

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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Dec 17 2024

S.C. SUPREME COURT

IN ITS ORIGINAL JURISDICTION

Yamilette Albertson, on her own behalf and on behalf of her children,
Y., A., and J.; and Constantine Shulikov, on his own behalf and on behalf
of his children, A., E., P., N., and V.....Petitioners

v.

Ellen Weaver, in her official capacity as State Superintendent of Education,.....Respondent

MOTION FOR AN EXTENSION

The South Carolina Education Association, Candace Eidson, Joy Brown, and Crystal Rouse (“Intervenors”) file this motion for an extension of time to file a conditional return to the Petition for Original Jurisdiction, which Petitioners filed on December 5, 2024. Rule 245(c), SCACR provides a party twenty days from the date of service of the petition to serve and file a return to the petition. Because Intervenors contemporaneously file a motion to intervene in this matter, Intervenors expect to file a conditional return, which is the same approach the Court permitted the intervenor-respondents to pursue in *Eidson, et. al. v. South Carolina Department of Education*, Op. No. 28235 (S.C. Sup. Ct. filed Sept. 11, 2024) (Howard Adv. Sh. No. 35 at 12). The current deadline to file a return is December 27, 2024.¹ Intervenors respectfully request a ten-day extension to file a return, which would set the new deadline as January 6, 2025. Intervenors request this limited extension to accommodate the Christmas holiday and will not request any additional extensions. Since the Court has not decided the Petition for Original Jurisdiction, no

¹ The deadline is December 25, 2024 but state courts are closed for Christmas on December 25 and 26.

deadlines currently exist to file final briefing or for oral argument. Thus, even if the Court decides to hear this case in its original jurisdiction—which Intervenors oppose for reasons explained in its forthcoming conditional return—the Court’s consideration of the merits will not be delayed.

Respectfully submitted,

s/Kaye Hearn

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* Applications for *pro hac vice* forthcoming

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