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SC Court of Appeals



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

June 6, 2023

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

RE: Dr. Agnes M. Slayman v. South Carolina Department of Education
Appellate Case No. 2020-000950

Dear Ms. Kitchings:

The above-referenced appeal is scheduled for oral argument before this Court at 11:20 a.m. on June 7, 2023. In preparing for the oral argument, the undersigned counsel discovered a relevant decision of the South Carolina Supreme Court addressing error preservation that the Respondent believes may be relevant to this Court's resolution of the appeal. State v. Morales, Op. No. 28154 (S.C. Sup. Ct. filed May 31, 2023) (Howard Adv. Sh. No. 21 at 11) (noting that meaningful appellate review requires a trial court to have the opportunity to rule following both parties presenting their best arguments addressing an objection). Respondent also respectfully submits for consideration the case of Pettiford v. South Carolina State Board of Education, 218 S.C. 322, 344-36, 62 S.E.2d 780, 790-91 (1950) ("Due process requires that an administrative board, or body, when acting in a quasi-judicial capacity, must consider all of the evidence before rendering its decision upon any particular question. This does not mean that this administrative board, or body, must itself hear the evidence, but it must have the evidence before it, and consider such evidence when rendering its decision.").

Thank you, and please just let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "V. Henry Gunter, Jr.", written over a horizontal line.

V. Henry Gunter, Jr.
Deputy General Counsel
South Carolina Department of Education
S.C. Bar No. 102259

cc: Shannon Polvi, Esquire

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