

RECEIVED

STATE OF SOUTH CAROLINA ADMINISTRATIVE LAW COURT **Dec 22 2021**

SC Court of Appeals

Keiarra Carr,)	
Appellant,)	Docket No. 21-ALJ-22-0245-AP
)	
)	
vs)	Appellants Joint Return to Respondents
)	
South Carolina Department of)	
Employment and Workforce and)	
JDC Mgmt LLC)	
Respondent(s),)	
_____)	

The court should not consider SC DEW respondent to my motion for Re-Hearing. SC DEW has too been late on a hearing on their behalf, and this has been mentioned and proof has been provided several times. Additionally, I provided reasoning for my need a re-hearing: 1. Facing an eviction due to these circumstances. 2. Having covid 19 and strep throat. 3. I have severe ADHD and a brain behavior dysfunction. 4. Unlike these corporations I cannot afford an attorney, I can barely afford my rent. 5. I have been suffering from postpartum depression. 6. I had to have a procedure on my spine.

I have been suffering mentally and physically from this entire ordeal, having to send my children away to family so that I can take care of myself mentally, and physically. The proof is there, I have been putting my all into this case since they gave me my initial unfair ruling.

I would like to request that my hearing from 12/03/2020 with SC DEW be played, at the time of the hearing we were to discuss my overpayment ruling. That ruling of overpayment came from SC DEW stating that I left my job without good cause. When that hearing took place I asked the advisor "aren't we supposed to be discussing my overpayment at it is listed here on my paper" she responded "no" so my hearing for the overpayment ruling regarding employment at JDC management did not take place when it was supposed to. There was no punishment on their behalf for that, why am I being punished for being a human with a disability while still trying to find the means to survive?

This is also not the first time SC DEW has tried to accuse me of inaccurately doing something on my behalf. SC DEW accused me of not filling a request of an appeal, I then provided proof showing I did via fax, email, portal, and mail in. SC DEW then issued me a new hearing,

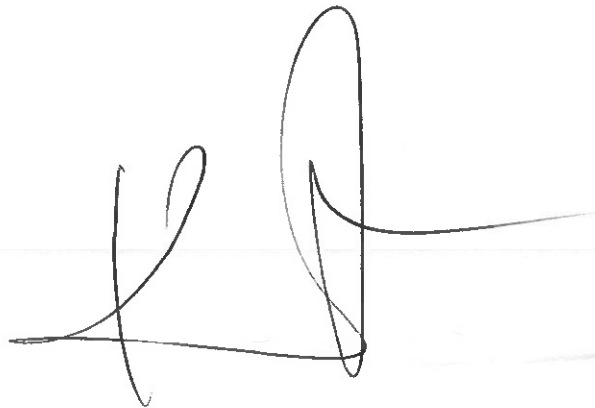
State of South Carolina
FILED
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 Administrative Law Court

accepting their faults in this matter. This is a corporation with attorneys that made huge mistakes on my claim, and they try to belittle me.

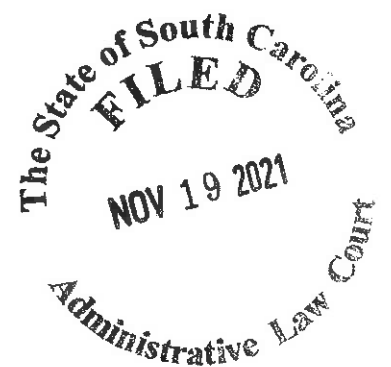
This entire process has been beyond stressful for me, because I have been doing my best with my due diligence from the very beginning even when SC DEW made inaccurate decisions on my claim. You can see on my SC DEW portal 9 different appeals under the history, reading "previously re-opened, and void" because they were catching their mistakes.

My hearing did not take place until 05/20/2021 which they then labeled it as voluntary quit/discharge. This is after the appellate attempted to disqualify me for not being time with my appeal request, and not abiding by my initial hearing, which was to cover over payment, that hearing has yet to happen.

Right is right, and wrong is wrong. If they get a pass for their negligence, is there discrimination towards me? They've been doing this for years, under legal advice, and they too made several mistakes. Can we please all be fair here in this matter, I am literally struggling to survive, and I am ultimately only asking for what fair and right. I have done absolutely nothing wrong in this case besides be uneducated on how to properly file things, but even with that I still try, and I learn to do the right thing even with several disabilities.

A handwritten signature in black ink, consisting of a stylized first letter followed by a large, looped second letter and a horizontal line extending to the right.

