

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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FEB 10 2014  
SC Court of Appeals

The School District of Greenville County..... Appellant,

v.

Lee C. P. and Nelle S. P., as Guardians ad Litem for  
Lee P., a minor ..... Respondents.

71247

Case No. 2013-CP-23-03447

Appeal from Greenville County  
Court of Common Pleas  
Edward W. Miller, Circuit Court Judge

PETITION FOR APPOINTMENT  
OF GUARDIANS AD LITEM

Proposed Amici Jeremy B. and Harrison S., by and through their undersigned attorneys, file this Petition for Appointment of their respective parents as guardians ad litem pursuant to Rule 240, S.C.A.C.R., and Rule 17, S.C.R.C.P. GeriAnn B. and David B. are the parents of Jeremy B. Susan S. and Russell S. are the parents of Harrison S.

As explained in the Motion for Leave to File a Brief Amici Curiae, this Petition for Appointment of Guardians ad Litem is being made in the alternative and out of an abundance of caution. Proposed Amici Jeremy B. and Harrison S. are each seventeen years old. Because this is an amicus brief, we submit that there is no need for appointment of guardians ad litem for these two minor students. They are not suing or being sued, and so their capacity in that regard is not at issue. They seek only to act as friends of the Court. Moreover, their parents (who are not minors) are also seeking leave

to file as friends of the Court, and their interest alone makes it appropriate for the Court to consider this brief.

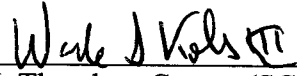
In addition, Rule 213, S.C.A.C.R., sets out its own standards for when parties may submit an amicus brief. That rule requires that a motion for leave to file an amicus brief “identify the interest of the applicant and shall state the reasons why a brief of an amicus curiae is desirable.” Proposed Amici respectfully assert the interests that must be articulated under Rule 213 stand apart from any requirements in Rule 17, S.C.R.C.P., or the common law of this State that address standing or the capacity of parties to sue

To the extent, however, that this Court disagrees and believes that guardians ad litem need be appointed for the minors Jeremy B. and Harrison S., said minors and their parents respectfully request the Court grant this Petition in addition to their Motion for Leave to File a Brief Amici Curiae.

The undersigned attorneys affirm on behalf of the minors Jeremy B. and Harrison S. that both are at least 14 years of age and are resident and domiciled with their respective parents in Greenville County, South Carolina. Neither set of parents has an interest adverse to their respective sons, and both sets of parents will protect the interests of their respective sons in this matter. Both sets of parents are also fully competent to understand and protect the rights of their respective sons. Further, neither set of parents is connected or associated with Lee C. P., Nelle S. P., or Lee P., or their attorney.

Counsel for the Appellant the School District of Greenville County consents to this petition. Counsel for Proposed Amici attempted to consult with Counsel for the Respondents Lee C. P. and Nelle S. P., as guardians ad litem for Lee P., a minor, and have not at this time received consent.

Respectfully submitted,



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*Attorneys for Proposed Amici Curiae*

Greenville, SC  
February 10, 2014

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PROOF OF SERVICE

The undersigned counsel hereby certifies that on February 10, 2014, he served a copy of the foregoing **Motion for Leave to File a Brief Amici Curiae, Brief of Amici Curiae, and Petition for Appointment of Guardians ad Litem** on all counsel of record by depositing copies of the same in the United States mail, first-class postage prepaid, and addressed as follows:

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