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Nov 12 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

The Honorable William P. Keesley, Circuit Court Judge

Appellate Case No. 2025-000647
Case No. 2022CP3202339

Nancy Arellano, individually
and as parent and natural guardian
of Minor Z.A.,

Respondent,

v.

School District No. Two of Lexington
County, State of South Carolina,

Appellant.

RESPONDENT'S MOTION FOR LEAVE TO FILE FINAL CORRECTED BRIEF WITH
RECORD CITATIONS AND TO CLARIFY PROCEDURAL COMPLIANCE

Respondent, by and through undersigned counsel, respectfully moves pursuant to Rules 208, 210, and 211 of the South Carolina Appellate Court Rules (SCACR) for leave to file a final corrected Respondent's Brief limited to the inclusion of record citations required under Rule 208(b)(1)(D).

In support of this motion, Respondent states as follows:

Purpose of Motion

Respondent seeks leave to file a corrected version of the previously filed Respondent's Brief to incorporate specific page and line references to the Record on Appeal as required by Rule 208(b)(1)(D), SCACR.

The proposed corrections are strictly limited to record citations and do not alter, expand, or

modify the arguments, authorities, or issues presented in the original Respondent's Brief. This request is made solely to ensure complete compliance with the Rules and to aid the Court's review of the factual record.

Clarification of Procedural Compliance

Respondent respectfully clarifies that the initial Respondent's Brief fully complied with the South Carolina Appellate Court Rules:

- Certificate of Counsel Not Required for Initial Briefs.
Rule 211(b), SCACR, requires a certificate of counsel only for final briefs filed after service of the Record on Appeal.
Rule 208, which governs initial briefs, contains no such requirement. Accordingly, Respondent's initial brief was procedurally proper without a certificate of counsel.
- No Designation of Matter Required.
Rule 210(c), SCACR, governs the "designation of matter" to be included in the Record on Appeal. That designation process occurs before briefing and applies only when a party seeks to supplement or correct the Record. Because Respondent did not seek to add to or alter the Record on Appeal, no separate designation of additional matter was required or appropriate.

Respondent files this motion out of an abundance of caution in response to procedural arguments raised in Appellant's Reply Brief, and to demonstrate full compliance with the Rules governing appellate briefing.

Good Faith and Absence of Prejudice

This motion is made in good faith to ensure that the Court has precise references to the Record on Appeal for all factual assertions. Granting this motion will not prejudice Appellant, as the corrected brief will not alter the substance of Respondent's arguments or authorities and will merely provide record citations for ease of review.

WHEREFORE, Respondent respectfully requests that this Honorable Court:

1. Grant leave to file a Final Corrected Respondent's Brief containing specific Record citations in accordance with Rule 208(b)(1)(D), SCACR; and

2. Recognize that Respondent's initial brief complied with the South Carolina Appellate Court Rules regarding certification and designation of matter; and
3. Grant such other and further relief as the Court deems just and proper.

s/ Trevor P. Eddy

Trevor P. Eddy, Esq. 100069

The Eddy Law Firm, LLC

1516 Richland Street

Suite B

Columbia SC, 29201

Phone: 803-250-5402

Trevor@theeddylawfirm.com

*Attorney for Respondent Nancy Arellano,
individually and as parent and natural
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CERTIFICATE OF SERVICE

I certify that I have served the Motion For Leave To File Final Corrected Brief With Record Citations And To Clarify Procedural Compliance of Respondent Nancy Arellano, individually and as parent and natural guardian of Minor Z.A. through electronic means a copy sent by email on November 11, 2025, to attorneys of record, Andrea White, awhite@sodacitylaw.com and Dylan Crossland, dcrossland@sodacitylaw.com.

s/ Trevor P. Eddy

Trevor P. Eddy, Esq. 100069

The Eddy Law Firm, LLC

1516 Richland Street

Suite B

Columbia SC, 29201

Phone: 803-250-5402

Trevor@theeddylawfirm.com

*Attorney for Respondent Nancy Arellano,
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