

**RECEIVED**  
**Jan 06 2026**  
**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from the South Carolina Administrative Law Court  
The Honorable Robert L. Reibold Administrative Law Judge

Appellate Case No: 2025-000839

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Austin Bischoff,

Appellant,

vs.

South Carolina Department of Education,

Respondent.

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**MOTION TO ALLOW FILING OF  
SUPPLEMENTAL RECORD ON APPEAL**

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Respondent, through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

On September 26, 2025, Respondent filed and served its Initial Brief of Respondent and Designation of Matter. In its Designation of Matter, Respondent designated the same Designation of Matter to be included in the Record on Appeal as Appellant. On December 9, 2025, Respondent received from Appellant the Record on Appeal. While Respondent was preparing its Final Brief of Respondent, Respondent became aware that it had mistakenly believed that the entire Record on Appeal from the Administrative Law Court was included in Appellant's Designation of Matter.

Rather, Appellant only included one page from that Record on Appeal, listing “Respondent’s Record on Appeal October 11, 2024 (pp.18)” in its Designation of Matter.

**II.**

Respondent cited the missing Record on Appeal pages throughout its brief that are material to the issues before this Court. Because these relevant and material documents were inadvertently omitted from Respondent’s Designation of Matter, and as a result, the Record on Appeal, Respondent believes it is necessary to file a Supplemental Record on Appeal containing the applicable matter. Accordingly, Respondent asks this Court to permit and accept the filing of a Supplemental Record on Appeal containing the matter inadvertently omitted from the Record on Appeal.

**WHEREFORE**, Respondent prays that this Court will allow Respondent to file a Supplemental Record on Appeal; accept the filing of the Respondent’s Supplemental Record on Appeal; hold the matter in abeyance pending a ruling on Respondent’s motion; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,



V. Henry Gunter, Jr.  
Deputy General Counsel  
South Carolina Department of Education  
849 Learning Lane  
Columbia, SC 29172  
(803) 734-8105

**ATTORNEY FOR RESPONDENT**

West Columbia, South Carolina  
January 6, 2026

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**CERTIFICATE OF SERVICE**

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I certify that on this date, I served a copy of a Motion to Allow Filing of Supplemental Record on Appeal, dated January 6, 2026, on Austin Bischoff, Appellant, by mailing it to him, at his last known address, by depositing it in the U.S. Mail, in an envelope with sufficient postage affixed, addressed as follows:

Austin Bischoff  
6013 Tyne Lane  
Grovetown, GA 30813

  
\_\_\_\_\_  
Frances F. Katsos

January 6, 2026

January 6, 2026

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: Austin Bischoff v. SCDOE  
Appellate Case No. 2025-000829

Dear Ms. Kitchings:

Enclosed please find for filing, the original Motion to Allow Filing of Supplemental Record on Appeal, and the original of the Supplemental Record on Appeal, along with proof of service, for filing in the above-referenced appeal.

Sincerely,



V. Henry Gunter  
Deputy General Counsel  
VHG/ck

Enclosures

cc: Austin Bischoff  
6013 Tyne Lane  
Grovetown, GA 30813

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