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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM KERSHAW COUNTY
Court of Common Pleas

Hon. Jocelyn Newman, Court of Common Pleas Judge

Case No. 2025-000253
Trial Case No. 2024CP2800851

Shelby Troublefield,

Respondent,

v.

Freda Stevens,

Appellant.

APPELLANT'S INITIAL REPLY BRIEF

INTRODUCTION

This appeal should not be dismissed as moot because it falls squarely within the recognized exceptions to the mootness doctrine under South Carolina law. The South Carolina courts have established clear exceptions that permit appellate review even when a case might otherwise be considered moot, and this case satisfies the requirements for at least one of these exceptions.

ARGUMENT

Under South Carolina law, a case becomes moot when judgment, if rendered, will have no practical legal effect upon the existing controversy. S.C. Pub. Interest Found. v. S.C. DOT,

421 S.C. 110. This occurs when some event makes it impossible for the reviewing court to grant effectual relief. Charleston County Sch. Dist. v. Charleston County Election Comm'n, 336 S.C. 174.

South Carolina courts recognize certain general exceptions to the mootness doctrine in the civil context. Wachesaw Plantation E. Cmty. Servs. Ass'n v. Alexander, 414 S.C. 355. These exceptions allow appellate courts to exercise jurisdiction despite technical mootness when important legal principles or recurring issues are at stake. One such permits an appellate court to decide questions of imperative and manifest urgency to establish a rule for future conduct in matters of important public interest. Wachesaw Plantation E. Cmty. Servs. Ass'n v. Alexander, 414 S.C. 355. This exception recognizes that certain legal issues transcend the immediate parties and require judicial resolution for the benefit of the public.

The determination of whether a particular suit raises questions of imperative and manifest urgency must be decided on an individual basis. Sloan v. Greenville County, 361 S.C. 568. Courts must focus on the standard for invoking this exception rather than merely on whether the matter involves important public interest. Sloan v. Greenville County, 361 S.C. 568.

This case involves important First Amendment considerations that need clarification in order to be applied in future cases, and further involves the possibility of lasting reputational harm if not remedied by this Court. Ms. Stevens has been accused of making violent threats toward a teacher on school grounds, which she denies, and the only way for her to vindicate her position and restore her reputation is to obtain reversal of the judgment.

This invokes another exception to the mootness doctrine, characterized as the collateral consequences exception, which provides that if a decision by the trial court may affect future events or have collateral consequences for the parties, an appeal from that decision is not moot,

even though the appellate court cannot give effective relief in the present case. Wachesaw Plantation E. Cmty. Servs. Ass'n v. Alexander, 414 S.C. 355.

This exception recognizes that legal decisions can have impacts beyond the immediate case, and appellate review serves important functions even when direct relief cannot be provided. Courts can take jurisdiction when the trial court's decision may affect future events. Sloan v. DOT, 365 S.C. 299.

The exceptions to mootness serve important judicial functions by ensuring that significant legal issues receive appellate consideration. Without these exceptions, many important legal questions would escape review due to the temporary nature of the underlying disputes.

Appellate review in cases that might technically be moot serves the crucial function of providing guidance for future similar cases. This is particularly important when the underlying legal issues are likely to recur but may consistently evade review due to their temporary nature.

CONCLUSION

This appeal should not be dismissed as moot because it satisfies the requirements for one or more of the recognized exceptions to the mootness doctrine under South Carolina law. The issues presented involve matters of public importance or will have collateral consequences that justify appellate consideration. South Carolina courts have consistently recognized that technical mootness should not prevent review of important legal issues that serve the broader interests of justice and legal clarity, such as in this case.

Respectfully Submitted,

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