

THE STATE OF SOUTH CAROLINA

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In the Court of Appeals

Feb 17 2021

SC Court of Appeals

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

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

Appellate Case No. 2020-000981

Robert M. Ardis,

Appellant,

v.

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

Respondents

APPELLANT'S MOTION TO FILE INITIAL BRIEF OUT OF TIME

COMES NOW, the Appellant, ROBERT M. ARDIS, on his own behalf¹, and respectfully files this his **Motion to File Initial Brief Out of Time**. In support thereof the undersigned would show the Court as follows:

1. The undersigned apologizes for not meeting the deadline set by this Honorable Court. But circumstances were beyond his control.
2. The Appellant/Claimant is the sole caregiver for his 79 year old Mother who is suffering from Stage 4 Bone Cancer. To complicate matters she fell and broke her knee in mid-January, then in late January she suffered a stroke. She requires constant care and attention.
3. The failure to comply with the Court's timeline was not intentional. And upon the notification of the Court's most recent Order/Letter, I have diligently worked to adhere to the February 18, 2021, deadline by rising at 3:30 am, while my Mother has been sleeping, in order to complete the Initial Brief.

WHEREFORE, I would respectfully request that this Honorable Court accepts and reviews my Initial Brief, and its Exhibits, out-of-time, in the interests of justice and due process.

¹ 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 submitted on this 17th day of February 2021.

Robert M. Ardis
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VERIFICATION

I HEREBY CERTIFY that, under penalty of perjury, that everything contained within this **Motion** is the absolute truth. The Appellant/Claimant is Verifying this **Motion** in that this is a crucially important issue to the undersigned, and he desires to impart its importance to the tribunal via this Verification.

Robert M. Ardis
Robert M. Ardis, Appellant/Claimant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a copy of this **Motion** has been provided to the Court via the E-Filing system and to the South Carolina Department of Employment and Workforce on this 17th day of February 2021.

Robert M. Ardis
Robert M. Ardis, Appellant/Claimant