

September 30, 2014

Mr. & Mrs. Ruthenbeck
63 McClain Drive
Honea Path, SC 29654
(864) 642-1294

Honorable Nikki R. Haley
1205 Pendleton Street
Columbia , SC 29201

Your Honor,

I am writing you in regards to a complaint / law suit my wife and I filed a year ago against The Department of Social Services for the actions they took while my wife and I were Fostering a Female Child. I am with understanding the condition of the Department of Social Services and the lack of Case Workers as well as the lack of Foster Families and Resource Family Homes. Probably due to the actions or the lack there of by The Department of Social Services.

The complaint we have against D.S.S is legitimate in regards to the way the case worker under orders from her supervisor and D.S.S removed the child. Without Just cause and remarks stating that I the Foster Father " Adult Male" "could not be trusted alone with a Female Child while under my care". Basically calling me a pedophile. I have enclosed a true copy of our case and would like for the State to do something in regards to the way D.S.S works with foster families and the procedure D.S.S follow with out regards to the Departments Own Manual and Laws.

It is also with Deep Regret that my wife and I have decided to allow our license to lapse and close our home as a Resource Family Home. We did not lose our license or our rights due to our complaint against D.S.S, as of yet. After this Female Child was Taken , we took in a Brother and Sister back in September of last year and doing as we should do as Foster Parents by the Rules and Laws, The children were removed from our home by our request , after 8 months of providing everything these children needed, which included Mental help.

D.S. S Never step up to the plate to help us or even acknowledge our phone calls for help. 2 two days later after the children were removed we were served a notice of Child Abuse against Brother and Sister Which was brought to us by a visit of a case worker without notice. We were investigated for more then 60 days. Now because the accusations were unfounded / found false my wife and I will be in the system for 5 years for Child Abuse.

Your Honor, Mrs. Haley, I am asking you to Please step up to the plate and do something. The Defendants attorney is requesting a Motion Of Summary Judgment, Which basically means they don't argue or deny our complaint but should be released from the complaint against them by the law under Motion of Summary Judgment. AFTER the Defendants DENIED ALL allegations against D.S.S in their FIRST True ASWER to our complaint. Now claming we were and are Right. I and my wife have been damaged by the actions of D.S.S and should be compensated for those actions. My License Contract with the State was Broken, I had my Foster Parents Rights Violated and I was Slandered. All Justifiable complaints against The Department of Social Services.

Again it is with Regret that we will No longer open our home to The Department of Social Services at this time as a Resource Family and Foster the Children that are in need of a SAFE place like our home, until we see some improvement in the system and JUSTICE is served to those who work hard to FOLLOW Rules and Laws, We will remain OUT of the system.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth Ruthenbeck".

Mr. Kenneth Ruthenbeck.

Complaint.

Breach of Contract, Violation of Rights and Slander

On Monday August 12, 2013 Ms. Deloris Henderson Human Service Specialist working for The Department of Social Services arrived at the home of Licensed Foster Parents Mr. and Mrs. Ruthenbeck to remove a Foster Child , a 3 months old baby girl from their care.

Ms. Henderson notified the Ruthenbeck's on the evening of August 9, 2013 via a phone call stating that she would be removing the child the next Monday. August 12, 2013. Ms. Henderson removed all belongings of the child including all clothing , baby items and paperwork pertaining to the child and stated that Mr. Ruthenbeck would have to return all unused WIC checks to the office where they were obtained.

Ms. Henderson could not give a valid reason for the removal of the child but stated that the Department of Social Services and anyone involved with the child were uncomfortable with leaving a girl child in the care of a male adult and basically stemming from a statement from the mother of the child Mr. Ruthenbeck could not be trusted. Ms. Henderson also refused to tell Mr. Ruthenbeck where the child would be going or who the child would be placed with.

All this stemming from the fact that Mrs. Ruthenbeck would be out of town leaving Mr. Ruthenbeck caring for the child alone.

With this action taken by Ms. Ursula Best and Ms. Deloris Henderson and the Department of Social Services did break the Contract that Mr. and Mrs. Ruthenbeck being Foster Parents have with the State of South Carolina Department of Social Services As well as Violating Mr. Ruthenbecks Rights as a Foster Father and with the statement made by Ms. Henderson in regards to Mr. Ruthenbeck not being trusted to take care of a child is Slanderous to his character. Along with The Department of Social Services Not following correct protocol by not sending the proper notice of removal of a child or notifying the Ruthenbecks where the child was going or whom the child would be placed with.

All stated above are all Breach of Contract, Violation of Rights and Slander.

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF ABBEVILLE

C.A No. 2014-CP-01-005

Kenneth Ruthenbeck and Darlene
Ruthenbeck, Pro Se.

Plaintiff.

Vs.

Ursula Best, Deloris Henderson,
Lillian Koller, and the South Carolina
Department of Social Services.

Plaintiff's First Set of Document's.
Stated Facts. 1 of 2 .

Defendant.

Fact #1. Plaintiff Darlene Ruthenbeck did by phone , e-mail and in person contact Department of Social Services in regards to her leaving to south Florida and was working with a Foster Family for help in Respite care if needed by Kenneth Ruthenbeck.

Fact #2. Plaintiff Kenneth Ruthenbeck and Darlene Ruthenbeck did ask Ms Deloris Henderson, Case worker every Wednesday about leaving their Foster Child in the care of Kenneth Ruthenbeck alone.

Fact #3. Plaintiffs received No response or answer to their inquiries for 5 weeks. Case worker could not say and would have to ask her supervisor.

Fact #4. Defendant Ms. Henderson did call the Plaintiff's home on the evening of August 9, 2013 Stating she would be removing the child and that D.S.S did not consider the respite care that was set up by the Plaintiff's.

