

**RECEIVED**

**Jan 24 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of  
Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW  
COURT

The Honorable H. W. Funderburk Jr.

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Case No. 2021-001444

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South Carolina Department  
of Employment and  
Workforce and JDC Mgmt.  
LLC

Respondent,

v.

Keiarra Carr,

Appellant.

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Appellants Motion to Dismiss Respondents request to Dismiss

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Appellant Keiarra Carr mailed via USPS, and e-filed the notice of appeal (Exhibit A). Regarding this case and this manner South Carolina Department of Employment and Workforce, JDC Management, and the Administrative Law Court have all made mistakes. SC DEW was to conduct an administrative hearing before an appeal tribunal administrative hearing officer on 12/03/2020. This hearing was to go over able/available/work search, and overpayment, the overpayment was in fact not covered as it was supposed to be.

On 12/30/2021 the appellant asked Steven Jordan for the recording of this hearing he stated, "The Department does not have a transcript of the hearing on December 3, 2020." That hearing was not an issue on appeal before the Administrative Law Court, and thus, the Department did not create a transcript for it." To add, SC DEW has tried to label Keiarra Carr untimely before, when the appellant was able to provide supporting documentation, they then dismissed the case ruling it in my favor. SC DEW would also label my weekly claims as

inaccurate stating that Keirra Carr was not answering the weekly claim questions correctly when in fact the questions they were stating she was being asked, was not showing on her end.

JDC Management has made several mistakes during the time of the appellants employment, mistakes with rental move ins that would fall on the appellant. Mistakes regarding staffing the office, as well as Keiarra Carr's hiring, training, and onboarding process. The issue with proper training and onboarding make it unfair to hold the appellant accountable when proper training has not been given to set the appellant up for work related success. JDC Management also made the mistake of having a Part Time employee working two properties alone with no Property Manager on site for nearly four months. This does not help employees learn to be successful in the work environment and carry out their specific duties successfully.

JDC and SC DEW both made the mistake of labeling my leave as "quitting under normal working conditions" when I have provided proof and statements from the Vice President, the Hiring Property Manager, and a Resident, that I was never working under normal working conditions, and I gave a proper notice to resign due to me going into labor.

The Administrative Law Court made a mistake of addressing court documentation addressed to the wrong person, which later resulted in them amending their initial court document due to the inaccuracy. This issue should not be held against the appellant and a proper extension should be granted due to their mistake. The administrative Law Court should accept accountability and provide the proper extension to the appellant for proper protocols and procedures.

All of these things have been stated because, large corporations who have experience and legal professionals handling these matters are making several mistakes and errors. This is ok and to be understood. They have the right to make the mistake if they correct properly and take responsibility for the mistake. That is unfair to place an expectation on an individual rightfully representing themselves. With this stated the Appellant Keiarra Carr ask the Court to dismiss the Respondents Motion to dismiss.

When submitting these documents for e-filing my email automatically populates and CC's the emails affiliated with this claim. Since then full advantage has been taken of this technical feature. There has been a tremendous amount of money spent on providing postage to all these companies as well.

The appellant Keiarra Carr is a Thirty-year-old mother of three small children who is dealing with postpartum depression, diagnosed severe ADHD, diagnosed brain behavior dysfunction, diagnosed anxiety/depression. Keiarra Carr has had to have a procedure completed on her spine. Her children have all been affected by both Covid-19 and the Omicron variant. Keiarra Carr has had her utilities shut off, resulting in me not being home or having access to mail for an extended period. She has been evicted and displaced from her home uncertain of where she will be living as on 1/31/2022. Every medical condition here has proper proof and documentation as well. (Exhibit B, C, and D)

She has no current income because she has no proper childcare or financial means to find any. She has been dealing with the stress and trauma involving this case for nearly two years. Keiarra Carr attends therapy sessions weekly, and psychiatric visits, and lastly, representing herself, unskilled, and unknowledgeable in this area but still doing the very best and ultimately no one can argue against the proof, and facts that have been listed throughout this entire ordeal. The appellant Keiarra Carr is simply asking for the proper protocols to be taken. To be provided a fair case and accountability to be taken from the Court for this matter.

