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Feb 18 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

George M. McFaddin, Jr., Circuit Court Judge

Appellate Case No. 2024-001363

Sarah Rock,

Appellant,

v.

Dog Daze of Charleston,
LLC and Charlie Freeman,

Respondents.

**MOTION FOR LEAVE TO FILE
AMICUS CURIAE BRIEF**

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*Attorneys for Amicus Curiae
Animal Legal Defense Fund*

MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF

Pursuant to Rule 213 of the South Carolina Appellate Court Rules, Animal Legal Defense Fund (ALDF) respectfully moves for leave to file the accompanying amicus curiae brief in support of Appellant Sarah Rock.

STATEMENT OF INTEREST

The ALDF is a national nonprofit dedicated to protecting animals and advancing their legal interests. With over 300,000 members and supporters nationwide, ALDF pursues its mission by educating the public, advocating for stronger animal protection laws, assisting law enforcement in prosecuting cruelty cases, and litigating against government and private entities to ensure justice for animals.

ALDF frequently receives assistance requests from members of the public seeking legal support after their companion animals have been harmed or killed by tortious conduct. In response, ALDF frequently submits amicus briefs in related civil cases, which courts have found compelling and cited in their rulings. *See, e.g., Martinez v. Robledo*, 210 Cal. App. 4th 384, 390, 147 Cal. Rptr. 3d 921, 925–96 (Ct. App. 2012). Through this advocacy, ALDF has developed expertise relating to tort damages in companion animal cases. Thus, this amicus brief will assist the Court in assessing Ms. Rock’s claims from the perspective of an organization deeply invested in the legal interests of companion animals and their human guardians. In the present action, ALDF wishes to file an amicus curiae brief requesting that the South Carolina Court of Appeals adopt a rule allowing Appellant to recover emotional distress damages and the special actual value of her companion dogs, Xumi and Ruben.

ALDF therefore requests that the Court accept and consider the amicus curiae brief attached hereto.

Dated: February 18, 2025

Respectfully submitted,

s/Daniel R. Fuerst

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George M. McFaddin, Jr., Circuit Court Judge

Appellate Case No.: 2024-001363
Case No. 2022-CP-10-05585

Sarah Rock, Appellant,

v.

Dog Daze of Charleston, LLC
And Charlie Freeman, Respondents.

PROOF OF SERVICE

This is to certify that I have this day served counsel for the parties in the foregoing matter with a copy of Animal Legal Defense Fund’s (ALDF) ***Motion for Leave to File Amicus Curiae Brief in Support of Appellant Sarah Rock*** by depositing a copy of it in the United States Mail, postage pre-paid and via e-mail addressed to the parties as follows:

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Animal Legal Defense Fund*

February 18, 2025
Charleston, South Carolina

February 18, 2025

Moore&VanAllen

VIA E-FILING

Hon. Jenny Abbott Kitchings
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RE: *Sarah Rock v. Dog Daze of Charleston, LLC and Charlie Freeman*
Appellate Case No.: 2024-001363
MVA File No.: NB7000.001514

Dear Ms. Kitchings:

With regard to the above-referenced matter, please accept the enclosed *Motion for Leave to File Amicus Curiae Brief* for filing. The required filing fee in the amount of \$50.00 is being mailed to the Court under separate cover.

By copy of this letter, I am serving the parties' attorneys with a copy of the Motion for Leave to File Amicus Curiae Brief.

Thank you for your assistance in this matter. If you should have any questions or concerns, please don't hesitate to contact me.

Sincerely,

MOORE & VAN ALLEN PLLC

S/ Daniel R. Fuerst
Daniel R. Fuerst

DRF/jbd

Enclosures: As Stated.

cc: **VIA EMAIL ONLY**
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