

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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JUL 25 2016

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

SC SUPREME COURT

J. Cordell Maddox, Jr., Circuit Court Judge

Civil Action No. 2011-CP-37-279
Appellate Case 2016-001294

Mariam R. Noorai,

Petitioner

v.

School District of Pickens County,
School District of Oconee County,
and Gary Culler, Donald Boggs, Richard
Hudak, Ernestine Williams, Marilyn
Raines, and Dr. Kelly Pew, in their
individual capacities,

Respondents.

**RETURN TO PETITION FOR WRIT OF CERTIORARI BY
RESPONDENTS SCHOOL DISTRICT OF PICKENS COUNTY,
GARY CULLER, DONALD BOGGS, RICHARD HUDAK,
MARILYN RAINES AND DR. KELLY PEW**

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Hudak, Marilyn Raines, and Dr.
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QUESTIONS PRESENTED

I. Does the Record contain any evidence that the Petitioner suffered a pecuniary loss as a result of an alleged misrepresentation by the Respondent School District of Pickens County, when her unemployment resulted not from the alleged misrepresentations regarding the need for a written letter of resignation but from her earlier voluntary decision not to accept the Respondent's offer of employment?

II. Does the Record contain any evidence that the Respondent School District of Pickens County, with fraudulent intent, breached its contract of employment with the Petitioner or that such breach was accompanied by an independent fraudulent act?

III. Does the Record contain any evidence of extreme and outrageous conduct on the part of the Respondent Culler causing severe emotional distress to the Petitioner?

STATEMENT OF THE CASE

Preliminary Note: The Pickens District and Culler object to the inclusion in the Appendix of pages 580-1029 (the Supplemental Record on Appeal), as it contains material that was not presented to the circuit court, specifically the entire three-day deposition of the Petitioner at pages 599-1026. The materials presented to the trial court at the summary judgment hearing, including excerpts from Petitioner's deposition and from other depositions and documents, constitute pages 3-570 of the Appendix. When Petitioner's new counsel stated that he was informed and believed her entire deposition had been submitted for consideration to the trial court at the summary judgment hearing,¹ the Court of Appeals permitted the Petitioner to include the deposition, as well as her

¹ The Respondents do not suggest that Petitioner's current counsel was purposefully not truthful about this matter. Petitioner's current counsel did not represent her at the time of the summary judgment hearing. Neither Petitioner nor her current counsel was present at the summary judgment hearing. Counsel's statement is simply mistaken.

original Summons and Complaint, in a Supplemental Record on Appeal after the initial briefs of all parties were filed, over the objection of these Respondents. These Respondents do not waive, but continue to object to the inclusion of materials in the Appendix, specifically Petitioner's entire deposition at pages 599-1029, that were not presented to the trial court for consideration in connection with the summary judgment motion.

The facts as supported by the Record on Appeal, which contains the materials submitted to the trial court in connection with the summary judgment motion, are as follows:

Petitioner was employed as an English/Language Arts teacher by the School District of Pickens County ("the Pickens District") for two school years, 2007-2008 and 2008-2009. During that time and as a part of her job, she also served as the school yearbook advisor.

Respondent Culler was the principal of the school where Petitioner taught during the second year of Petitioner's tenure there, the 2008-2009 school year. Petitioner was dissatisfied with the outcomes of several incidents that occurred at the school during that school year and included in this lawsuit seven causes of action against the Pickens District, Culler, and other employees arising out of those incidents. The trial court found in favor of the defendants and granted them summary judgment on all the causes of action. Although Petitioner appealed the dismissal of only three of the causes of action asserted against these Respondents, she relies upon facts decided against her in the unappealed claims to support the claims that were appealed. Consequently, the

Respondents discuss briefly the unappealed causes of action and the factual findings underlying them.

