

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

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**APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas**

**The Honorable L. Casey Manning, Circuit Court Judge**

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**Appellate Case No. 2019-001603  
C.A. No.: 2019-CP-40-01615**

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T.D., by and through his guardians, A.D. and J.D.,..... Appellants,

v.

Richland County School District Two.....Respondent.

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**RESPONDENT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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Respondent proposes the following to be included in the Record On Appeal:

1. Notice of Appeal and Complaint dated March 20, 2019
2. Appellants' Designation of Matter dated March 20, 2019
3. Letter from D. M. Mathison to J. McBride dated April 19, 2019 concerning removal of documents from CMS public access
4. Letter from J. Drain to M. McBride dated April 24, 2019 requesting removal of Certification of Record
5. Consent Motion to Extend Time To Certify Record dated April 26, 2019
6. Amended Certification of Record dated May 1, 2019
7. Motion to Seal dated May 2, 2019
8. Respondent's/Defendant's Designation of Additional Matter for Record

dated May 2, 2019

9. Letter from J. Drain to Judge L.C. Manning dated July 15, 2019
10. Respondent's Memorandum of Law in Opposition to Appeal and Motion for Injunctive Relief/ Declaratory Judgment dated July 18, 2019
11. Plaintiffs' Reply Brief dated July 25, 2019
12. Transcript of July 26, 2019 Hearing
13. Order of L. Casey Manning dated August 21, 2019
14. Notice of Appeal dated September 20, 2019.
15. Discipline referral for Student T.D. dated December 4, 2018. (A. R. Ex. 1)
16. Amended letter dated December 5, 2018, from Blythewood High School Principal, Karis Mazyck, to Dr. Baron Davis, Superintendent, advising of expulsion recommendation for Student T.D. (A.R. Ex. 3)
17. T.D.'s Student Discipline Summary for 2018-2019 term. (A.R. Ex. 5)
18. Grades and Attendance for T.D. for 2018-2019 term. (A.R. Ex. 8)
19. Letter dated December 5, 2018, from Ms. Mazyck, to A.D. and J.D. regarding the school administration's decision to recommend T.D. for expulsion. (A.R. Ex. 9)
20. BMS Incident statement from Student K.M. dated December 5, 2018. (A.R. Ex. 10)
21. BMS Incident statement from Student H.C. dated December 5, 2018. (A.R. Ex. 11)
22. BMS Incident statement from Student C.G. dated December 5, 2018. (A.R. Ex. 12)
23. Statement form from Richland County Sheriff's Department dated December 2, 2018, reflecting "refused" by T.D. (A.R. Ex. 14)
24. Richland County Sheriff's Department Incident Report dated December 1, 2018. (A.R. Ex. 15)
25. Text and email communications between Ms. Mazyck and Sergeant Ronald Cris Truluck dated December 4, 2018. (A.R. Ex. 16)

26. Richland County Sheriff's Department Investigative Follow Up. (A.R. Ex: 17)
27. Screenshots/photographs of social media/and or text exchanges. (A.R. Ex. 18)
28. Email dated December 2, 2018, from Student C.G. to Deputy Steffany Boyd and father re: Statement. (A.R. Ex. 19)
29. Richland County Sheriff's Department Statement from Student H.C. dated December 2, 2018. (A.R. Ex. 20)
30. Letter dated January 8, 2019, from Deputy Chief James Smith to Ms. Mazyck. (A.R. Ex. 21)
31. Letter dated January 6, 2019, from A.D. to Richland School District Board of Trustees appealing Hearing Officer's decision and notice of appeal form reflecting appeal on file. (A.R. Ex. 22)
32. Letter dated January 11, 2019, from Lottie Chishom, Hearing Officer, to A.D. and J.D regarding decision. (A.R. Ex. 23)
33. Summary of Hearing and Resolution from Ms. Chishom. (A.R. Ex. 24)
34. Original condensed version of non-verbatim minutes from December 12, 2018 hearing. (A.R. Ex. 25)
35. Supplemental Grounds for Appeal to Richland Two Board of Trustees dated February 5, 2019. (A.R. Ex. 26)
36. Revised/updated version of non-verbatim minutes from December 12, 2019 hearing. (A.R. Ex. 27)
37. E-mail dated February 8, 2019, from Ms. Drain to Mr. Mathison advising on Board's decision to grant personal appearance in connection with appeal. (A.R. Ex. 28)
38. Letter dated February 8, 2019, from Mr. Mathison to Board and Ms. Drain regarding Appeal Hearing on February 12, 2019/Request for Witnesses. (A.R. Ex. 29)
39. Letter dated February 12, 2019, from legal counsel for Richland School District Two, Vernie L. Williams, to Mr. Mathison, Esq., regarding appeal related issues. (A.R. Ex. 30)