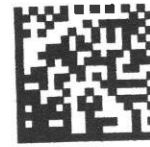
11/19/2021





South Carolina
Department of Employment and Workforce

Appeal Tribunal
P.O. Box 995
Columbia SC 29202



14035930

NOTICE OF HEARING BEFORE APPEAL TRIBUNAL (TELEPHONE CONFERENCE)

Mail Date: 11/25/2020

Claimant Name: KEIARRA CARR
Address: 3428 LEGACY EAGLE DR APT 203
MOUNT PLEASANT SC 29466

Social Security Number: XXX-XX-2258
Claimant ID: 10879149
Appeal Number : 20-LA-047246
Phone: 980-777-0071

An administrative hearing will be held TELEPHONE CONFERENCE on: 12/03/2020 from 11:00 AM to 11:30 AM, Eastern Standard Time, BEFORE: AN APPEAL TRIBUNAL, Administrative Hearing Officer, for the SC Department of Employment and Workforce. The parties will be called by the hearing officer at the telephone numbers shown on this form. **IF THE TELEPHONE NUMBER IS INCORRECT OR NO TELEPHONE NUMBER IS SHOWN, YOU MUST CALL THIS TOLL-FREE NUMBER 866-269-5680 IMMEDIATELY TO INFORM US OF YOUR TELEPHONE NUMBER SO THAT YOU CAN PARTICIPATE IN THE HEARING.**

If you have not been called within 10 minutes after the scheduled time of the hearing, you must call 803-737-2520. Either another hearing is still in progress, or we are unable to contact you. Failure to call or participate in the hearing may result in your interests being considered abandoned.

The issue(s) for the hearing are:

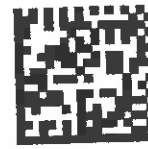
- Able / Available / Work Search
- Overpayment - *never took place*

SCHEDULE CONFLICTS: Hearing postponements are not ordinarily granted. However, if you have a justifiable conflict, notify the Department as soon as possible before your hearing. If you do not, a later request to reopen your hearing may be denied. Contact an appeals representative at 803-737-2520, AT ONCE, if you cannot be present at the time scheduled and wish to request a postponement of the hearing.

PURPOSE OF THE HEARING: The hearing is a fact-finding process that uses a question-and-answer method. Each side may present testimony, witnesses, and documents relevant to its case. The hearing officer will conduct a fair hearing, determine what is relevant, and make sure the record is complete. After the hearing, the officer will prepare a written decision based on the evidence. That decision will be mailed to you.

SPECIAL NOTE: The Appeal Tribunal may reverse, affirm, or modify the decision on appeal. **Be advised that if a disqualification is at issue, then the appeal may result in an increase or decrease of the disqualification.**

WHAT HAPPENS AT A HEARING: This notice lists what issues the hearing will cover. The hearing is recorded and all proceedings are taken under oath. After explaining the law and procedures, the hearing officer will ask questions of each side and its witnesses in turn. After all testimony is taken from one side the same procedure is repeated for the other side. Wait your



17989645

DECISION OF APPEAL TRIBUNAL

Hearing Date: May 11, 2021

Appeal Number: 21-LA-009105

KEIARRA CARR
2861 HILTON CIR NW
KENNESAW GA 30152

CLAIMANT

JDC MANAGEMENT LLC
474 WANDO PARK BLVD STE 102
MT PLEASANT SC 29464-7933

EMPLOYER

APPELLANT: Claimant

SSN: XXX-XX-2258

CLAIMANT ID:10879149

APPEARANCES

FOR THE CLAIMANT: Claimant

FOR THE EMPLOYER: NONE

ISSUE STATEMENT

The issue in this case is timeliness of the claimant's appeal.

FINDINGS OF FACT

The claimant untimely appealed a claims adjudicator's determination mailed October 19, 2020, wherein she was held disqualified from receiving benefits effective May 24, 2020, upon a finding she quit her job without good cause. The claimant appealed to the Appellate Panel and the Panel granted a new hearing before the Tribunal to take testimony concerning timeliness of the claimant's appeal and render a decision.

The claimant received the determination on October 19, 2020. She read the determination and understood that she was disqualified and had appeal rights. The claimant submitted her appeal by fax on October 21, 2020. The appeal period expired on October 29, 2020.

REASONS

South Carolina
Department of Employment and Workforce

S.C. Code Ann. §41-35-660 provides that any interested party may file an appeal not later than ten (10) days after a determination was mailed to the last known address.

The Department properly mailed the determination disqualifying the claimant from benefits to her address of record. The deadline to file an appeal was October 29, 2020. The claimant uploaded her appeal by fax on October 21, 2020 which was within the 10 day limit for appeal of the mailing of October 19, 2020. Hence, the appeal dated October 21, 2020, is timely filed.

DECISION

 The Tribunal finds the claimant's appeal timely filed and a hearing will be scheduled on the separation of employment. 