One of Petitioner's initial causes of action was for negligence against the Pickens District arising out of the handling by the District of her claim that she was "sexually assaulted" by a student in a crowded school stairwell during change of classes on January 27, 2009. Petitioner submitted a disciplinary referral about the incident in which she stated that the student sang song lyrics to her and hugged her. (App. p. 408.) Petitioner complained that neither Culler nor the Pickens District appropriately disciplined the student and, further, disregarded her welfare and broke state law and school policy by not reporting a crime to law enforcement. In fact, Culler was not aware of the stairwell incident or of Petitioner's complaints about it until months later, after the school year ended and Petitioner was no longer working at his school. (App. pp 321-22.) The School Resource Officer, a law enforcement officer employed by the Pickens County Sheriff's Department and assigned to Petitioner's school, was involved with an assistant principal in the investigation of the stairwell incident the day after it occurred and did not view it as a sexual assault. The student was suspended from school, but the School Resource Officer did not charge the student with a crime. (App. pp 405-07.) The trial court granted summary judgment to the Pickens District on Petitioner's cause of action against it for negligence based on this incident. The trial court found, *inter alia*, that the incident was in fact reported to law enforcement, specifically the School Resource Officer, who determined that the behavior reported to her did not constitute a sexual assault or any other crime. (App. p. 82). Petitioner did not appeal the trial court's findings and decision on this cause of action, and she is now bound by those findings.

Petitioner also included a cause of action against one of her fellow teachers, Richard Hudak, who angrily confronted her in the presence of students in the spring of 2009 because Petitioner had held a student out of Hudak's class in order for the student to complete a test. (App. pp 18-19; p. 95.) Petitioner complained about Hudak to Culler, and Culler spoke with both teachers about the confrontation, eventually telling both of them that the matter was at an end. According to Petitioner, Culler said, "There will be no more contact and no apologies on either side." (App. p. 217.) Petitioner was dissatisfied with Culler's response to her complaint. Nevertheless, the trial court found that Hudak did not act threateningly or violently toward Petitioner and, therefore, decided in favor of Hudak on the cause of action for assault. (App. pp 96-97.) The trial court also noted that, when pressed to explain her "fear" of Hudak, Petitioner said it was because he had criticized her and told her she had done something wrong. (App. p. 96.) Petitioner did not appeal the trial court's findings and decision on the assault claim, and she is now bound by those findings.

Petitioner also asserted other causes of action against the Pickens District and fellow District employees. They included breach of contract accompanied by fraudulent act, asserted against Culler; defamation based on alleged communications about her to prospective employers, asserted against the Pickens District and Culler; and civil conspiracy to damage her in her profession and render her unemployable, asserted against other District employees. In granting summary judgment to the defendants on each of those claims, the trial court found that Petitioner failed to produce any competent evidence to support them. (App. p. 88, 92, 99.) Specifically, the trial court found that Petitioner speculated, but had no evidence, to prove that Culler acted dishonestly or

unfairly with Petitioner in connection with her employment contract. (App. p. 88). The trial court also found that Petitioner relied only on speculation and produced no competent evidence to support her claim that Culler or anyone else at the Pickens District disparaged her or communicated false information about her to other school districts. (App. p. 92.) In addition, the trial court found that Petitioner had no competent evidence but relied entirely on suspicion and speculation to support her claim that employees of the Pickens District intended and conspired to prevent her from obtaining a teaching position in another district. (App. p. 99.) Petitioner did not appeal those findings and decisions of the trial court, and she is now bound by those findings.

Petitioner appealed the summary judgment granted to Respondents on only three causes of action: (1) negligent misrepresentation, asserted against the Pickens District; (2) breach of contract accompanied by fraudulent act, asserted against the Pickens District; and (3) intentional infliction of emotional distress, asserted against Gary Culler.

The appealed causes of action arise out of the following course of events: Petitioner requested that she not be required to continue in the role of yearbook adviser for school year 2009-2010 because of her workload, and, according to Petitioner, Culler indicated to her that she would not again be required to do so. Culler subsequently informed Petitioner that she would in fact be assigned the duties of the yearbook adviser for the next year.

The Pickens District made an offer of a continuing teaching contract to Petitioner on May 15, 2009, when it offered written employment contracts to all teachers for the following school year. All teachers desiring employment in 2009-2010 were instructed to sign and return the contracts to their school principals no later than May 25, 2009 (App.

pp 219-20), a typical procedure in all South Carolina school districts. Petitioner did not return a signed copy of the employment contract by the deadline and told Culler and Mary Bridges, an assistant principal at the school, that she was looking for a position at another school and did not intend to return to teach at her current school. (App. p. 412-13.) Petitioner also told Culler that if she were “going to be required or forced to do yearbook, that [she] would be unable to sign” the contract. (App. p. 222; *see also* App. p. 330.)