# Exhibit A

Notice of appeal sent to Court Of Appeals Filings <ctappfilings@sccourts.org>,  
"Elizabeth A. Perkins" <eperkins@scal.net>,  
Isanders@bloodgoodsanders.com,

The screenshot shows a Gmail interface with a search bar containing 'in:sent'. The left sidebar lists folders: Compose, Inbox (13), Starred, Snoozed, Sent, Drafts (14), [imap]/Drafts, Deleted Messages, Notes, and More. Below these are 'Meet' options (New meeting, Join a meeting) and 'Hangouts' with a contact named Keiarra. The main email view shows a thread titled 'Notice of Appeal in a Civil Case' (Inbox x). The first email is from Keiarra Herbert, dated Tue, Dec 14, 2021, 1:24 PM, with the text: 'To the Court of Appeals, thank you for your assistance in this matter.' The second email is from Court Of Appeals Filings <ctappfilings@sccourts.org>, dated Tue, Dec 14, 2021, 2:07 PM, with the text: 'Dear Ms. Carr: The Court has received your filing. A stamped copy is attached for your records. Thank you.' Below the email body is a yellow warning box: '\*\*\* EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*'. At the bottom, there is a 'CONFIDENTIALITY NOTICE' and a notification banner: 'Enable desktop notifications for Gmail. OK No thanks X'.

# Exhibit B

**Cobb County Water System**  
660 South Cobb Drive, Marietta, GA 30060-3105  
Office: 8 a.m. – 5 p.m.  
Drive Thru: 7:30 a.m. – 5 p.m.  
Night Deposit: 24 hours  
Call Center: 7:30 a.m. – 5 p.m.  
www.cobbwater.org

## DISCONNECTION NOTICE

**You must call to have service restored.**  
770-419-6200

Water service will be restored when the total balance, plus a deposit (if applicable) and a \$50 field service fee are paid in full during the hours of 7:30 a.m. – 5 p.m., Monday thru Friday. A premium fee of \$75 will be added for restoration calls made after hours (between 5 p.m. and 8 p.m.) Call (770) 419-6201 for after hour request. The \$75 premium fee, the total balance, a deposit (if applicable), and a \$50 field service fee must be paid by 12 noon the next business day to prevent service disconnection. **No service restorations on weekends.** Field service fees must be paid regardless of whether or not the meter is actually turned off. If a second trip is required due to running water, an additional charge of \$25 will be assessed. Field technicians do not accept payments. Please turn fixtures and faucets off to avoid waste or damage when service is restored. Cobb County Water System is not responsible for any damages caused by open faucets.

Scheduled service restoration may occur after 8 p.m. due to heavy workload.

**COBB EMC**  
BRINGING YOU POWER

Date and Time \_\_\_\_\_  
Employee \_\_\_\_\_

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### Notes

**Mail:** Send a check or money order payable to Cobb EMC.  
phone system at 1-855-730-8714.  
**By credit/debit:** Residential members may pay by credit card at [cobbemc.com/myaccount](http://cobbemc.com/myaccount) or via our automated phone system at 1-855-730-8714.  
**In person:** Pay at our office or take a copy of your bill to any MoneyGram location (fees may apply). Our office is located at 1000 EMC Parkway, Marietta, GA 30060.  
**Online:** View and pay your bill at [cobbemc.com/myaccount](http://cobbemc.com/myaccount) or through your participating financial institution.  
**Mobile:** Download the free Cobb EMC app available on the App Store and Google Play. Visit [cobbemc.com/app](http://cobbemc.com/app).  
We provide several ways to pay your bill so you can select the option that works best for you. For our address and contact information please visit [cobbemc.com/contact](http://cobbemc.com/contact).

### How to pay your bill

Your Cobb EMC service has been disconnected for non-payment. To have service restored today, the full balance plus a deposit must be paid in Cobb EMC's office by 4 p.m. Fees will be charged on your next bill.

Your Cobb EMC account is subject to disconnection. Full payment plus deposit must be paid in Cobb EMC's office by 4 p.m. today or service will be disconnected. Fees will be charged on your next bill.

Cobb EMC has received an electric service disconnect request for this address. To maintain service, please call 770-429-2100 to make an application; otherwise, service will be disconnected in 24 hours.

Exhibit C  
Proof of eviction

STATE COURT OF COBB COUNTY  
STATE OF GEORGIA

CIVIL ACTION NUMBER: 21-D-120

\$198.00 COST PAID

Velez, Roberto and Sarah c/o McCreary Realty Manag

PLAINTIFF

VS.

Herbert, Keiara  
And All Other Occupants

DEFENDANTS

SUMMONS FOR DISPOSSESSORY

TO: AND ALL OTHER OCCUPANTS

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

John H. Skelton  
Skelton & Blackstone Attorneys, LLC  
346 Lawrence Street  
Marietta, Georgia 30060

TO: THE SHERIFF OF COBB COUNTY or his lawful deputies or duly appointed process servers for the STATE COURT OF COBB COUNTY

GREETING: The defendant(s) herein is/are commanded and required personally or by attorney to appear at the STATE COURT OF COBB COUNTY 12 EAST PARK SQUARE, MARIETTA, GEORGIA 30090 between the hours of 8:00 AM and 5:00 PM on or before the SEVENTH day from the date of service of the within affidavit and summons (or on the first business day thereafter IF the seventh date falls on a Saturday, Sunday or legal holiday) to answer the affidavit in writing. If the answer is NOT made, a Writ of Possession and/or Judgment shall issue instantly. NOTE: Any corporate party served must be represented by a licensed attorney at law (See *Eckles v Atlanta Technology Group*, 267 Ga. 801).