40. Plaintiffs' list of documents for inclusion in the record in connection with February 12, 2019, appeal before the Board. (A.R. Ex. 31)
41. February 12, 2019, Student Appeals report to Board for session regarding Student T.D. (A.R. Ex. 32)
42. Letter dated February 18, 2019, from Cleveland J.C. Smith, Chief Administrative Services Officer to A.D. and J.D. regarding Board's decision. (A.R. Ex. 33)
43. Audio recording of December 12, 2018 hearing – Part I. (A.R. Ex. 34)
44. Audio recording of December 12, 2018 hearing – Part II. (A.R. Ex. 35)
45. Transmittal email communications from January 10, 2019 - January 14, 2019, between Jasmine Rogers Drain, Esq., legal counsel for Richland School District Two, and Michael Mathison, Esq., legal counsel for Plaintiffs, re: Student T.D. (R.D.A.M.R. Ex. 3)
46. Email communications dated February 15, 2019, between Ms. Drain and Mr. Mathison re: T.D. and T.D. Recording Part I. (R.D.A.M.R. Ex. 4)
47. Email communication dated January 22, 2019, from Ms. Drain to Mr. Mathison re: Student T.D. producing requested transmittal correspondence between law enforcement and District. (R.D.A.M.R. Ex. 7)
48. Email communications dated January 22, 2019, between Mr. Mathison and Ms. Drain re: Plaintiffs re: Student T.D., concerning request for extension to supplement appeal. (R.D.A.M.R. Ex. 8)
49. Emails dated February 5, 2019 and February 6, 2019, between Ms. Drain and Mr. Mathison re: T.D. (R.D.A.M.R. Ex. 11)
50. Email communications dated February 12, 2019, between Mr. Williams and Mr. Mathison re: Richland School District Two/D., T. (R.D.A.M.R. Ex. 12)
51. Respondent's Policy JRA and corresponding Administrative Rule JRA-R, entitled "Student Records." (R.D.A.M.R. Ex. 13)
52. Respondent's Policy JIC entitled "Student Conduct." (R.D.A.M.R. Ex. 14)
53. Respondent's Policy JICDA and corresponding Administrative Rule JICDA-R, entitled "Code of Conduct." (R.D.A.M.R. Ex. 15)
54. Respondent's Policy JKE and corresponding Administrative Rule JKE-R

- entitled "Expulsion of Students." (R.D.A.M.R. Ex. 16)
55. Respondent's Policy JK entitled "Student Discipline." (R.D.A.M.R. Ex. 17 )
56. Audio recording of February 12, 2019 appeal before Board. (R.D.A.M.R. Ex. 19)
57. Discipline Referral for T.D. dated November 27, 2019. (R.D.A.M.R. Ex. 20, p. 249.)
58. Attachment to e-mail dated December 4, 2018, from Ronald Truluck to Karis Mazyck transmitting juvenile records for T.D. (R.D.A.M.R. Ex. 21)
59. Transcript of December 12, 2018 Disciplinary Hearing prepared by Creel Court Reporting, Inc., dated March 11, 2020.<sup>1</sup>
60. Transcript of February 12, 2019 Disciplinary Appeal Hearing prepared by Creel Court Reporting, Inc., dated March 11, 2020.

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

By: 

Jasmine Rogers Drain  
Verne L. Williams  
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Attorneys for Respondent

March 27, 2020

Columbia, South Carolina

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<sup>1</sup> Respondent has moved for the Record to be supplemented to include items 59 and 60. The motion is currently pending.

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Court of Common Pleas

L. Casey Manning, Circuit Court Judge

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C.A. No.: 2019-CP-40-01615

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T.D., by and through his guardians, A.D. and J.D. .... Appellants

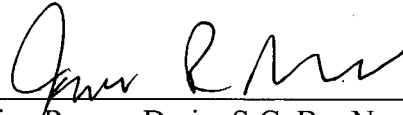
v.

Richland County School District Two ..... Respondent.

PROOF OF SERVICE

I certify that I have served copies of Respondent's Initial Brief and Respondent's Designation of Matter To Be Included In the Record by depositing copies in the United States Mail, on March 27, 2020, addressed to D. Michael Mathison, of the Richland County Public Defender's Office, Post Office Box 192, Columbia, SC 29202, and by sending copies electronically to [Mathison.Michael@richlandcountysc.gov](mailto:Mathison.Michael@richlandcountysc.gov).

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SC Court of Appeals

VIA U.S. MAIL

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: T.D. by and through his guardians, A.D. and J.D. v. Richland County  
School District Two,  
Appellate Case No. 2019-001603

Dear Ms. Kitchings:

Enclosed for filing please find the originals and copies of Respondent's Initial Brief and Respondent's Designation Of Matter To Be Included In the Record On Appeal, along with the Proof of Service. Please return the extra file-stamped copies to our office in the self-addressed, stamped envelope provided. Please let us know if any additional copies are needed at this time.

Thank you for your attention to this matter.

With kind regards, I am

Sincerely yours,

Jasmine Rogers Drain  
[jdrain@hmwlegal.com](mailto:jdrain@hmwlegal.com)

JRD/rdf

Enclosures

c: D. Michael Mathison, Esquire (via U.S. Mail and e-mail)  
Vernie L. Williams, Esquire

• Of Counsel ♦ Certified Mediator

◊ Also admitted in North Carolina ◻ Also admitted in Georgia ▶ Also admitted in New Jersey

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