

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC 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,

**APPELLANT’S RESPONSE TO RESPONDENT’S MOTION TO SUPPLEMENT THE
RECORD ON APPEAL**

Terry Scott
1619 Rodeo Drive
Virginia Beach, VA 23464
tascottnpsk12vaus@live.com

Appellant received Respondent's Motion to Supplement Record On Appeal on January 30, 2026 by US Postal Mail. The motion to supplement the record on appeal should be denied for the following reasons:

First, item 6 of the Respondent's Designation Of Matter states "*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*" (Emphasis added), did not nor could include the appellant. According to this description, the email was **not** transmitted to the appellant. Therefore, the appellant does not have access to the email to include in the record on appeal.

The Court of Appeals in *Wells Fargo Bank, N.A. v. Fallon Properties S.C., LLC*, 413 S.C. 642, 776 S.E.2d 575 (2015) treats electronic communications as "written notice" only when they are sent to an *authorized* email address of counsel; the same principle applies to pro se litigants—who lack such an authorized address. In South Carolina, a pro se party (self-represented litigant) can consent in writing to be served with court documents by email, provided they designate a correct email address. While electronic filing is generally for attorneys, courts may permit electronic submission from pro se litigants via email or upload.

The court should also deny Assessor's Motion to Supplement the Record on Appeal due to Exhibit B.

DISCUSSIONS

- I. On August 11, 2025, SC Court of Appeals noted in "Event Information" Transcript Documents - No Transcript to be Ordered. The order granting summary judgement is the only document referencing the email transmission to which appellant has access.

There is no additional documentation for the email transmission between respondent, judicial law clerk and Honorable Judge Robert L. Reibold. The traditional US postal service order granting summary judgement is already part of the record on appeal in which appellant had knowledge of the private email between respondent, judicial law clerk and Honorable Judge Robert L Reibold. Therefore, including the email as part of the record on appeal could not have been done by appellant due to lack of access.

Is email submission to or by a pro se litigant legal? South Carolina Court of Appeals in **Rule 5, South Carolina Rules of Civil Procedure (SCRCP)** requires service of pleadings, motions, and other papers by a *traditional* method unless the recipient is an **Authorized E-Filer** (an attorney or other party authorized under the South Carolina Electronic Filing (SCEF) system). The language of Rule 5 is clear and unambiguous. A case in point is *Eberly v. D.R. Horton* in the Supreme Court of South Carolina. “The Court held that a Notice of Appeal sent by electronic filing (NEF) is **not effective** for a self-represented (pro se) party because NEFs are transmitted only to “Authorized E-Filers” (attorneys). The Court therefore requires traditional service for pro se parties. This court decision expressly addresses the limitation for pro se litigants. The Court of Appeals in the case **Wells Fargo Bank, N.A. v. Fallon Properties S.C., LLC**, 413 S.C. 642, 776 S.E.2d 575 (2015) treats electronic communications as “written notice” only when they are sent to an *authorized* email address of counsel; the same principle applies to pro se litigants—who lack such an authorized address.

In South Carolina, a pro se party (self-represented litigant) can consent in writing to be served with court documents by email, provided they designate a correct email

address. While electronic filing is generally for attorneys, courts may permit electronic submission from pro se litigants via email or upload.

The email transmission between the respondent, judicial law clerk and Honorable Judge Robert L. Reibold could not include the pro se appellant litigant due to the above qualifiers. The appellant has not consented in writing to be served with court documents electronically. Therefore, traditional serving of documents is currently the only viable option. The implications are salient with respect to respondent's motion to supplement the record on appeal. The appellant did not have access to the email which partially impacts requirements of the proceedings. Furthermore, full access to the NEF requires AIS email address as stipulated by section (d) of Rule 262 referenced in Appellate Case No. 2020-000447.

- II. The Motion to Supplement The Record On Appeal should be denied due to Exhibit B. The Motion to Supplement The Record On Appeal includes Exhibit B. Item 14 of Respondent's Designation of Matter states "*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*" (Emphasis added).

Close examination of Exhibit B shows the following:

"RE: PID: 23/661-00-00-164

Owner: Terry Sott, Shelia Powell, Emma Huger, and Dorian Doles

Exhibit B conflicts with item 14 of Respondent's Designation of Matter.

Appellant has not received a correspondence from Charleston County Assessor's Office dated January 11, 2024 with the reference subject line in Exhibit B.

III. Finally, the notice of Abeyance was implemented after appellant was required to submit The Record on Appeal. South Carolina Court of appeal **RULE 210** states:

a)Time for Service. Within thirty (30) days after service of the last brief, the appellant shall serve a copy of the Record on Appeal on each party who has served a brief. Proof of service of the Record shall be immediately filed with the clerk of the appellate court.