Because Petitioner, like all teachers, was employed on a year-to-year basis, her failure to sign the proffered contract for the 2009-2010 school year was equivalent to a resignation from her continued employment. However, the Pickens District requested that Petitioner submit a written notice or letter of resignation, in accordance with its practice not to fill potential vacancies created by teachers’ voluntary departures until they confirmed in writing their decisions not to return to their positions. Obtaining a written letter of resignation from departing teachers was a standard procedure in the Pickens District. (App. pp 356-59.) Culler and Mary Bridges told Petitioner that if she were not planning to return to teach at the school, she needed to submit a written notice of resignation so that they could begin the process of finding a replacement for her. (App. p. 227, pp 413-14). Petitioner claims that Culler harassed her about the resignation letter. She also says that Bridges reported to her that Culler said if she did not submit the letter, her teaching certificate would be automatically cancelled. By Petitioner’s last day at the school, she still had not submitted the requested written confirmation of resignation, and Bridges arranged for Petitioner to use Bridges’ office to draft the letter. (App. p. 414.) Petitioner claims that Culler entered the room and berated her and “it appeared he was

having an erection.” (App. at 236.) After he left, Petitioner completed and submitted a letter in which she stated that she was resigning because she did not want to be the yearbook advisor for a third school year. She stated further that she was leaving “for this reason alone.” (App. p. 268.)

Petitioner applied for employment positions in several school districts, including the Pickens District. By the time of the summary judgment hearing, no school district had hired her.

After the school year and her employment with the Pickens District ended, Petitioner complained about Culler and the circumstances surrounding her resignation to Dr. Kelly Pew, the Assistant Superintendent of Human Resources for the Pickens District. Dr. Pew investigated Petitioner’s allegations and concluded that while there may have been misunderstandings, no improper conduct by Culler had occurred. (App. pp 364-366.) In October 2009, Culler provided a positive letter of recommendation for Petitioner to use in her job search. (App. p. 346.)

On or about March 18, 2010, Petitioner filed complaints of misconduct with the South Carolina Department of Education (“the SDE”) against Culler and an assistant principal, purportedly based on their handling of the alleged “sexual assault” on her the previous year. (App. pp 302-306.) The SDE investigated Petitioner’s complaints and closed the cases in July 2010 without taking any action. (App. pp 190-91.) Subsequently, based solely on the complaints she herself had filed and which the SDE had investigated and closed with no finding of misconduct, Petitioner included statements on her employment applications to other school districts that Culler’s professional educator certificate was under review by the SDE because of misconduct. (*See, e.g.*, App. p. 311.)

In January 2011, Culler wrote Petitioner, requesting that she stop falsely representing to other school districts that his certificate was under review for misconduct. (App. p. 300.) Petitioner alleged that she found Culler's letter threatening and particularly objected to the use of a "King of Hearts" postage stamp containing the word "LOVE" on the envelope in which it had been delivered to her. (App. p. 30.) Petitioner said she believed Culler or someone at his direction deliberately used the postage stamp to upset her. "His choice of postage stamp was very upsetting to me . . . and very unprofessional." (App pp 248-49.) Petitioner filed this lawsuit approximately two months later.

ARGUMENT

The Appellant asserts that *certiorari* is appropriate because her case involves "malfeasance in the South Carolina public education system," suggesting that review by this Court will "protect the sacrosanct public education system." In truth, Appellant's claims are basic tort and contract claims against her former employer and fellow employees arising out of her employment, her decision not to accept a contract to continue her employment as a teacher in the Pickens District, and her subsequent inability to locate employment elsewhere. Of the several causes of action asserted in her Second Amended Complaint, she appealed the grant of summary judgment to the Respondents on three causes of action:

- (1) Negligent misrepresentation, asserted against the Pickens District;
- (2) Breach of contract accompanied by a fraudulent act, asserted against the Pickens District; and
- (3) Intentional infliction of emotional distress, asserted against Gary Culler.

The Court of Appeals affirmed the grant of summary judgment to the Respondents on all three causes of action in a *per curiam*, unpublished opinion.

None of the “special and important reasons” listed in Rule 242(b), SCACR, that would warrant the grant of a writ of certiorari are present in this case:

- (1) The case presents no novel questions of law. It merely involves the application of longstanding principles of evidence and proof to well-established causes of action. In addition, the Court of Appeals’ opinion is unpublished and has no precedential value;
- (2) There was no dissent in the Court of Appeals decision. It was issued *per curiam*;
- (3) The decision of the Court of Appeals does not conflict with a decision of this Court;
- (4) No constitutional issues, substantial or otherwise, are involved; and
- (5) No federal question is included.

