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Jan 27 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable Robert L. Reibold, Administrative Law Judge
Docket No. 25-ALJ-17-0077-CC

Appellate Case No. 2025-001521

Terry Scott, Appellant,

v.

Charleston County Assessor, Respondent.

MOTION TO SUPPLEMENT THE RECORD ON APPEAL

Respondent Charleston County Assessor respectfully moves this Honorable Court pursuant to Rule 212 of the South Carolina Appellate Court Rules to supplement the record on appeal with two documents designated in Respondent’s Designation of Matter to be Included in the Record on Appeal. *See* Respondent’s Designation of Matters numbers 6 and 14.

Petitioner has designated less than the entire record as the Record on Appeal. She has omitted two designated matters from the record: (1) an Email from Respondent to Judicial Law Clerk to Honorable Judge Robert L. Reibold, S.C. Administrative Law Court, Enclosing Motion and Proof of Service, dated June 11, 2025, and (2) a Letter from the Assessor to Terry Scott Re: Receipt of Objection to Notice of Classification Appraisal & Assessment of Real Estate received on November 20, 2023, and accepting it as written notice for tax year 2024, dated January 11,

2024. The Email and Letter are attached as Exhibits A and B and made a part of this motion by reference.

In support of this motion, Respondent states:

1. Appellant asserts, Final Brief Section II at 12-14, that Respondent's motion for summary judgment was made upon unlawful procedure in filing dates prejudicing Appellant's due process. However, the Administrative Law Judge explains that the filing does not prejudice Appellant because she was served with the motion on June 11, 2025, receiving the motion prior to the mailing date of June 23, 2025. *See* R. p. 6, n.3; *see also* R. p. 55, Certificate of Service.

2. Respondent sent Appellant a letter dated January 11, 2024, regarding her objection to the assessment of the property for tax year 2023. Respondent explains that Appellant's objection with the Notice of Classification Appraisal and Assessment for 2023 was untimely and therefore accepted her objection for tax year 2024. *See* Final Brief of Respondent p. 4, n.2.

Accordingly, because the Email and Letter are material to Appellant's claims which Appellant omitted them from the record by error or accident, this Court can and should supplement the record on appeal with the documents pursuant to Rule 212 of the South Carolina Appellate Court Rules. Alternatively, the added material will aid the Court in making its informed decision and will serve the interests of justice.

PROCEDURAL HISTORY

1. Appellant filed her Final Brief on October 20, 2025.
2. Respondent filed a Motion to Strike a Portion of Appellant's Final Brief and/or, in the Alternative, Motion to Amend Respondent's Designation of Matter to be Included in the Record on Appeal, along with a Memorandum of Law in Support of Respondent's Motion to Strike and/or, in the Alternative, Motion to Amend, on November 7, 2025.

3. Appellant did not respond to Respondent's motion.

4. Appellant served the Record on Appeal upon Respondent on December 1, 2025, which was received by Respondent on December 5, 2025, and filed by the Court on December 4, 2025.

5. This Court mailed a letter to Appellant and Respondent's attorneys of record dated December 3, 2025, notifying the litigants that the time limits for perfecting the appeal will be held in abeyance pending the Court's decision on the motion.

6. The Record on Appeal does not comply with Rule 210(c) and (g), *SCACR*. It does not include all matter designated to be included by any party under Rule 209. It does not contain a certificate that the Record on Appeal contains all material proposed to be included by any party and not other material. The time limits for perfecting the appeal including filing the Record on Appeal were held in abeyance pursuant to the Court's instructions.

7. This Court issued its Order on December 22, 2025, granting Respondent's motion to strike a portion of Appellant's Final Brief. The Order provided that within twenty days of the date of the Order, Appellant shall serve and file an amended final brief that omits the third statement of issues on appeal and the entire third argument.

8. Appellant served the amended Final Brief upon Respondent on January 3, 2026, which was received by Respondent on January 7, 2026, and filed by the Court on January 7, 2026.

9. Because the Record on Appeal was filed on December 4, 2025, after the December 3, 2025, letter of the Court holding the time limits for perfecting the appeal in abeyance, it remains uncertain whether Appellant must file the Record on Appeal with her amended Final Brief to comply with Rule 210(b) and 211, *SCACR*. Respondent contends Appellant failed to file the Record on Appeal in compliance with the Court's letter and the Appellate Court Rules—Appellant

did not serve the Record on Appeal within twenty days of the date of the Order when her amended Final Brief was due.

10. Respondent was unaware what day Appellant would file her amended Final Brief and therefore Respondent filed Respondent's Final Brief on January 23, 2026, which was within twenty days of Appellant's filing her amended Final Brief.

CONCLUSION

Respondent respectfully requests that this Court supplement the record to include the Email and Letter referenced in this motion pursuant to Rule 212, *SCACR*.

Respectfully submitted,

CHARLESTON COUNTY ATTORNEY'S OFFICE

s/ Bernard E. Ferrara, Jr.

