

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
Jun 17 2020
SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Doyet A. Early, Circuit Court Judge

Appellate Case No. 2019-000648
Civil Action No. 2018-CP-40-02425

Jefferson Davis, Jr. Appellant,

v.

Ellen Weaver, Chad Connelly, Oran P. Smith, Neil J. Mellen, Howard S. Rich, Rick Reams, Stephen D. Kirkland, Palmetto Promise Institute, Palmetto Family Council, Palmetto Family Action, South Carolinians for Responsible Government, SCRG Foundation, Access Opportunity South Carolina, Friedman Foundation for Educational Choice, Inc., Cato Institute, South Carolina Educational Credit for Exceptional Needs Children Fund, South Carolina Education Oversight Committee, South Carolina Dept. of Revenue, South Carolina Dept. of Labor, Licensing and Regulation, First Impressions, Inc. d/b/a/ Richard Quinn & Associates, First Tuesday Strategies, LLC, Bill Wilson, Jason Bedrick, Jim DeMint, Randy Page, Tony Denny, Phillip Cease, Melanie Barton, Doris Cubitt, Susan Thomas, John McCormick, Nate Leupp, Institute of Management Consultants USA & John Doe(s) 1-40

Respondents.

**RESPONDENTS PALMETTO FAMILY COUNCIL AND PALMETTO FAMILY ALLIANCE’S
MOTION TO SUPPLEMENT RECORD ON APPEAL**

Pursuant to Rule 212(b) of the South Carolina Appellate Court Rules, Respondents request leave of the Court of Appeals to supplement the Record on Appeal to include their Joint Memorandum in Support of their Motion to Dismiss. Respondents’ cite this memo in their Initial Brief, and previously believed this was included in the Record on Appeal as part of Respondents’ Motion to Dismiss, which is part of the Record on Appeal. However, upon citing to this portion

of the record on appeal for use in the final brief, Respondents learned that the Memorandum in Support is absent from the Record.

The substance of the Memorandum has already been addressed in Respondents' initial brief and further mirrors the arguments reflected in other parties' memorandums which were included in the Record on Appeal. As a result, inclusion of the Memorandum will require no additional arguments or briefing and there is further no prejudice to any party. The supplementation is purely to ensure that the record contains the documents cited in the initial briefing. Further, as Respondents' have a pending Motion for Extension of Time to file the Final Brief, Respondents would request that any extension deadline follow the Court's ruling on this Motion to Supplement to allow the supplemental material to be referenced in the final brief.

For these reasons, Respondents respectfully request that this Court permit supplementation of the record to include this memorandum.

Respectfully submitted,

SWEENEY, WINGATE & BARROW, P.A.



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Hartsville, South Carolina
June 17, 2020

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Respondents.

PROOF OF SERVICE

I certify that I have served a copy of Respondents Palmetto Family Council and Palmetto Family Action’s Motion to Supplement Record on Appeal upon all parties and counsel of record, by depositing a copy of the same on June 17, 2020, as addressed below:

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