

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Florence County
The Honorable Michael G. Nettles
12th Judicial Circuit Court Judge
Trial Court Case No.: 2021-CP-21-02121

Appellate Case No.: 2024-001454

IN RE Hannah Secka individually and as parent and guardian for the minor, M.Y.S., Appellants,

v.

Florence County School District One and Florence County Sheriff's Department, Respondents.

**RESPONDENT'S MOTION FOR EXTENSION
OF TIME TO FILE FINAL BRIEF**

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Appellant, *pro se*

COMES NOW the Respondent, Florence County School District One (“Respondent” or “District”), by and through its undersigned counsel, and respectfully moves this Court pursuant to Rule 240, SCACR, for an extension of time and permission to file its Final Brief, and in support thereof states as follows:

I. AUTHORITY AND PROCEDURAL CONTEXT

Rule 240, SCACR, authorizes motions for extension of time and requires the movant to state with specificity the basis for the request. Under Rule 211(a), SCACR, a final brief is due within twenty (20) days of service of the Record on Appeal (“ROA”). Rule 211(b)(1), SCACR, further requires that the brief contain “citations to the Record on Appeal” sufficient for the Court’s review. A respondent cannot meet this requirement unless the ROA is complete, accurate, properly indexed, and compliant with the appellate rules.

II. FACTUAL AND PROCEDURAL BASIS

The Appellant’s “Updated” Record on Appeal (ROA) and Proof of Service were filed on December 2, 2025. Appellant certified that the attorney of record was served with the ROA “via electronic mail and by depositing a copy. . . United States Mail. . .,” on December 2, 2025. Appellant attempted to file several versions of the ROA—none of which were and still are not in compliance with the Appellate Rules. On December 29, 2025, Counsel for Respondent received an unbound paper copy of the ROA, without attachments. The “Updated” ROA consists of approximately 685 pages, including new documents and information not part of the lower court proceedings or included in either party’s Designation of Matter. On March 31, 2026, Appellant filed yet another “Updated” ROA and Proof of Service, this version consisting of approximately 433 pages and retaining new, albeit fewer, documents—some incomplete—not part of the lower court proceedings or either party’s Designation of Matter.

These multiple, improper filings have delayed a complete review of the ROA and significantly prolonged preparation of the Final Brief.

III. REQUESTED RELIEF AND GOOD CAUSE

Respondent respectfully requests an extension of the deadline to file its Final Brief. Good cause exists due to Appellant's repeated noncompliance with SCACR ROA requirements preventing Respondent from preparing a brief with proper citations. The amended ROA continues to omit relevant documents, include improper materials, and fail SCACR formatting requirements. Respondent cannot meet the citation requirements of Rule 211(b) without a compliant ROA.

Additionally, counsel for Respondent has been involved in multiple proceedings pursuant to the Individuals with Disabilities Education Action (IDEA), which have immovable federal deadlines, impacting Respondent's ability to address the ROA deficiencies. Granting an extension will promote judicial economy and ensure the Court receives accurate citations and a complete presentation of the case. No prejudice will result to Appellant as the deficiencies are attributable to Appellant's filings, not Respondent's actions.

IV. CONCLUSION

For the foregoing reasons, Respondent respectfully requests that this Court grant an extension of time to file its Final Brief beyond the current deadline set forth in Rule 211(a), SCACR, and award any additional relief the Court deems proper.

[SIGNATURE BLOCK FOLLOWS ON NEXT PAGE]

Respectfully Submitted:

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