While this Court may issue a writ of certiorari in other “exceptional circumstances,” *In re Breast Plant Implant Litigation*, 331 S.C. 540, 543 n. 2, 503 S.E.2d 445, 447 (1998), this case involves no such circumstances. Unlike *In re Breast Plant Implant Litigation*, no “novel questions of law concerning issues of significant public interest” are present, nor would the interest judicial economy be served by resolving common issues raised in multiple cases. “The writ of certiorari is reserved for extraordinary situations or exceptional circumstances, and is granted sparingly.” *Rowe v. City of West Columbia*, 334 S.C. 400, 408, 513 S.E.2d 379, 383 (Ct. App. 1999), quoting 14 C.J.S. *Certiorari* § 6 (1991). This is not such an extraordinary situation.

Aside from the fact that no special or important reasons exist for this Court to review this case, the trial court and the Court of Appeals considered Petitioner's arguments and evidence in support of her claims and unanimously concluded that she failed to produce competent evidence to create a genuine issue of material fact on material elements in the three causes of action now at issue in her appeal. Petitioner's attempt to gain an additional review by this Court is not warranted under Rule 242(b), SCACR, and, given the lack of competent evidence to support her claims, yet another review of them would not result in a different outcome.

I. The Court of Appeals properly affirmed summary judgment in favor of the Pickens District on the cause of action for negligent misrepresentation because Petitioner failed to produce any competent evidence that she suffered a pecuniary loss as a result of the alleged misrepresentations of the Pickens District.

The Court of Appeals affirmed the dismissal by the trial court of Petitioner's claim of negligent misrepresentation because the alleged misrepresentations did not result in her claimed pecuniary loss. The alleged misrepresentations related to the Pickens District's requirement of a written resignation letter and her teaching certificate. However, her claimed pecuniary loss was that she was unable to obtain new employment, which she attributed not to the alleged misrepresentations, but instead to negative references by Culler or other employees of the Pickens District. Therefore, Petitioner was unable to establish an essential element of the cause of action: that the alleged misrepresentations proximately caused the alleged pecuniary loss.

Despite her argument to this Court, Petitioner has not identified any evidence of misrepresentation not considered by the Court of Appeals. Even if she did and even if she were able to prove the existence of additional misrepresentations, which Respondents do

not concede, this would be immaterial. Petitioner could not have avoided summary judgment on this cause of action merely through proof of misrepresentations because, as the Court of Appeals held, she could not establish a pecuniary loss as a proximate result. *See, e.g., Turner v. Milliman*, 392 S.C. 116, 123, 708 S.E.2d 766, 769 (2011) (evidence that plaintiff suffered a pecuniary loss as a proximate result of his reliance on the misrepresentation is an essential element of the cause of action for negligent misrepresentation). Such a lack of resulting pecuniary loss is fatal to Petitioner's claim for negligent misrepresentation, regardless of the details of the alleged misrepresentations.

In addition, Petitioner did not appeal the findings and decision of the trial court dismissing Petitioner's causes of action for defamation and civil conspiracy, and she is now bound by those findings. According to the unappealed findings, there is no evidence in the record that Culler and others made any disparaging or false statements about Petitioner. Petitioner's claim that they did is based on nothing more than suspicion and speculation. Petitioner is unable to prove the Respondents made negative and false statements about her and thereby wrongfully caused her not to be hired for another position, which is what she claims as her pecuniary loss.

Finally, Petitioner argues she was damaged because she would never have left her position at the school but for the alleged misrepresentations regarding the Respondents' request for a letter of resignation. However, she did not make this assertion or argument to either the trial court or the Court of Appeals (until she raised it in her Petition for Rehearing), and, therefore, it cannot serve as a basis for review by this Court. Moreover, the evidence is undisputed that Petitioner had already decided not to sign the proffered

contract of employment for the following school year; the Respondents' subsequent request that she submit a resignation letter had nothing to do with her earlier decision to leave the school. Further, Petitioner's refusal to sign the 2009-2010 employment contract offered to her by the Pickens District by the deadline was equivalent to her resignation; the subsequent demand for a written resignation letter was merely to satisfy a record-keeping procedure. Petitioner cannot logically now claim that she would not have resigned but for the demand for the letter and the remarks about her teaching certificate. She had already effectively resigned by not signing the proffered contract. The alleged misrepresentations could not change that fact.

