

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from **Union** County Family Court  
Honorable Daniel Hall

104083  
**RECEIVED**  
MAY 08 2025  
SC Court of Appeals

H.A., by and through her guardians, Jane and John Smith, and Jane and John Smith, individually, Appellants,

v.

South Carolina Department of Social Services, South Carolina Department of Children's Advocacy, Tammy Gaye Causey Dalsing, Edward Anthony Dalsing, Respondents.,

Appellate Case No.: 2023-001049

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**MOTION TO FILE RECORD ON APPEAL AND SUPPLEMENTAL RECORD OUT OF TIME**

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I, Melinda Butler, hereby motion the Court to allow the filing of the Supplement Record on Appeal out of time. In support of the motion the Attorney submits that by letter of this Court dated April 18, 2025, Appellant was to file the Supplemental Record on Appeal<sup>1</sup> within 15 days of the letter. The undersigned reached out to the Honorable Clerk of Court, Stephanie Kitchens, immediately upon receipt of this Court's order (see email dated 4/17/25 at 7:16 p.m.).<sup>2</sup> Mrs. Kitchens then replied on April 21<sup>st</sup>, "Melinda I will need to check to see if it is appropriate for this to now come through our office. I will be back with you."

Via an additional email on April 21<sup>st</sup>, Mrs. Kitchens replied back that her office had been authorized to move forward with processing this Court's order. However, since there was a change

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<sup>1</sup> Motion granted by Order of this Court dated April 16, 2025.

<sup>2</sup> By way of background, the undersigned along with the now Honorable Clerk of Court were both sued in their individual and professional capacities (Ms. Butler as Attorney for Relatives and Mrs. Kitchen as Guardian *ad litem* for the child H.A.) in the underlying matter in this case, by the foster parents. Therefore, Mrs. Kitchens had to determine if she was conflicted from dealing with this file.

of staff from the time this summary judgement motion was heard until present, nobody could find the sealed documents. They were stating that there was no physical/paper files in their office for Common Pleas and that the docs listed in the electronic database were all they had. Well, the docs were in fact listed in the electronic database but upon opening, they were blank—hence the nature of the sealed order. We went back and forth between York County Clerk and Union County Clerk and at one point were even directed back to the family court saying the sealed documents must be with them. After a series of rabbit trails, the undersigned’s office staff contacted the former Clerk of Court, Ms. Melanie Lawson, and was told exactly where to look for the two physical files containing the sealed documents. We immediately went there, with Clerk staff, and retrieved them. This motion follows that sequence of events and the documents are enclosed herewith this Motion.

Respectfully submitted,

*s/Melinda Butler*

Melinda Butler  
Counsel for Appellant  
S.C. Bar No. 78040  
BUTLER LAW FIRM, LLC  
211 E. Main Street  
Union, South Carolina 29379

May 08, 2025

## Blake Butler

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**From:** Stephanie C. Kitchens <Skitchens@countyofunion.com>  
**Sent:** Monday, April 21, 2025 4:35 PM  
**To:** Melinda Butler  
**Cc:** Blake Butler  
**Subject:** RE: Armstrong appeal

Melinda I will need to check to see if it is appropriate for this to now come through our office.  
I will be back with you.

---

**From:** Melinda Butler <melinda@butlerservingjustice.com>  
**Sent:** Thursday, April 17, 2025 7:16 PM  
**To:** Stephanie C. Kitchens <Skitchens@countyofunion.com>  
**Cc:** Blake Butler <blake@butlerservingjustice.com>  
**Subject:** Armstrong appeal

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Stephanie,

I am not sure if it's appropriate to send this to you or if you've conflicted yourself out of handling this, if so please advise me who to send it to.

Otherwise, please let me know when the sealed docs in your file can be available for pickup.

