

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
L. Casey Manning, Circuit Court Judge

Appellate Case No. 2019-001603
Case No. 2019-CP-40-01615

RECEIVED
Aug 14 2020
SC Court of Appeals

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

Appellants,

v.

Richland County School District Two,

Respondent.

MOTION TO SEAL OR REMOVE
RECORDS FROM PUBLICLY VISIBLE WEBSITE

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August 14, 2020

The Appellants request that the Court Seal portions of the Record on Appeal in the referenced matter based on the following:

1. This Appeal involves a minor, who was expelled from the Respondents schools in June 2018. The minor is represented by his grandparents in a representative capacity. The case also involves multiple statements of non-party minors, who are alleged victims and witnesses in this matter. Included in the Record on Appeal are numerous confidential and sensitive documents, including juvenile law enforcement records, medical records and educational records. Although the records have been partially redacted, minor Appellant and non-parties may be identified by the information contained in the record on appeal.

“Public access to court records may be restricted in certain situations, such as matters involving juveniles, legitimate trade secrets, or information covered by a recognized privilege. Restrictions may be based on a statute or the court’s inherent power to control its own records and supervise the functioning of the judicial system.” Ex Parte Capital U-Drive-It, Inc., 630 S.E.2d 464 (S.C. 2006) *See e.g.* S.C.Code Ann. § 63-3-590 (excluding general public from hearings which involve neglected, abused, or delinquent children); S.C. Code Ann. 63-19-2020 and 63-19-2030 (providing for confidentiality of juvenile court and law enforcement records). Moreover, some of these documents contain personal information as described in S.C. Code Ann. 30-2-30(1), including materials relevant to medical or disability information and education level.

Based on the potential for the minor Appellant and non-party witnesses to be identified and potentially suffer harm through the disclosure of sensitive personal information, the

Appellants request that the following portions of the Record on Appeal be sealed from public view or publication on the Court of Appeals’ publicly visible C-Track website:

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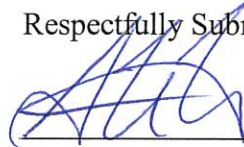
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Appellants have attached a copy of the Record on Appeal to this Motion. Respondents previously sought an order sealing these materials at the Richland County Circuit Court [R. p. 114]; however, the Circuit Court has not ruled on the motion. Appellants have previously communicated with opposing counsel about this request.

Respectfully Submitted,



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