II. The Court of Appeals properly affirmed summary judgment in favor of the Pickens District on the cause of action for simple breach of contract or breach of contract accompanied by fraudulent act because Petitioner failed to produce any competent evidence that the Pickens District breached her contract.

The Court of Appeals affirmed the dismissal of the Petitioner's claim of breach of contract with fraudulent intent because there was no evidence of a breach. As the trial court found and as the Court of Appeals affirmed, the evidence is undisputed that the Pickens District complied with the terms of its 2008-2009 contract by employing and compensating Petitioner for that school year.

Petitioner's arguments that her contract with the Pickens District included implied contractual duties to report criminal conduct to law enforcement and to the South Carolina Department of Education, were not raised to the trial court and are, therefore, foreclosed from review by this Court. In addition, the Petitioner did not appeal the findings of fact and decision of the trial court dismissing Petitioner's cause of action for negligence for failing to report a crime and is now bound by those findings. According to

the unappealed findings, the Pickens District did, in fact, report the alleged criminal conduct, i.e., the stairwell incident, to a law enforcement officer who found no evidence of a sexual assault or other crime. Thus, even if Petitioner could establish the existence of an implied contractual duty to report a crime, which the Respondents do not concede, the evidence is that the incident was reported. There is, therefore, no evidence that the Respondents breached Petitioner's employment contract or any implied duties it may have contained.

Without a predicate breach of contract, Petitioner cannot recover on her cause of action for breach of contract accompanied by fraudulent act. This cause of action is further fatally flawed because Petitioner offered no evidence of fraudulent intent or an independent fraudulent act.

III. The Court of Appeals properly affirmed summary judgment in favor of Culler on the cause of action for intentional infliction of emotional distress because Petitioner failed to produce sufficient evidence of either extreme or outrageous conduct or of severe emotional distress.

In cases of intentional infliction of emotional distress, South Carolina law applies a heightened burden of proof to two of the essential elements: (1) that the conduct was so "extreme and outrageous" as to exceed "all possible bounds of decency" and must be regarded as "atrocious, and utterly intolerable in a civilized community; and (2) that the emotional distress suffered by the plaintiff was "severe" and such that "no reasonable man could expect to endure it." *Hansson v. Scalise Builders of S.C.*, 374 S.C. 352, 356-67; 650 S.E.2d 68, 70-71. The Court of Appeals correctly affirmed the dismissal of this case of action because Petitioner failed to produce evidence sufficient to establish either of these two elements.

The tort of intentional infliction of emotional distress, or outrage, is intended to be limited to those extraordinary cases where the defendant's conduct is extreme and utterly intolerable in a civilized society. It is not intended to redress rude or harassing behavior or to compensate for hurt feelings. Whether a defendant's conduct may reasonably be regarded as so extreme and outrageous to permit recovery is a question of law for the court. *McSwain v. Shei*, 304 S.C. 25, 402 S.E.2d 890 (1991).

Petitioner's cause of action against Respondent Culler for intentional infliction of emotional distress arises out her claims that Culler was rude to her and berated, belittled, and threatened her. She complained extensively about his behavior in demanding that she submit a written resignation letter to the Pickens District after she had orally said she intended to leave the school. She also complained about his January 2011 letter to her concerning the false information about him that she included in her employment applications that she submitted to other school districts, and the fact that the letter arrived with a "LOVE" stamp affixed to it. (App. pp 27-28.)

Importantly, the trial court made factual findings adverse to Petitioner's position on several of the incidents she relies upon to establish extreme and outrageous conduct on the part of Culler, which findings the Petitioner did not appeal and are now binding on her. For example, Petitioner argued to the Court of Appeals that Culler's conduct was egregious because there was evidence that he made false statements about Petitioner that caused her not to be hired by other employers. However, the Petitioner did not appeal the findings and decision of the trial court dismissing Petitioner's cause of action against Culler for defamation and is now bound by those findings. According to those

unappealed findings, Petitioner produced nothing more than suspicion and speculation to support her claim that Culler made disparaging or false statements about her.

