

South Carolina Appellate Case Management System

CLERK'S OFFICE
SUPREME COURT
COURT OF APPEALS

C-Track, the browser based CMS for Appellate Courts

Appellate Case No. ...

Cases

Case Search

Participant Search

Disclaimer: The information and documents available here should not be relied upon as an official record of action. Only filed documents can be viewed. Some documents received in a case may not be available for viewing. Some documents originating from a lower court, including records and appendices, may not be available for viewing.

Case Search

Court: Supreme Court ▼

Case Title:

Filed Date
From:

Group:

▼

Appellate Case
No.:

2026-001384

Filed Date
To:

Type:

▼

Exclude Closed
Cases:

☒

Search

No records were found.

Exhibit A

2 pages

RECEIVED

AUG 17 2026

S.C. SUPREME COURT

South Carolina Appellate Case Management System

CLERK'S OFFICE
SUPREME COURT
COURT OF APPEALS

C-Track, the browser based CMS for Appellate Courts

Appellate Case No. ...

Cases

Case Search

Participant Search

Disclaimer: The information and documents available here should not be relied upon as an official record of action.
Only filed documents can be viewed. Some documents received in a case may not be available for viewing.
Some documents originating from a lower court, including records and appendices, may not be available for viewing.

Case Search

Court:		Case Title:		Filed Date From:	
Group:		Appellate Case No.:	2026-001384	Filed Date To:	
Type:		Exclude Closed Cases:	☒	Search	

No records were found.



DUFF | FREEMAN | SEIBERT

ATTORNEYS AND COUNSELORS AT LAW

ATTORNEYS: David T. Duff † | William C. Freeman | Meredith L. Seibert | Renique K. Brabham

Exhibit B
8 pages

Sender's email address
mseibert@dfs-lawfirm.com

July 13, 2026

VIA ELECTRONIC MAIL

South Carolina Supreme Court
Hon. Patricia A. Howard
Clerk of Supreme Court
suptfilings@sccourts.org

Re: 2026-001384, A.C. Benson, Essa Almasoud, Megan Wilson v. Clover School District Board et al.

Dear Madam Clerk:

Please be advised that ***Duff Freeman Seibert, L.L.C.*** represents the **Respondents** in case number 2026-001384. We request that any and all future communication regarding this matter be directed to us at the contact information provided herein.

Thank you for your assistance. Should you have any questions, please do not hesitate to contact me.

Sincerely,

s/Meredith L. Seibert

Meredith L. Seibert, Esquire

c: Dave T. Duff, Esq.
Renique K. Brabham, Esq.

Respectfully Submitted:

DUFF | FREEMAN | SEIBERT, LLC

By: s/Meredith L. Seibert

Meredith L. Seibert, Esq. (SC Bar #72935)

David T. Duff, Esq. (SC Bar #1768)

Renique K. Brabham, Esq. (SC Bar #105325)

P.O. Box 1486

Columbia, SC 29202

Telephone: (803) 790-0603

Facsimile: (803) 790-0605

mseibert@dfs-lawfirm.com

dduff@dfs-lawfirm.com

rbrabham@dfs-lawfirm.com

Attorneys for Respondents

July 13, 2026

Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
In the Supreme Court
In Its Original Jurisdiction

WRIT OF MANDAMUS

Case No.: 2026-001384

A.C. Benson, Essa Almasoud, Megan Wilson, Petitioners,

v.

Clover School District Board, Sheila Quinn,
Mary Gerber, Paie Howe, Lori Maczko, Elaine Miles, Respondents.

RESPONDENTS' RETURN TO PETITIONERS' WRIT OF MANDAMUS

DUFF FREEMAN SEIBERT, LLC

Meredith L. Seibert, Esq.
Dave T. Duff, Esq.
Renique K. Brabham, Esq.
P.O. Box 1486
Columbia, SC 29202
(803)790-0603

Attorneys for Respondents

TABLE OF AUTHORITIES

Cases:

<u>In re: Lyde</u> , 284 S.C. 419, 327 S.E.2d 70 (1985).....	3
<u>Linton v. Gaillard</u> , 203 S.C. 19, 25 S.E.2d 896 (1943).....	3
<u>Porter v. Jedziniak</u> , 334 S.C. 16, 512 S.E.2d 497 (1999).....	3
<u>Redmond v. Lexington Co. Sch. Dist. No. Four</u> , 314 S.C. 431, 445 S.E.3d 441 (1994).....	3
<u>Willimon v. City of Greenville</u> , 243 S.C. 82, 86-87, 132 S.E.2d 169, 170-71 (1963).....	3

LEGAL ARGUMENT

Pursuant to Rule 240 of South Carolina Appellate Court Rules, Respondents, by way of their counsel, hereby request this Court to deny Petitioners' June 22, 2026, filing requesting a writ of mandamus for Respondents to "cease and desist" certain discretionary acts. Notwithstanding the erroneous manner in which Petitioners submitted their petition, this Court should deny their request because the Petition does not outline circumstances placing the matter within this Court's jurisdiction nor do the allegations meet any of the factors permitting an issuance of a writ of mandamus.

Original Jurisdiction

"Although Article V, § 5, of the South Carolina Constitution vests this Court with the authority to issue extraordinary writs and entertain actions in its original jurisdiction, this Court's primary function is to act as an appellate court to review appeals from the trial courts. In Rule 229, SCACR, this Court has indicated it will not entertain matters in its original jurisdiction where the matter can be entertained in the trial courts of this State. Only when there is an extraordinary reason such as a question of significant public interest or an emergency will this Court exercise its original jurisdiction." Key v. Currie, 305 S.C. 115, 116, 406 S.E.2d 356, 357 (1991).