WITNESS the Honorable Judges of said Court. The above affidavit was sworn to and subscribed by the affiant as provided by the Official Code of Georgia Annotated 44-7-50 and summons issued pursuant thereto.

This 21st day of September, 2021.



*Robin C. Bishop*

Robin C. Bishop, Clerk of State Court  
Cobb County, Georgia

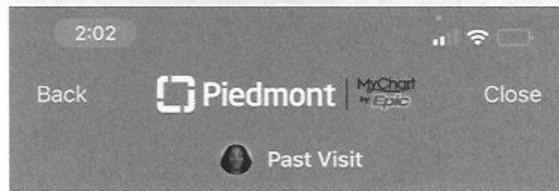
Date of Service: 9-24-2021

Defendant(s) to answer on or before:

10-1-2021

*Anna Bailey*  
Process Server

## Exhibit D



### Progress Notes

Emily Burnham, MD at 11/3/2021 9:30 AM

#### **Subjective:**

Ms. Carr is a 30 y.o. female with history of asthma and allergies, adhd, anxiety, vitamin d deficiency, and scoliosis, who is here today to follow up blood pressure, adhd and mood, vitamin d, and for evaluation of "severe anxiety and postpartum depression"

#### **Adhd, anxiety, old problem, needs further evaluation:**

Currently IS taking adderallXR 30 mg qam

Previous medications include escitalopram 10 mg daily [ineffective]

She was evaluated by mental health and diagnosed in 2007.

On prior visit, I had recommended that she obtain a letter from her previous psychiatrist [or prior prescribing physician] write a letter letting us know her diagnosis and treatment plan

She feels that she has been having the depression since her first child, but never really talked about it.

She's been going to therapy, but didn't realize before that she had depression.

She has been taking adderallR 30 mg daily but it no longer seems to be working.

#### **Asthma, allergic rhinitis, old problem, needs further evaluation:**

Currently IS taking albuterol inh ii q4h prn, azelastine bid, fluticasone ii sprays daily

Daniel Cowley PsyD  
Licensed Clinical Psychologist; SC License #438  
2138 Ashley Phosphate Rd, Suite 205  
North Charleston SC 29406-4188  
PH: 843-225-8680; FAX: 843-225-8386  
email: drcowley@live.com; url www.INGing.org

TO: Student Services  
FAX #: 843-574-6696  
DATE: 20190721  
RE: Keirra Carr (DOB: 06/19/1991), Student ID #625541


NOTES: I have evaluated Ms. Carr and confirm that she has Adult Attention Deficit Hyperactivity Disorder (F90.2) and an extreme Brain-Behavior Dysfunction (R41.9), and I would suggest you provide her with all of the rights available to her under the requirements of the Americans with Disabilities Act as it relates to college students. Some of the accommodations might include extended time allotted for completing tasks and tests, a quiet space in which to take tests, and, if she struggles with writing, to provide her with a Scribe.

Thank you and please call me direct at 843-906-2852 if you have any questions.

Daniel Cowley PsyD

Keiarra Carr

(Print Your Name)

  
(Your Signature)

2861 Hilton Circle NW

(Street)

Kennesaw, GA 30152

(City, State, Zip Code)

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Jan 24 2022

SC Court of Appeals

FORM 7  
PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
The Honorable H. W. Funderburk Jr.

Case No. 2021-001444

South Carolina Department of  
Employment and Workforce  
and JDC Mgmt. LLC

Respondent,

v.

Keiarra Carr,

Appellant.

PROOF OF SERVICE

I certify that I have served the motion to dismiss on January 22, 2022.

Keiarra Carr  
(Print Your Name)

  
(Your Signature)

2861 Hilton Circle NW  
(Street)

Kennesaw, GA 30152  
(City, State, Zip Code)

S.C Administrative Law Court  
1205 Pendleton St. Suite 224  
Columbia, SC  
803-734-6401

Attorney for Appellant  
Steven A. Jordan Jr., Esquire  
Office of General Counsel  
SC Dep't of Employment & Workforce  
PO Box 8597  
Columbia, SC 29202  
Counsel for Respondent SCDEW

Lucy C. Sander, Esquire  
242 Mathis Ferry Road  
Mt. Pleasant SC 29464  
Counsel for Respondent JDC Management