

EXHIBIT A — PROPOSED REPLY TO APPELLANT’S RETURN

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

RECEIVED

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SC Court of Appeals

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 REPLY TO APPELLANT’S RETURN

Respondent submits this reply, pursuant to leave of Court, solely to address several procedural misstatements in Appellant’s Return.

Appellant Misstates Rule 208 and the Finality of Briefing.

Appellant asserts that Rule 208 “does not permit additional pleadings after briefing has closed.” Rule 208 restricts filing of additional briefs as of right, but does not limit the Court’s authority to grant leave to file a corrected or supplemental brief. Rule 210 expressly contemplates supplemental filings with leave. Respondent is not attempting to reopen briefing—only to correct citations to facilitate the Court’s review.

Adding Record Citations Does Not Prejudice Appellant

Appellant claims prejudice based on having responded “in a general way.” But Appellant’s Reply Brief already addressed Respondent’s arguments, and adding citations does not alter the substance, authorities, or issues. Prejudice requires a change in arguments or legal theories—not correction of citations.

The Return Mischaracterizes Respondent’s Showing of Good Cause

Respondent’s motion clearly stated:

- citations would be added solely to comply with Rule 208(b)(1)(D);
- no argument would change;
- corrections are offered to aid the Court; and
- the motion was prompted by issues raised in Appellant’s Reply Brief.

Under South Carolina appellate practice, this constitutes good cause.

Appellant Does Not Dispute Respondent’s Correct Statements of Rule 210 and Rule 211

The Return does not contest:

- Rule 211(b) does **not** require a certificate of counsel in initial briefs; and
- Rule 210(c) requires a designation of matter only when a party seeks to supplement the Record.

These points remain uncontested and correct.

Judicial Economy Supports Granting Respondent’s Motion

Accurate citation to the Record assists the Court’s ability to verify factual statements. Corrections that clarify the record promote—rather than hinder—judicial economy.

CONCLUSION

Because Appellant’s Return rests on misstatements of the SCACR and incorrect assertions of prejudice, Respondent respectfully submits that the Court should grant Respondent’s Motion for Leave to File a Final Corrected Brief.

s/ Trevor P. Eddy

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