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Dec 15 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas

The Honorable R. Keith Kelly, Circuit Court Judge
The Honorable Perry Gravely, Circuit Court Judge

Trial Court Case No. 2017-CP-11-00735
Appellate Case No. 2022-001582

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DEC 16 2025

SC Court of Appeals

106718

Appellant,

Sharon Brown,

v.

Cherokee County School District One,

Respondent.

RESPONDENT'S MOTION TO SUPPLEMENT RECORD ON APPEAL

Respondent, Cherokee County School District One ("Respondent"), pursuant to Rule 212(b), SCACR, and Rule 240, SCACR, respectfully moves this Court for leave to supplement the Record on Appeal and leave to file Final Briefs ten (10) days after the Court rules on this Motion. In support of this Motion, Respondent states as follows.

I. PROCEDURAL BACKGROUND

Appellant Sharon Brown, proceeding *pro se*, filed and served the Record on Appeal on or about November 24, 2025. Upon review of the Record on Appeal, Respondent identified several materials that were before the Court below and relevant to the issues on appeal, but which were omitted from the Record on Appeal.

Respondent seeks leave to supplement the Record prior to the filing of final briefs in order to ensure this Court's review is based on a complete and accurate record, and to avoid unnecessary redundancy, confusion, or piecemeal briefing.

II. AUTHORITY TO SUPPLEMENT AND MATERIALS REQUESTED

Under Rule 212(b), SCACR, where written consent of all attorneys of record is not obtained, a party may supplement the Record on Appeal only by leave of the appellate court. Appellant is proceeding *pro se*, and written consent has not been obtained. Accordingly, this Motion is properly before the Court.

Pursuant to Rule 212(b), Respondent respectfully requests that the following materials be added to the Record on Appeal:

1. Transcript of Owens from the TEDA Hearing (Respondent's Exhibit 13): (Exhibit A).

This transcript was expressly included in Respondent's Designation of Matter for the Record on Appeal but was not included in the Record on Appeal as filed. *See* Respondent's Designation of Matter on Appeal ¶19 *Defendant's Exhibit 13, Transcript of Beth Owens*. (filed: Feb 12, 2025); *see also* R. p. 43 and Trial Trans. pp. 2-3 (identified below).

2. Appellant's controlling pleading titled "Second Amended Complaint," filed January 11, 2018. (Exhibit B)¹. This pleading constitutes the operative complaint in the matter below.

It was omitted from Appellant's designation and, as a result, omitted from the Record on Appeal. Appellant's Second Amended Complaint was relied upon for Summary Judgment and trial.

3. Portions of the Trial Transcript and Related Certification Materials, specifically:

¹ Filed in Federal Court, *Sharon Brown v. Cherokee County School District*, C/A 7:18-cv-00017-DCC-KFM, Appellant's Amended Complaint was subsequently remanded to the lower court, where Respondent filed its Answer and Affirmative Defenses on February 9, 2018 (R. pp.65-73).

- a. Index of the Trial Transcript (Trial Transcript pp. 2-3);
- b. Trial Transcript pages 207–208 and 336–337; and
- c. Certificate of the Trial Transcript (Trial Transcript p. 394); (*collectively, Exhibit C*).

These items were omitted as an oversight and are directly applicable to the appellate issues raised by Appellant and Respondent's corresponding arguments.

III. GOOD CAUSE AND LACK OF PREJUDICE

Each of the requested materials was before the Court below, forms part of the procedural and evidentiary history of the case, and is relevant to the issues on appeal. Supplementation at this stage will promote clarity, reduce confusion, and ensure the parties' final briefs properly reference the Record on Appeal as required by Rule 211(b), SCACR. Granting this Motion will not prejudice Appellant. To the contrary, it will ensure that the appeal is resolved on a complete and accurate record.

IV. REQUEST FOR ADJUSTMENT TO DEADLINE TO FILE FINAL BRIEF

Under Rule 211(a), SCACR, final briefs are due within twenty (20) days after service of the Record on Appeal. Because supplementation of the Record will necessarily affect record citations and briefing content, Respondent respectfully requests that the Court allow ten (10) days after entry of the Court's order on this Motion for the parties to file their final briefs.

V. CONCLUSION

WHEREFORE, Respondent respectfully requests that this Court:

1. Grant leave to supplement the Record on Appeal with the materials identified above pursuant to Rule 212(b), SCACR;

2. Order that the supplemental materials listed in §II (2) “Materials Requested” be included in an Appendix to the Record on Appeal as required by the Rules filed within twenty (20) days of this Court’s ruling on this Motion; and

3. If applicable, allow the parties ten (10) days following the filing and service on the parties of the Appendix on this Motion to file final briefs.

For good reason, respectfully requests the Court to consider and grant our Motion to Supplement the Record on Appeal filed on December 15, 2025.

Respectfully submitted,



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December 15, 2025
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