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Jun 09 2025

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Jocelyn Newman, Circuit Court Judge

Appellate Case No. 2024-001088

The School of Hope Christian Academy, Jacqueline McKie,
and Eugene Burden, Sr.,.....Appellants,

v.

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

**RESPONDENT’S MOTION REGARDING DEADLINE TO FILE
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

Pursuant to Rule 263(b), SCACR, to the extent necessary, Respondent South Carolina Department of Social Services, by and through the undersigned counsel, respectfully moves for an extension of the deadline by which Respondent must file its initial brief and designation of matter. On May 8, 2025, Appellants filed—out of time—their initial brief, designation of matter, and a motion to allow the late filing. Eight days later, the Court notified Appellants’ counsel of a filing deficiency. Appellants appeared to correct the deficiency on May 27, 2025. But the Court has not yet ruled on Appellants’ motion to allow the late filing. Thus, it is unclear whether the clock for Respondent to file its initial brief and designation of matter has begun to run.

For good cause shown, Respondent therefore respectfully requests that—if the Court grants Appellants’ motion to file out of time—the Court order that Respondent’s deadline to file an initial

brief and designation of matter is 30 days from the date of any such order. Pursuant to Rule 240(d), SCACR, no filing fee is required here.

Respectfully submitted,

/s/Vordman Carlisle Traywick, III
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*Counsel for Respondent South Carolina
Department of Social Services*

Columbia, South Carolina
June 9, 2025

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and Eugene Burden, Sr.,.....Appellants,

v.

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

PROOF OF SERVICE

Pursuant to Rule 262(c)(2), SCACR, I, the undersigned, Counsel for Respondent South Carolina Department of Social Services, certify that I have served Respondent’s Motion Regarding Deadline to File Initial Brief of Respondent and Designation of Matter on the following counsel of record by email on June 9, 2025.

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Counsel for Appellants

(Signature Page Follows)

Respectfully submitted,

/s/ Sarah C. Frierson

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*Counsel for Respondent South Carolina Department
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Columbia, South Carolina
June 9, 2025

Madeleine Layton

To: mike.duncan@duncanandheydarylaw.com
Cc: Lisle Traywick; Sarah Frierson; Victoria Cordoni
Subject: The School of Hope v. SCDSS (Appellate Case No. 2024-001088) Respondent's Motion for Extension to File Brief and Designation of Matter
Attachments: 2025-06-09 Motion for First Extension of Time to File Respondent's Initial Brief AS FILED.pdf; 2025-06-09 Proof of Service Respondent's Motion for Extension of Time to File Initial Brief AS FILED.pdf

Mr. Duncan,

Pursuant to Rules 240 and 263(b), SCACR, and *In re Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules*, App. No. 2020-000447, at ¶ (d)(1) (S.C. Sup. Ct. filed Apr. 24, 2024), attached for service upon you is Respondent South Carolina Department of Social Services' Motion Regarding Deadline to File Initial Brief of Respondent and Designation of Matter being filed in the South Carolina Court of Appeals today.

Should you have any question, please don't hesitate to contact us. Thank you.

Best Regards,



MADELEINE LAYTON LEGAL ASSISTANT

DIRECT 803.227.1133

VCARD

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