Here, Petitioners allege violations in contract law, tort, criminal law, administrative law, and education law. Even if these allegations, which involve governmental agencies, did constitute matters of public interest, no facts exist showing them to be significant or urgent enough to rise to the level necessitating original jurisdiction of this Court, nor proving them to not be subject to the jurisdiction of trial courts. Indeed, every allegation can be disposed through either administrative remedies or circuit court. Thus, the Court should find that it does not have jurisdiction of the allegations in the Petition.

Writ of Mandamus

“The writ of mandamus is the highest judicial writ known to the law. . . The primary purpose or function of a writ of mandamus is to enforce an established right, and to enforce a corresponding imperative duty created or imposed by law. It is designed to promote justice, subject to certain well-defined qualifications. Its principal function is to command and execute, and not to inquire and adjudicate.” Willimon v. City of Greenville, 243 S.C. 82, 86-87, 132 S.E.2d 169, 170-71 (1963).

Therefore, obtaining a writ of mandamus to enforce a specific performance requires a petitioner to show: 1) respondent’s duty to perform the act, 2) the ministerial nature of the act, 3) the petitioner’s right to benefit from the act, and 4) a lack of any other legal remedy. Porter v. Jedziniak, 334 S.C. 16, 512 S.E.2d 497 (1999); Redmond v. Lexington Co. Sch. Dist. No. Four, 314 S.C. 431, 445 S.E.3d 441 (1994). Writs of mandamus cannot rightfully be issued when the legal right being sought is doubtful or if the desired performance is discretionary. In re: Lyde, 284 S.C. 419, 327 S.E.2d 70 (1985). Importantly, issuing a writ a mandamus is within the Court’s discretion—it is not a matter of right. Linton v. Gaillard, 203 S.C. 19, 25 S.E.2d 896 (1943).

Here, the Petition itself refers to the alleged violations of matters of “discretion.” (Petition for Writ, p. 7). Further, the list of allegations in the Petition shows a series of actions, not inactions, Petitioners assert caused harm to them. Additionally, the Petitioners’ requested remedy is not to command or execute a ministerial action, but to award damages befitting a suit in a lower tribunal. Finally, the lower tribunals are the proper venue for awarding the remedies sought by Petitioners. Accordingly, these allegations—to which Respondents denies any liability—do not warrant an issuance of a writ of mandamus.

CONCLUSION

In conclusion, the Petition is not subject the original jurisdiction of the South Carolina Supreme Court, and Petitioners have alleged circumstances inappropriate for an issuance of a writ of mandamus. Thus, the Petition should be DENIED.

Respectfully Submitted:

DUFF | FREEMAN | SEIBERT, LLC

By: s/Meredith L. Seibert

David T. Duff, Esq. (SC Bar #1768)

Meredith L. Seibert, Esq. (SC Bar #72935)

Renique K. Brabham, Esq. (SC Bar #105325)

P.O. Box 1486

Columbia, SC 29202

Telephone: (803) 790-0603

Facsimile: (803) 790-0605

mseibert@dfs-lawfirm.com

dduff@dfs-lawfirm.com

rbrabham@dfs-lawfirm.com

Attorneys for Respondents

July 13, 2026
Columbia, South Carolina



SOUTH CAROLINA
DEPARTMENT OF EDUCATION

Exhibit C
1 page

July 1, 2026

Angel Advocates
235 Straightaway Lane
Indian Land, SC 29707

RE: A.C. Benson, Essa Almasoud, Megan Wilson vs. Clover School District Board et al., and Indv. Sheila Quinn, Mary Gerber, Paige Howe, Lori Maczko, Elaine Miles, SCDOE through Ellen Weaver and Indv. Tina Ross, Barbara Drayton; Brian Murphy; York County Sheriff's Office through/indv. Anthony Breeden, Brandon McCoy, Andy Boone, and Andrew Galant

Dear Sir / Madam:

Enclosed please find a copy of the Summons and Complaint in the above-mentioned case that we received via U.S. Mail on June 22, 2026. Please note, we are amending this letter to correct the date of mailing. Your materials were mailed back to you on June 29, 2026; however, the letter was incorrectly dated.

Pursuant to Rule 245 Supreme Court Rules and Pursuant to Rule 4(d)(5) of the S.C. Rules of Civil Procedure, the South Carolina Department of Education (SCDE) does not accept service by certified mail, regular mail, facsimile, or e-mail. In order to effect proper service on the SCDE, the Summons and Complaint must be **personally served** on Ellen E. Weaver, State Superintendent of Education, South Carolina Department of Education. For your convenience, the Office of General Counsel will accept service for Ms. Weaver. Further, we cannot accept service for Barbara Drayton or Tina Ross. Therefore, I am returning a copy of the Summons and Complaint in the above-referenced matter that was received by certified mail, and I am refusing to acknowledge that the agency was properly served.

Please call me at 803-734-8105 if you need further clarification.

Sincerely,

Todd K. Atwater
Deputy Superintendent
Legal Affairs
TKA/tdl

Enclosure: Summons and Complaint

cc: Alexis Carberry Benson
Essa Almasaud
Megan Wilson