This will be the final decision of the Agency, unless you file an appeal to the Appellate Panel setting forth in detail the grounds for appeal within ten (10) calendar days, including weekends and holidays, from the mailing date of this decision. If the tenth day falls on a Saturday, Sunday or holiday, the appeal period is extended to the next business day. Your appeal may be filed by mail addressed to "Appellate Panel, Post Office Box 1752, Columbia South Carolina, 29202", or by fax at 803-737-3166. For additional information on filing an appeal, visit our web site at <https://dew.sc.gov/individuals/manage-your-benefits/appeals>.



Harold W. Goldin
Administrative Hearing Officer

Decision Mailed: May 12, 2021



South Carolina
Department of Employment and Workforce

Appeal Tribunal
P.O. Box 995
Columbia SC 29202



18014871

NOTICE OF HEARING BEFORE APPEAL TRIBUNAL (TELEPHONE CONFERENCE)

Mail Date: 05/13/2021

Claimant Name: KEIARRA CARR
Address: 2861 HILTON CIR NW
KENNESAW GA 30152

Social Security Number: XXX-XX-2258
Claimant ID: 10879149
Appeal Number : 21-LA-021603
Phone: 980-777-0071

Employer name: JDC MANAGEMENT LLC
Address: 474 WANDO PARK BLVD STE 102
MT PLEASANT SC 29464-7933

Phone: 843-881-7550

An administrative hearing will be held TELEPHONE CONFERENCE on: 05/20/2021 from 11:15 AM to 12:15 PM, Eastern Time, BEFORE: HAROLD GOLDIN, Administrative Hearing Officer, for the SC Department of Employment and Workforce. The parties will be called by the hearing officer at the telephone numbers shown above. IF THE NUMBER IS INCORRECT OR NO NUMBER IS SHOWN, YOU MUST REGISTER A CONTACT NUMBER IMMEDIATELY AT <https://sc.c2tinc.com/register/> SO YOU CAN PARTICIPATE IN THE HEARING. IF YOU PREVIOUSLY REGISTERED A NUMBER FOR THIS HEARING, YOU MAY UPDATE IT IF YOU HAVE YOUR CONFIRMATION NUMBER AVAILABLE.

If you have not been called within 10 minutes after the scheduled time of the hearing, you must call 803-737-2520. Either another hearing is still in progress, or we are unable to contact you. Failure to call or participate in the hearing may result in your interests being considered abandoned.

The issue(s) for the hearing are:

- Voluntary Quit
- Discharge

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PURPOSE OF THE HEARING: The hearing is a fact-finding process that uses a question-and-answer method. Each side may present testimony, witnesses, and documents relevant to its case. The hearing officer will conduct a fair hearing, determine what is relevant, and make sure the record is complete. After the hearing, the officer will prepare a written decision based on the evidence. That decision will be mailed to you.

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APPEALS

Appeals History

APPEAL ID	APPEAL DATE	CLAIMANT	EMPLOYER	STATUS	LEVEL
<input checked="" type="radio"/> 225408	05/20/2021	KEIARRA CARR	JDC MANAGEMENT LLC	Closed	Board of Review
<input type="radio"/> 221835	05/11/2021	KEIARRA CARR	JDC MANAGEMENT LLC	Closed	Appellate
<input type="radio"/> 216472	04/21/2021	KEIARRA CARR	JDC MANAGEMENT LLC	Dismissed	Appellate
<input type="radio"/> 204893	03/11/2021	KEIARRA CARR	JDC MANAGEMENT LLC	Closed	Appellate
<input type="radio"/> 204892	03/11/2021	KEIARRA CARR	JDC MANAGEMENT LLC	Closed	Board of Review
<input type="radio"/> 203494	11/30/2020	KEIARRA CARR	JDC MANAGEMENT LLC	Previously Reopened	Appellate
<input type="radio"/> 203485	12/21/2020	KEIARRA CARR	JDC MANAGEMENT LLC	Void	Appellate
<input type="radio"/> 193469	12/08/2020	KEIARRA CARR	JDC MANAGEMENT LLC	Closed	Board of Review
<input type="radio"/> 180443	08/20/2020	KEIARRA CARR	JDC MANAGEMENT LLC	Closed	Appellate

As a human with multiple disabilities and suffering from physical sickness, yes, I admit to my fault of being untimely with this response, **THIS TIME**. The proof shows I have been dealing with this for so long this is a trigger to my anxiety and my depression. But I beg you court please, the facts are all there, I have done absolutely no wrong in this entire ordeal. I simply want to provide for myself and my family, and get ourselves out of this financial burden that has a severe storm cloud over my life.



11/19/2021

