails, **ex parte**, directed to the Administration of the Respondents, which is simply further conclusive proof that the Respondents have **never** complied with **S.C. Code Ann. § 41-35-760**, in the more than ten (10) years since it became law;

**Did the Respondents take actions in (c) *made upon unlawful procedure?***

The answer is a resounding yes. Where to begin? Making decisions without interviewing the undersigned's witnesses; not holding evidentiary hearings; changing hearing officers without Notice; reviewing and considering Complaint emails; violating numerous statutes, rules, and even the S.C. Constitution; the undersigned could turn this into a dissertation if time permitted;

**Did the Respondents take actions in (d) *affected by other error of law;***

The answer is a resounding yes. Please reference each and everything listed above, and each and every pleading filed by the Appellant/Claimant in this cause;

**Did the Respondents take actions in (e) *clearly erroneous in view of the reliable, probative and substantial evidence on the whole record?***

The answer is a resounding yes. The Appellant/Claimant is verifying this **Emergency Motion** and he stands behind everything he has pled. The Respondents are an inept, lazy, incompetent agency. I am sorry, but they just are. There is no Record, because there has **never** been an evidentiary hearing. The Respondents have retaliated against the undersigned because he has pointed out that the Respondents have never, ever Complied with **S.C. Code Ann. § 41-35-760**. The Respondents, by simply having a link on their website, which has a copy of the law, is **not** Compliance. They should be ashamed of themselves.

**Did the Respondents take actions in an (f) *arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.***

The answer is a resounding yes. The undersigned would respectfully request that the Court reviews everything he has filed in this cause. There has been rampant, multiple arbitrary, capricious actions, and not just an abuse of discretion, but a perversion of discretion. It sickens me that a state agency would behave in such a disgusting manner. And, the undersigned would ask the Court to take **Judicial Notice** of the fact that the Respondents, have **never, ever, not once**, attempted to deny the allegations of the undersigned. Respectfully, this Honorable Court should not require anything further.

**Appendix E      May 26, 2020, Emergency Motion to Vacate Order of Dismissal and to Schedule Emergency Contested Hearing, and for Other Relief (minus attachments)**

10. Both Executive Branch Agencies, the Administrative Law Court and the South Carolina Department of Employment and Workforce, have been **ORDERED** by the Governor, in **Executive Order 2020-10**, to:

Section 3. I hereby authorize **and direct any agency** within the undersigned's Cabinet or any other department within the Executive Branch, as defined by **section 1-30-10 of the South Carolina Code of Laws**, as amended, through its respective director or secretary, to **waive or "suspend provisions of existing regulations prescribing procedures** for conduct of state business if strict compliance with the provisions thereof would **in any way** prevent, hinder, or delay necessary action in coping with the emergency," in accordance with **section 25-1-440 of the South Carolina Code of Laws** and other applicable law. (**emphasis supplied**)

**Appendix F      June 15, 2020, Second Emergency Motion for Reconsideration, and to Schedule Emergency Contested Hearing and for Other Relief (minus attachments)**

- Appendix G**      **South Carolina Code 1976 § 41-35-610. Procedures must be pursuant to department regulations; duties of employers. Effective: March 30, 2010<sup>4</sup>**
- Appendix H**      **Friday, August 7, 2020, email to senior administrators of SCDEW<sup>5</sup>**
- Appendix I**      **Monday, August 10, 2020, email to senior administrators of SCDEW**
- Appendix J**      **Copies of various Certified Mail Receipts. These represent the only way that SCDEW will admit to actually receiving something that I have sent them. I am sick and tired of dealing with such a duplicitious organization. This Court should exact tough Sanctions upon these rogues, in accordance with its discretion and jurisdiction.**

24. I am respectfully requesting that this Court completely and fully reads and reviews what is contained in **Appendixes A- J**. A complete review of these Appendixes will fully apprise this Honorable Court of the reprehensible “state agency” with which it has been my unfortunate to deal with for nearly a year.

25. I am respectfully requesting that this Honorable Court views this pleading, and everything I have filed, in a light most favorable to me. In the case of *Erickson v. Pardus* , 551 U.S. 89, 127 S. Ct. 2197 U.S., 2007, regarding the lenency given to *pro se* filings, the Supreme Court held:

The Court of Appeals' departure from the liberal pleading standards set forth by Rule 8(a)(2) is even more pronounced in

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<sup>4</sup> Here again, this is laughable seeing as how SCDEW has **never** with **Appendix B** is **South Carolina Code 1976 § 41-35-760**,

<sup>5</sup> These two emails are further evidence of SCDEW violating its very own policies and procedures in a defiant act of **Retaliation** against me for daring to point out their failures to comply with the Laws of South Carolina. These represent more recent, open violations of the law, committed by SCDEW.

this particular case because petitioner has been proceeding, from the litigation's outset, without counsel. A document filed pro se is "to be liberally construed," *Estelle*, 429 U.S., at 106, 97 S. Ct. 285, and "a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers," *ibid.* (internal quotation marks omitted). Cf. Fed. Rule Civ. Proc. 8(f) ("All pleadings shall be so construed as to do substantial justice").

