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The Honorable Jenny Abbott Kitchings  
Clerk  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**  
**Jun 05 2023**  
**SC Court of Appeals**

Re: Kaci May v. Dorchester School District Two  
Appellate Case No. 2020-001352

Dear Ms. Kitchings:

Pursuant to Rule 208(b)(7), SCACR, I am writing as counsel for Respondent South Carolina Department of Social Services to provide the following additional information pertaining to the status of this appeal, which is scheduled to be argued this Wednesday, June 7.

1. This case was tried in the Court of Common Pleas on August 11 and 12, 2020. The Order under appeal, which denied certain permanent injunctive relief requested by Plaintiff-Appellant Kaci May, was issued on September 18, 2020.

2. Thereafter, in 2021, law enforcement took emergency protective custody (EPC) of two of Ms. May's three adopted children, known in the present case as J.R.M. and J.H.M. As required by statute, upon law enforcement EPC, DSS initiated a removal proceeding against Ms. May pursuant to 63-7-700(B)(1) and 63-7-1660. On May 4, 2021 and September 8, 2021, respectively, those two children were placed in foster care, where they still remain. Both placements were approved by the Family Court shortly after they were made.

3. On December 29, 2022, following a chambers conference that occurred in August 2022 during a hearing, the Dorchester County Family Court issued an Order staying the above-referenced removal case pending further actions that were to be taken by the parties to the case.

4. On March 30, 2023, the Dorchester County Family Court conducted another hearing in the above-referenced removal case. At that hearing, counsel for Ms. May (Plaintiff-Appellant in the present case) presented the Family Court with relinquishments by Ms. May of her parental rights/status as to J.R.M. and J.H.M.

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5. Although a written Order has not yet been issued, it is anticipated by both DSS and Ms. May's counsel, Robert Butcher, that the Family Court will soon issue an Order confirming Ms. May's relinquishments of parental rights and further noting, among other things, that DSS will forgo seeking a finding by the Family Court concerning any known allegations against Kaci May, who would be dismissed from that action.

6. The original 2017 Family Court action was precipitated by actions of J.H.M., for whom Ms. May has now relinquished her parental rights.

7. DSS has never made a school visit or visits in connection with the aforementioned 2021 EPC/removal case.

These matters are relevant to the issue in this appeal of whether the relief requested, that is, permanent injunctive relief from future in-school interviews by DSS of Ms. May's children in certain circumstances, is too hypothetical or speculative to warrant injunctive relief. *See, e.g.*, 9/18/20 Order at 4, ROA I, 15 ("Plaintiff made no showing that DSS returning to DD2 to interview the children was anything more than speculation or a hypothetical possibility, which is insufficient to support injunctive relief.").

If the Court requires additional information, I will be happy to provide it. I first became aware of this information only late last week, while preparing for the upcoming oral argument.

With highest regards, I am

Sincerely yours,

DAVIDSON & WREN & P.A.

*s/ Kenneth P. Woodington*

Kenneth P. Woodington

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