

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM UNION COUNTY  
Court of Common Pleas

Daniel D. Hall, Circuit Court Judge

Appellate Case No. 2023-001049

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

v.

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

MOTION TO SUPPLEMENT THE RECORD OF RESPONDENT SOUTH CAROLINA  
DEPARTMENT OF SOCIAL SERVICES

Pursuant to Rule 212(b) of the South Carolina Rules of Appellate Procedure, Respondent South Carolina Department of Social Services (SCDSS) moves the Court for an order requiring Appellants to supplement the Record on Appeal with the items identified in this motion and to order that the deadline for SCDSS's Final Brief be extended to a date that is 15 days after the Record on Appeal is supplemented and served by Appellants. This motion is made upon the following grounds:

1. Appellants' Initial Brief was filed with this Court on November 1, 2024.
2. Appellants' Designation of Matter was filed with this Court on November 1, 2024.
3. SCDSS's Initial Brief was filed with this Court on December 2, 2024.
4. SCDSS's Designation of Matter was filed with this Court on December 2, 2024.

5. Appellants served a copy of the Record on Appeal.
6. Pursuant to Rule 211(b)(1), SCDSS has prepared its Final Brief, but is unable to complete its Final Brief because Appellants did not include materials designated by SCDSS to be included in the Record on Appeal.
7. The Record on Appeal does not include the following items which were designated by SCDSS to be included in the Record on Appeal:
  - a. September 21, 2020 Order of the South Carolina Administrative Court, S.C. Admin. Ct. Case No. 47-OHAN, which was identified in SCDSS's Designation of Matter Number 23.
  - b. Excerpts from December 1, 2021 Daryl Keith Armstrong Deposition (86:17-25; 90:20-91:8; 129:16-23), identified in SCDSS's Designation of Matter Number 33.
  - c. Excerpts from April 12, 2021 Ruth Ann Armstrong Deposition (41:8-11) identified in SCDSS's Designation of Matter Number 34.
  - d. Excerpts from July 29, 2021 Ruth Ann Armstrong Deposition, (91:2-3; 216:15-18) identified in SCDSS's Designation of Matter Number 35.
  - e. Excerpts from January 9, 2015 Jennifer Cooper Deposition. (57:4-18) identified in SCDSS's Designation of Matter Number 36.
  - f. Excerpts from November 29, 2022 Tammy Dalsing Deposition. (54:16-23; 108:1-108:17) identified in SCDSS's Designation of Matter Number 39.
  - g. Excerpts from October 14, 2022 Monique Mitchell Deposition. (126:8-11) identified in SCDSS's Designation of Matter Number 40.
  - h. March 2, 2023 Affidavit of Lousie Cooper. (Ex. A) identified in SCDSS's Designation of Matter Number 41.

8. As such, if SCDSS's Final Brief were submitted to the Court at this time, the Final Brief would include references to material that is not included in the Record on Appeal and, therefore, would not comply with Rule 211(b)(1).
9. Thus, pursuant to Rule 212, SCDSS respectfully requests that this Court order Appellants to supplement the Record on Appeal to include the documents listed in above so that SCDSS's Final Brief can comply with Rule 211(b)(1).
10. SCDSS further respectfully requests that this Court extend the deadline for SCDSS to file its Final Brief to a date that is 15 days after the Record on Appeal is supplemented and served.

May 28, 2025

s/Stephanie H. Burton  
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PROOF OF SERVICE

The undersigned, Stephanie H. Burton certifies that she is a member of Gibbes Burton, LLC and on the 28<sup>th</sup> day of May 2025, she served a copy of the Motion to Supplement the Record of Respondent South Carolina Department of Social Services to Appellants' by email, copies of the same addressed to:

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