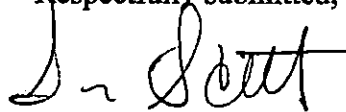
According to the above rule, appellant was bound by the legal timeline. The Record On Appeal was sent by US certified mail on December 1, 2025 to South Carolina Cour of Appeals and Respondent with proof of service. The Court's Notice of Abeyance is dated December 3, 2025 and is post marked December 4, 2025. Appellant sent correspondence to the court and Respondent dated December 16, 2025 requesting correction with the filing dates so that it reflects the above.

The Order Granting Respondent's Motion to Strike is dated December 22, 2025. It states, "Within twenty days of the date of this order, Appellant shall serve and file an amended final brief that omits the third statement of issue on appeal and the entire third argument". The Appellant's amended final brief aligns with the above order and was sent US certified mail to the court and Respondent on January 3, 2026.

CONCLUSION

The court should deny the Motion to Supplement the Record On Appeal on the grounds that appellant did not have access to the private email between respondent, judicial law clerk and Honorable Judge Robert L. Reibold. Appellant is a pro se litigant without electronic transmission rights. Appellant has not provided written consent to email transmissions. Furthermore, Exhibit B as a supplemental Designation of Matter conflicts with item 14 of Respondent's Designation of Matter. Finally, Appellant's filings are according to South Carolina Court of Appeals Rules and The Order Granting Motion to Strike dated December 22, 2025.

Respectfully submitted,

A handwritten signature in black ink that reads "Terry Scott". The signature is written in a cursive style with a large, prominent "T" and "S".

Terry Scott
1619 Rodeo Drive
Beach, VA 23464
Self-represented

Virginia Beach, VA
February 2, 2026

THE STATE OF SOUTH CAROLINA
In The Court of
Appeals

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SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
ADMINISTRATIVE LAW COURT

Honorable Judge Robert L. Riebold

Case No. 2025 001521

Terry Scott.....Appellant,

v.

Charleston County Assessor..... Respondent,

PROOF OF SERVICE

I certify that I have served the Response to Supplemental Designation of Matter on Charleston County Assessor by depositing a copy of it in the United States Mail, postage prepaid, on February 2, 2026, addressed to her attorney of record, Bernard E. Ferrara Jr., Esquire (SC Bar No. 9034, Marc G. Belle, Esquire (SC Bar No. 303946), Kevin M. De Antonio, Esquire (SC Bar No. 101169), and Andrew L Hethington, Esquire (SC Bar No. 104667) Lonnie Hamilton, III Public Services Building 4045 Bridge View Drive North Charleston, SC 29405.



Virginia Beach, VA
February 2, 2026

Terry Scott
1619 Rodeo Drive
Virginia Beach, Virginia 23464
Appellant

Terry Scott
1619 Rodeo Drive
Virginia Beach, VA 23464
Tascottnpsk12vaus@live.com
(757) 837-6838
February 1, 2026, 2026

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Jenny Abbott Kitchings, Clerk
Catherine S. Harrison, Chief Deputy Clerk
Post Office Box 11629

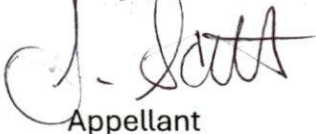
Re: Terry Scott v. Charleston County Assessor
Appellate Case No. 2025-001521

Dear Ms. Kitchings,

The enclosed is appellant's response to respondent's motion to supplement record on appeal. Please file with proof of service.

Sincerely,

Terry Scott



Appellant

Cc: Mr. Bernard E. Ferrara, Jr., Esquire
4045 Bridge View Dr.
North Charleston, SC 29405-7464

Mrs. Natalie ArmstrongHam, Esquire
4045 Bridge View Dr.
North Charleston, SC 29405-7464

Mr. Marc Graylynn Belle, Esquire
4045 Bridge View Dr.
North Charleston, SC 29405-7464

Mr. Kevin Michael DeAntonio, Esquire
4045 Bridge View Dr.
North Charleston, SC 29405-7464

Terry Scott
1619 Rodeo Drive
Virginia Beach, Virginia 23464



9589 0710 5270 3564 6011 54

RICHMOND RDC 99

Retail

3 FEB 2026



29211

RDC 99

U.S. POSTAGE PAID
FCM LETTER
VIRGINIA BEACH, VA 23464
FEB 02, 2026

~~\$6.37~~

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SC Court of Appeals

Jenny Abbott Kitchings, Clerk
Post Office Box 11629
Columbia, SC 29211

29211-11629

