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Sep 19 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
J. Mark Hayes, II, Circuit Court Judge

Case No. 2013-CP-42-1569

Kenneth and Angela Hensley, on behalf of their minor
child BLH, and All Others Similarly Situated, Respondents,

v.

South Carolina Department of Social Services,..... Appellant.

NOTICE OF APPEAL

The Appellant South Carolina Department of Social Services hereby appeals
the following Orders filed on August 29, 2024, as issued by Circuit Court Judge J.

Mark Hayes, II:

- (1) Order Granting Plaintiffs’ Motion for Partial Summary Judgment and Denying Defendant’s Motion for Summary Judgment; and
- (2) Order Denying Defendant’s Motion to Decertify the Class and Ordering Plaintiff to Provide Notice to All Class Member.

The Appellant South Carolina Department of Social Services also appeals “the previous Orders in this matter ... and the Form 4 Order by Judge J. Mak Hayes, II filed July 9, 2024,” all of which were incorporated in both of the above-referenced Orders.

The Appellant’s counsel received written notice of entry of both Orders filed August 29, 2024, on that same date.

LINDEMANN LAW FIRM, P.A.

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September 19, 2024

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Counsel for Respondents

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Kenneth and Angela Hensley, on behalf of their minor child
BLH, and All Others Similarly Situated,..... Respondents,

v.

South Carolina Department of Social Services,..... Appellant.

CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court’s Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024), the undersigned employee of Lindemann Law Firm, P.A., counsel for the Appellant South Carolina Department of Social Services, does hereby certify that service of the **Notice of Appeal** in the above-captioned matter was made upon all counsel of record by email only this the 19th day of September 2024, as follows:

T. Ryan Langley, Esquire
Matthew T. Foss, Esquire
Langley Law Firm
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*Also Admitted in North Carolina

September 19, 2024

RECEIVED
Sep 19 2024
SC Court of Appeals

Via Email Only

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

RE: Kenneth and Angela Hensley, on behalf of their minor child BLH, and all others similarly situated v. South Carolina Department of Social Services
Appellate Case No. 2018-001351
Civil Action Number: 2013-CP-42-1569
Our File Number: 103.8851

Dear Ms. Kitchings:

Pursuant to Section (b)(2) of the Supreme Court's Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (as Amended April 24, 2024), please find enclosed for filing the **Notice of Appeal** with regard to the above referenced matter. By copy of this letter, I am serving copies on all counsel of record by email only pursuant to Section (d)(1) of the same Supreme Court Order.

The Appellant is a state agency and is, therefore, exempt from the \$250 filing fee. If you have any questions, please advise.

Thank you for your assistance.

Sincerely,

LINDEMANN LAW FIRM, P.A.

Andrew F. Lindemann

AFL/jmb
Enclosure

cc: T. Ryan Langley, Esquire (w/ Enclosure, Via Email Only)
Matthew T. Foss, Esquire (w/ Enclosure, Via Email Only)
James F. Thompson, Esquire (w/ Enclosure, Via Email Only)