Bernard E. Ferrara, Jr., S.C. Bar No. 9034

Marc G. Belle, S.C. Bar No. 103946

Kevin M. DeAntonio, S.C. Bar No. 101169

Andrew L. Hethington, S.C. Bar No. 104667

Lonnie Hamilton, III Public Services Building

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alhethington@charlestoncounty.org

Attorneys for Respondent

Charleston, South Carolina

January 26, 2026

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EXHIBIT A

Email from Respondent to Judicial Law Clerk
to Honorable Judge Robert L. Reibold, S.C. Administrative Law Court,
Enclosing Motion and Proof of Service, dated June 11, 2025

Catherine S. Anderson

From: Catherine S. Anderson
Sent: Wednesday, June 11, 2025 12:15 PM
To: Jared Thompson
Cc: Bernard Ferrara; Marc Belle; Kevin M. Deantonio; Andrew L Hethington
Subject: Terry Scott v. Charleston County Assessor - 25-ALJ-17-0077-CC
Attachments: 2025-06-11 - Ltr to Judge Reibold Enc. Respondent's MSJ.pdf

Good Afternoon,

Attached please find Respondent's Notice of Motion and Motion for Summary Judgment for filing in the above-referenced matter. A hard copy, along with a check for the \$50 filing fee, will be put in the mail to the Court. Please let me know if you have any questions or concerns.

Thank you.

Catherine S. Anderson
Paralegal
Charleston County Attorney's Office
4045 Bridge View Drive
North Charleston, SC 29405
(843) 958-4019
CSAnderson@charlestoncounty.org

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EXHIBIT B

Letter from the Assessor to Terry Scott
Re: Receipt of Objection to Notice of Classification Appraisal &
Assessment of Real Estate received on November 20, 2023,
and accepting it as written notice for tax year 2024,
dated January 11, 2024

TIMELINESS

*Office of the County Assessor
843.958.4100*



*3875 Faber Place Drive, Suite 100
North Charleston, SC 29405*

January 11, 2024

Terry Scott
1619 Rodeo Drive
Virginia Beach, VA 23464

FILE COPY

RE: PID: 23/661-00-00-164
Owner: Terry Scott, Shella Powell, Emma Huger, and Dorian Doles

Dear Sir/Madam:

With regard to the above-referenced property and your letter, which was received in our office on November 20, 2023, unfortunately we must advise you that the legal time for filing an objection for Tax Year 2023 has expired. As noted on the Notice of Classification, Appraisal & Assessment of Real Estate dated July 14, 2023, "If you disagree with the Appraisal & Assessment, you must file written objection with the Assessor on/or before October 12, 2023."

However, this office has accepted your objection as your written notice for tax year 2024. One of our staff will review the objection and may inspect the property and confer with you if necessary or may have already contacted you. If a conference is necessary, your property will not be legally under protest until that conference is held and you have timely returned the required Protest Form, which will be provided at the conference.

Additional information about appeals, various applications, deadlines and processes is available on Charleston County's website at www.charlestoncounty.org. If you have not paid your tax bill, it is very important that you do so. If your bill is not paid on time, penalties will apply that cannot be waived. Those penalties increase over time.

If you should have any questions, do not hesitate to call.

Sincerely,
Charleston County Assessor's Office

blm

Enclosure

PID: 23/661-00-00-164

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Appellate Case No. 2025-001521

Terry Scott, Appellant,

v.

Charleston County Assessor, Respondent.

PROOF OF SERVICE

I certify that I have served Respondent's **Motion to Supplement the Record on Appeal** upon Appellant Terry Scott addressed as follows and by electronic mail on January 26, 2026:

Terry Scott
1619 Rodeo Drive
Virginia Beach, Virginia 23464
and
Email: *Tascottnpsk12vaus@live.com*

[Signature on Following Page]

Respectfully submitted,

CHARLESTON COUNTY ATTORNEY'S OFFICE

s/ Bernard E. Ferrara, Jr.

Bernard E. Ferrara, Jr., S.C. Bar No. 9034

Marc G. Belle, S.C. Bar No. 103946

Kevin M. DeAntonio, S.C. Bar No. 101169

Andrew L. Hethington, S.C. Bar No. 104667

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alhethington@charlestoncounty.org

Attorneys for Respondent

Charleston, South Carolina
January 26, 2026

Jan 27 2026

SC Court of Appeals

Catherine S. Anderson

From: Catherine S. Anderson
Sent: Monday, January 26, 2026 3:05 PM
To: tascottnpsk12vaus@live.com
Cc: Bernard Ferrara; Marc Belle; Kevin M. Deantonio; Andrew L Hethington
Subject: Service of Resp. CC Assessor's Motion to Supplement the Record on Appeal
Attachments: Motion to Supplement Record on Appeal of Resp't Charleston County Assessor - 1-26-2026 .pdf

Good afternoon,

Attached for service, please find Respondent Charleston County Assessor's Motion to Supplement the Record on Appeal in the above-referenced matter.

Catherine S. Anderson
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