

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Marvin H Dukes, III, Maser in Equity and Special Circuit Court Judge

Case No. 2015-CP-07-1343  
Appellate Case No. 2016-000955

John Alden Bauer, III,

Appellant,

v.

Beaufort County School District,

Respondent.

**RESPONDENT'S RETURN TO APPELLANT'S MOTION TO RECONSIDER**

Pursuant to Rule 240(e), Respondent Beaufort County School District hereby submits its Return to Appellant's Motion to Reconsider the Court's January 12, 2017 Order. In that Order, the Court, among other things, instructed Appellant to submit a supplemental record to include the matters designated by Respondent. Appellant now asks the Court to reconsider that portion of the Order.

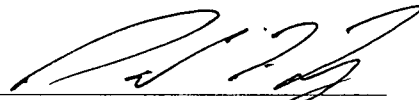
Appellant's motion, which is in the nature of a petition for rehearing, is not proper under Rule 221 because the Court's Order does not have the effect of dismissing or finally denying the appeal. *See* Rule 221(c), SCACR ("The appellate court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the

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. effect of dismissing or finally deciding a party's appeal.”). Accordingly, Respondent respectfully requests that this motion be denied.<sup>1</sup>

Additionally, Respondent respectfully requests that the Court issue an order stating the deadlines for future filings.

Respectfully Submitted,



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Attorneys for Respondent Beaufort County  
School District

January 27, 2017

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<sup>1</sup> Respondent agrees that the “grade book” exhibit to which Appellant refers in his motion does contain roughly 100 blank pages, and Respondent is willing to allow Appellant to include in the Record only the first 20 pages of this exhibit if he so desires.

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Case No. 2015-CP-07-1343  
Appellate Case No. 2016-000955

John Alden Bauer, III,

Appellant,

v.

Beaufort County School District,

Respondent.

**PROOF OF SERVICE**

I certify that I have served Respondent's Return to Appellant's Motion for Reconsideration, by depositing a copy of it in the United States Mail, postage prepaid, on January 27, 2017, addressed to *pro se* Appellant John Alden Bauer, III, 109 Ashton Hill Drive, Columbia, South Carolina 29229.

January 27, 2017



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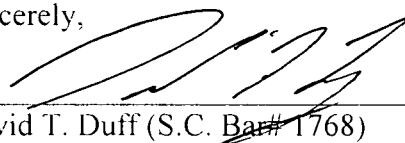
Re: John Alden Bauer, III, v. Beaufort County School District  
Appellate Case No. 2016-000955

Dear Ms. Allen:

Enclosed for filing is an original and six copies of Respondent's Return to Appellant's Motion to Reconsider, along with a Proof of Service for same.

Thank you for your assistance in this matter.

Sincerely,



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Enclosures

Ms. V. Claire Allen, Esq.

January 27, 2017

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c: John Alden Bauer, III (*Via U.S. Mail*)

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Columbia, SC 29229

Appellant