Sincerely,  
Melinda

Melinda Butler  
Attorney and CEO  
Butler Law Firm, LLC

**Union Office:**  
211 E. Main Street  
Union, South Carolina 29379  
864-427-8805  
FAX 864-427-8815

**Laurens Office:**  
328 Hillcrest Drive, Ste. 2  
Laurens, South Carolina 29360  
(864) 715-2652

[www.butlerservingjustice.com](http://www.butlerservingjustice.com)  
<https://www.facebook.com/butlerservingjustice/>

## Blake Butler

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**From:** Stephanie C. Kitchens <Skitchens@countyofunion.com>  
**Sent:** Monday, April 21, 2025 4:41 PM  
**To:** Melinda Butler  
**Cc:** Blake Butler  
**Subject:** RE: Armstrong appeal

I have checked with another county & have been told we are good for it to be clocked here as usual.  
I'll send it on to family court.

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**From:** Melinda Butler <melinda@butlerservingjustice.com>  
**Sent:** Thursday, April 17, 2025 7:16 PM  
**To:** Stephanie C. Kitchens <Skitchens@countyofunion.com>  
**Cc:** Blake Butler <blake@butlerservingjustice.com>  
**Subject:** Armstrong appeal

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Stephanie,

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Sincerely,  
Melinda

Melinda Butler  
Attorney and CEO  
Butler Law Firm, LLC

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<https://www.facebook.com/butlerservingjustice/>



# BUTLER LAW FIRM



Your Journey to Justice

May 8<sup>th</sup>, 2025

**Via Hand Delivery**

South Carolina Court of Appeals  
Jenny Abbott Kitchings  
1220 Senate Street  
Columbia, South Carolina 29211

**RECEIVED**

MAY 08 2025  
SC Court of Appeals

Re: H.A., by and through her guardians, Jane and John Smith, and Jane and John Smith individually, Appellants, vs. South Carolina Department of Social Services, South Carolina Department of Children's Advocacy, Tammy Gaye Causey Dalsing and Edward Anthony Dalsing, Respondents.: 2023-001049

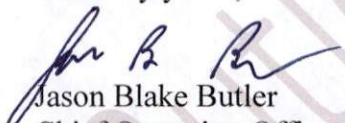
Dear Madam Clerk:

Please find enclosed:

- 1) 1 unbound record on appeal and 1 bound copy
- 2) 1 unbound supplemental record on appeal and 1 bound copy
- 3) Motion to file out of time
- 4) Proof of service
- 5) \$50.00 check

Thank you for your help in this matter.

Sincerely yours,

  
Jason Blake Butler  
Chief Operating Officer

cc: Client  
L. Dale Dove, Esq.  
Stephanie Burton, Esq.  
Chris Smith, Esq.

**Union Location**  
211 E. Main Street  
Union, SC 29379  
(864) 427-8805

**Laurens Location**  
328 Hillcrest Dr, Ste. 2  
Laurens, SC 29360  
(864) 715-2652

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Union County  
Court of Common Pleas

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Honorable Daniel D. Hall

**RECEIVED**  
MAY 08 2025  
SC Court of Appeals

Jane and John Smith individually and as Guardians of H.A. and H.A. individually,  
Appellants,

v.

South Carolina Department of Social Services, South Carolina Department of  
Children's Advocacy, Tammy Gay Causey Dalsing, Edward Anthony Dalsing,  
Respondents.

Of whom Darryl & Ruth Armstrong are the Appellants.

Appellate Case No. 2023-001049

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PROOF OF SERVICE

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I, Tyler Hart, hereby certify that I have served a copy of the

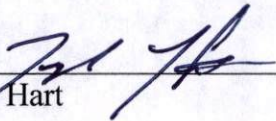
- 1. Motion to file Record on Appeal and Supplemental Record out of Time**
- 2. Record on Appeal**
- 3. Supplemental Record on Appeal**

on the below stated parties via hand-delivery at the addresses listed below, on May 8, 2025

addressed as follows:

P. Christopher Smith, Jr./L. Dale Dove  
Attorney for Tammy and Edward Dalsing  
1164A Woodruff Road  
Greenville, SC 29606

Stephanie Burton  
Attorney for SCDSS and SCDCA  
308 East St. John Street  
Spartanburg, SC 29302

  
Tyler Hart

May 8, 2025