In addition, Petitioner's claim in the petition before this Court that Culler acted in an egregious manner by not reporting the "sexual assault," i.e., the stairwell incident, to law enforcement and instead sent the student back to Petitioner's class is likewise foreclosed to her. First, the evidence is undisputed that Culler was not involved nor consulted in the handling of this incident. (App. pp 321-22.) In addition, the Petitioner did not appeal the findings and decision of the trial court dismissing Petitioner's cause of action for negligence in failing to report a crime, and she is now bound by those findings. According to the unappealed findings, the incident was in fact reported to law enforcement, specifically the School Resource Officer, who determined that the behavior reported to her did not constitute a sexual assault or any other crime.

Petitioner's remaining evidence of conduct that she contends is egregious and utterly intolerable in a civilized society consists of the following: Culler was argumentative and aggressive toward her, which made her uncomfortable (App. p. 209); Culler winked at her (App. p. 221); Culler spoke to her in "an abrasive tone" (App. p. 222); Culler "constantly told me what he was going to force me to do," referring to serving as the yearbook advisor (App. pp 223-24); and Culler referred to her as "the little writing teacher" and addressed her in a belittling manner, which she found inappropriate (App. p. 224). While Culler might be faulted for rudeness or insensitivity, none of the behavior Petitioner described would be so egregious as to be considered utterly intolerable in a civilized society. *See, e.g., Gattison v. S.C. State Coll.*, 318 S.C. 148, 456 S.E.2d 414 (Ct. App. 1995) and cases collected therein.

Petitioner also failed to produce sufficient evidence of severe emotional distress that no reasonable man could be expected to endure. Although Petitioner claims to have developed post-traumatic stress disorder, nothing in the record before the trial court confirms this other than her own statements. She has not produced any expert testimony by a physician or other expert to support her late self-diagnosis.

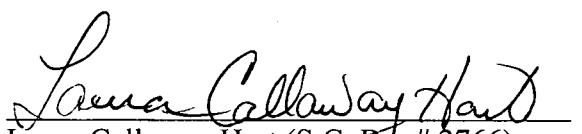
In addition, the emotional distress described by Petitioner was not any more severe than any other person's distress at experiencing what is perceived as unfair treatment on a job. She testified that she felt "uncomfortable" (App. p. 209), she had "tears in my eyes" (App. p. 221-22), she had to "catch my breath" (App. p. 222), she felt she was "being singled out" (App. p. 224), she felt Culler belittled her, which was "just not appropriate" (App. p. 224), and she cried (App. p. 225). Her testimony about Culler's letter bearing the "LOVE" stamp— that she believed the stamp was deliberately chosen by Culler or someone at his direction in order to upset her, that the letter was addressed in a manner that stalkers use, and that she feared for her safety because it was sent to her home (App. p. 248-50)—was driven by her own imagination rather than by Culler's letter requesting that she refrain from continuing to publish false statements about him on her employment applications. (*See* App. p. 300.) Petitioner's evidence of her distress does not establish it as so severe that no reasonable person could be expected to endure it.

The Court of Appeals considered and addressed the evidence Petitioner offered in her attempt to prove extreme and outrageous conduct by Culler causing her extreme and severe emotional distress. The Court of Appeals found that Petitioner's evidence was insufficient to meet the heightened burden of proof on those elements of the tort of outrage. Review by this Court would not change that result.

CONCLUSION

None of the special and important reasons listed in Rule 242(b), SCACR, that would warrant review by this Court of the opinion of the Court of Appeals are present. No other extraordinary or exceptional circumstances exist which this Court should address in the interests of judicial economy or because of significant public interest. The Petitioner has identified no evidence that the Court of Appeals overlooked and no justification for a further review. The Respondents, therefore, respectfully request that this Court deny the Petition for Writ of Certiorari.

Respectfully Submitted,


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THE STATE OF SOUTH CAROLINA
In The State Supreme Court

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr., Circuit Court Judge

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SC SUPREME COURT

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Appellate Case No. 2016-001294

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PROOF OF SERVICE

I, Laura Callaway Hart, certify that I have served Respondents School District of Pickens County, Gary Culler, Donald Boggs, Richard Hudak, Marilyn Raines and Dr. Kelly Pew's Return to Appellant's Petition for Writ of Certiorari by depositing a copy of it in the United States Mail, postage prepaid, on July 25, 2016, addressed to her attorney of record, R. Mills Ariail, Jr., 11 North Irvine Street, Suite 11, Greenville, South Carolina 29601.

July 25, 2016



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