Fact #5. Defendant Ms. Henderson show up at the home of the Plaintiff's and removed all pertaining to the child on Monday August 12, 2013. Cloths, Paper work, Food , Everything.

Fact #6. Defendant Ms. Henderson did state to Kenneth Ruthenbeck that everyone at D.S.S were uncomfortable leaving a girl child alone in the care of a adult male that he could not be trusted.

Fact #7. Defendant Ms. Henderson would not tell Plaintiff Kenneth Ruthenbeck where the child was going or who she would be placed with. Defendant stated all of this while holding the Plaintiff's hand and pleading with him no to give up on her of D.S.S. and that she was just doing as she was asked by her supervisor.

Fact #8. Defendant Ms. Henderson quit her position with D.S.S after the Plaintiff's submitted complaint.

Fact # 9. A 10 Day Notice of Child Removal letter was offered 3/Three weeks after the fact the child was removed.

Fact #10. The Department of Social Services stated to the Civil Rights Investigator that they were setting up a respite care for the Plaintiff's and it was all a case of Miscommunication, A Misunderstanding.

Fact # 11. While attending Foster Parents Association meeting October of 2013 in Abbeville Plaintiff was approached by other Foster Parents asking if Plaintiff Kenneth Ruthenbeck was O.K with how D.S.S treated him with the actions D.S.S took against him with the removal of the child in His care. Plaintiff Kenneth Ruthenbeck was surprised on how others knew of the situation.

Signed: _____

Plaintiff

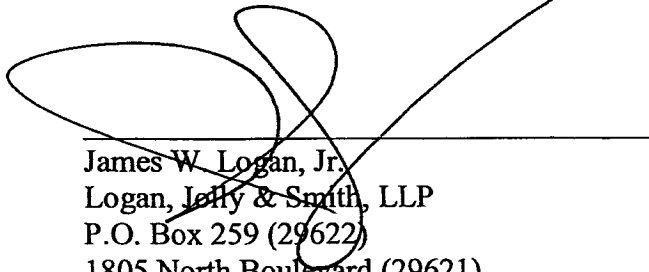
Dated: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF ABBEVILLE)
)
Kenneth Ruthenbeck and Darlene)
Ruthenbeck, Pro Se,)
)
Plaintiff,)
)
Vs.)
)
Ursula Best, Deloris Henderson,)
Lillian Koller, and the South Carolina)
Department of Social Services,)
)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS
C. A. NO.: 2014-CP-01-005

MOTION FOR SUMMARY JUDGMENT

YOU WILL PLEASE TAKE NOTICE that the Defendants Ursula Best, Deloris Henderson, Lillian Koller, and the South Carolina Department of Social Services, by and through their undersigned counsel, hereby move for summary judgment pursuant to Rule 56 of the South Carolina Rules of Civil Procedure. This motion is made on the grounds that there is no genuine dispute as to any material fact that will entitle the Plaintiffs to a verdict against these Defendants. Accordingly, these Defendants are entitled to judgment as a matter of law. This motion is supported by the pleadings in this action, the memorandum of law to be filed, all applicable statutes and case authority, all completed discovery, the applicable Rules of Civil Procedure, and such other evidence and authority as the court may find acceptable.



James W. Logan, Jr.
Logan, Jelly & Smith, LLP
P.O. Box 259 (29622)
1805 North Boulevard (29621)
Anderson, South Carolina
Attorney for Defendants

Dated: 9/23/2014

STATE OF SOUTH CAROLINA)

COUNTY OF ABBEVILLE)

Kenneth Ruthenbeck and Darlene)

Ruthenbeck , Pro Se.)

Plaintiff .)

Ursula Best, Deloris Henderson,)

Lillian Koller, and the South Carolina)

Department of Social Services.)

Defendants.)

)

_____)

IN THE COURT OF COMMON PLEAS

Case No : 2014-CP-01-005

OBJECTION TO
MOTION FOR SUMMARY
JUDGMENT

PLEASE TAKE NOTE That we the Plaintiff's Object to the Defendants Motion for Summary Judgment. With an issue as to any material fact, i.e.,. names of witness during Association meetings and The Department of Social Services Manual guidelines as well as the Plaintiffs statements.

The material facts were and are presented in the Plaintiff's complaint which not all have Been questioned by the Defendants such as witness statements , and contradictions to the answers given by the Defendants. As we the Plaintiff's respect the motion by the Defendants, We the Plaintiff's Request that the court should not render on the motion. Therefore pursuant to Rule 46 of the South Carolina Rules of Civil Procedure where as There is genuine issue on the Motion, We the Plaintiffs Object to the Motion for Summary Judgment and request that the motion be dismissed all together. A Interlocutory Summary Judgment should be rendered on the liability alone made by the Defendants. And the Plaintiff's are entitled to a Judgment as stated in the complaint.

Kenneth Ruthenbeck and Darlene Ruthenebeck
63 McClain Drive Honea Path, SC 29654

Dated . _____



South Carolina Department of Social Services
Columbia, South Carolina

A License is Hereby Granted to

Darlene and Kenneth Ruthenbeck

To conduct a Foster Home

under the provision of Act No. 334, § 3 enacted March 10, 1986

located at 63 McClain Drive, Honea Path

County of Abbeville State of South Carolina.

This license is issued with the following specifications:

To care full time for a maximum of two (2) children, either gender, from birth to twelve (12) years of age.

This license will expire 4/18/2015 by operation of law. However, the license is subject to revocation by the South Carolina Department of Social Services for the substantial violation of any provisions of the statute under which it is issued, or any of the rules and regulations adopted by the South Carolina Department of Social Services and filed with the Legislative Council.

Issued this 19th day of April, 2013

South Carolina Department of Social Services

By Susan C. O'Jule

License No. 0001025014001