**WHEREFORE**, the Appellant Prays for the following Relief on an

**Emergency Basis:**

a) That this Honorable Court gives these matters **Emergency** attention, in the interests of justice since the undersigned and his family have been without any income since November of 2019;

b) That pursuant to **Rule 201(b)** and **Rule 201 (d)**, **South Carolina Rules of Civil Procedure**, that the Court takes **Compulsory Judicial Notice** of everything the Appellant has filed in this matter, including all pleadings and Motions from the lower tribunal, and the attached **Appendix A** through **Appendix J**;

c) What SCDEW and its "attorneys' thought of my July 31, 2020, email is immaterial and of no moment. The fact remains that I submitted it to them under the cloak of protection afforded to me as a **Settlement Negotiation**. This Honorable Court must not reward such despicable conduct. Accordingly this Court should **Strike** the Respondent's Return to Appellant's Motion to Expedite, in accordance with the Court Rules and Model Rules of Professional Conduct;

d) Pursuant to **Rule 12(f)**, **South Carolina Rules of Civil Procedure**, I am respectfully requesting that this Court issues an **ORDER** which **STRIKES** the Respondent's Return to Appellant's Motion to Expedite, for all the reasons set forth herein;

e) This Court recently issued a Decision in the case of *Harwell v. Harwell*, Appellate Case No. 2017-002290 (S.C. Ct. App. Apr. 8, 2020), where this Court held in part:

**Pursuant to Rule 11, a court may impose sanctions on**

**a party or a party's attorney for filing a frivolous pleading, motion, or other paper.** (emphasis supplied)

f) In accordance with this Honorable Court's Decision *Harwell v. Harwell*, I am respectfully requesting that this Court impose **SANCTIONS**, against the South Carolina Department of Employment and Workforce, and its attorney Mr. Steven A. Jordan, Jr., based upon everything contained in this pleading, and as detailed in the attached **Appendixes A-J**. I am respectfully requesting that the Court assesses **monetary damages against the Respondents** in the amount of **\$8,150.00**, in accordance with this Court's holding in *Harwell v. Harwell*;

g) That this Honorable Court ORDERS the attorney for the Respondents, Steven A. Jordan, Jr., to self-report his unethical conduct to the S.C. Supreme Court's Office of Disciplinary Counsel;

h) That this Honorable Court, in **ORDERS** SCDEW to immediately begin following the provisions of **House Bill 4014, Labor and Employment Law, South Carolina Laws Act 203**, which requires **all decisions** reached by SC DEW, must be done in accordance with the **South Carolina Rules of Civil Procedure** and the **South Carolina Administrative Procedures Act**;

i) That this Honorable Court ORDERS SCDEW to implement the legal provisions specified in **Appendix B, South Carolina Code 1976 § 41-35-760, Publication of department regulations on electronic website. Effective: March 30, 2010**. As clearly set forth in this and other pleadings I have filed in the lower tribunal, SCDEW has NEVER implemented the provisions of this Codified Law, for well over a full decade. There should be consequences for this because countless thousands of fellow South Carolinians have been negatively impacted by should grossly incompetent and illegal actions;

j) Any and all other Relief the Court deems just, proper, and in the interests of justice;

Respectfully submitted on August 31, 2020

/s/ Robert Michael Ardis

Robert Michael Ardis, Appellant  
105 North Guignard Drive  
Sumter, S.C. 29150  
(803) 236-0859  
michael.ardis2001@gmail.com

### **VERIFICATION**

COMES NOW the Appellant, ROBERT MICHAEL ARDIS, who, under penalty of perjury and under the laws of the United States of America and the state of South Carolina, does hereby declare that I have read the foregoing, and that the facts alleged therein are true and correct to the best of my knowledge and belief. I understand that a false statement in this verification, and above in Paragraphs 1-25, will subject me to penalties of perjury.

/s/ Robert Michael Ardis

Robert Michael Ardis, Appellant  
105 North Guignard Drive  
Sumter, SC 29150  
michael.ardis2001@gmail.com  
(803) 236-0859

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that a copy of this **Emergency Motion**, and its **Appendixes**, have been provided to the Court and the South Carolina Department of Employment and Workforce, on this 31st day of August 2020, via U.S. Mail.

*/s/ Robert Michael Ardis*

Robert Michael Ardis, Appellant

**THE STATE OF SOUTH CAROLINA**

**In the Court of Appeals**

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APPEAL FROM THE ADMINISTRATIVE LAW COURT  
H.W. Funderburk, Jr. Administrative Law Judge

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Appellate Case No. 2020-000981

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Robert M. Ardis,

Appellant,

v.

South Carolina Department of Employment and  
Workforce and Sykes Enterprises, Inc.,

Respondents,

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**PROOF OF SERVICE**

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Pursuant to SCACR I hereby Certify that I have provided the Respondents with a copy of the attached **Appellant's Motion for Abeyance and/or for Extension of Time**, via electronic mail and United States Postal Mail. This Proof of Service is in strict Compliance with the SCACR.

October 7, 2020

/s/ Robert Michael Ardis  
Robert Michael Ardis, Appellant  
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Sumter, SC 29150  
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(803) 236-0859

**RECEIVED**  
**Oct 07 2020**  
**SC Court of Appeals**

**RECEIVED**

**Oct 07 2020**

**SC Court of Appeals**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that a copy of this **Motion**, and its **Appendixes**, have been provided to the Court and the South Carolina Department of Employment and Workforce, on this 7th day of October 2020, via electronic and U.S. Mail.

/s/ Robert Michael Ardis

Robert Michael Ardis, Appellant