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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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

Case No. 20-ALJ-30-0134-AP

South Carolina Criminal
Justice Academy LE Training
Council,

Respondent(s),

v.

Appellant.

Karina Garcia,

NOTICE OF APPEAL

PLEASE TAKE NOTICE that the Appellant, Karina Garcia, by and through her undersigned attorney of record, hereby gives Notice of Appeal from the order in the above-referenced case. (See Attached Order.) The judgment was imposed by Shirley C. Robinson, an Administrative Law Judge. The Appellant received notice of the judgment and order on October 29, 2020. Appellant's counsel would note that he is filing this Notice of Appeal; however, Appellant has informed her counsel of her desire to obtain a new attorney. It is therefore Appellant's undersigned counsel's belief that these filings conclude their representation of the Appellant.

Appellant Karina Garcia submits the following grounds for appeal:

1. The Administrative Law Court (hereinafter "ALJ") committed reversible error insofar as they failed to overturn the Law Enforcement Training Council's (hereinafter "LETC") decision to permanently denied Karina Garcia (hereinafter "Garcia") from

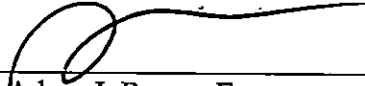
maintaining a law enforcement certification despite a lack of substantial evidence of her alleged misconduct.

2. The ALJ committed reversible error by failing to require the LETC to consider mitigating circumstances surrounding the act or omission constituting or alleged to constitute the misconduct. In the Final Agency Decision (hereinafter "FAD"), the LETC failed to take note of any of the information provided by Garcia in her May 4, 2020 letter. This letter contained multiple mitigating circumstances that should have been considered in the LETC's decision pursuant to SC Reg 37-025(B).
3. The ALJ committed reversible error when it failed to require the LETC to review a motion to reconsider filed by Karina Garcia on March 12, 2020.
4. Any other grounds for appeal will be ascertained after a full review of the record.

Respectfully Submitted,

DRENNAN LAW FIRM, LLC

By: _____


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ATTORNEY FOR THE APPELLANT

Mount Pleasant, SC

11/9/, 2020

NOTICE OF APPEAL
THE STATE OF SOUTH CAROLINA
In the Administrative Law Court

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SC Court of Appeals

Docket No. 20-ALJ-30-0134-AP

South Carolina Criminal Justice Academy
LE Training Council

Respondent(s),

vs.

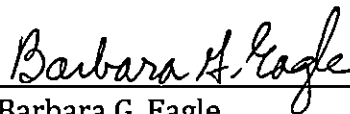
Karina Garcia

Appellant.

PROOF OF SERVICE

I do hereby certify that I have served the Notice of Appeal in the above-captioned action, by depositing it in the United States Mail, postage prepaid on this 9th day of November, 2020, addressed to:

James Fennell, Esq.
General Counsel
South Carolina Criminal Justice Academy - LETC
5400 Broad River Road
Columbia, SC 29212



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November 9, 2020

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SC Court of Appeals

Clerk of Court
South Carolina Court of Appeals
Calhoun Building
1220 Senate Street
Columbia, SC 29201

RE: SC Criminal Justice Academy LE Training Council v Karina Garcia
Docket No. 20-ALJ-30-0134-AP

Dear Clerk of Court:

Enclosed is the original and four (4) copies of our Notice of Appeal to the South Carolina Administrative Law Court on the above case and Certificates of Service for the same. I respectfully request that you file three copies and return to us a clocked copy in the enclosed self-addressed stamped envelope.

If you have any questions, please do not hesitate to call our office.

Respectfully,

Adam J. Russo, Esq.

cc: James Fennell, Esq., General Counsel – LETC
The Honorable Shirley C. Robinson - SCALC

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