

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

Sep 15 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 TRANSPORT EXHIBITS

The Appellants, by and through their undersigned counsel, hereby move for an order of the Court requiring the delivery of original exhibits, pursuant to Rules 240 and 210(f), SCACR, as described more fully below.

WHEREAS, the Appellants filed Copies of audio records on a compact disc with the Richland County Clerk of Court on June 5, 2019 (R. p. 118-119; Exhibit A);

WHEREAS, the Respondent submitted audio records on compact discs to the Honorable L. Casey Manning together with Respondent's Motion to Seal, by letter dated July 15, 2019 (Exhibit B; R. p. 120; See also, R. pp. 114, Respondent's Motion to Seal dated May 2, 2020, identifying Amended Certified Record Exhibits 34 & 35, and Defendant/Respondent's Add'l

Matter to Include in the Record on Appeal, Exhibit 19, as documents to be sealed).

WHEREAS, the parties have designated and included the audio recordings described above in the Record on Appeal to be reviewed by this Court. (R. p. 194; Appellants' Designation of Matter, p. 2, Items 12-15,; Respondent's Designation of Matter, pp. 4-5, Items, 43, 44 & 56);

NOW, THEREFORE, the Appellants request an Order of the Court (1) directing the Richland County Clerk of Court to deliver to the Court of Appeals, the audio records filed by Appellants on June 5, 2019; and (2) directing the Honorable L. Casey Manning to deliver to the Court of Appeals, the audio records submitted to L. Casey Manning by Respondents on July 15, 2019.

Respectfully Submitted,

s/ D. Michael Mathison
D. Michael Mathison
Richland County Public Defender's Office
1701 Main St., Suite 103
Post Office Box 192
Columbia, South Carolina 29202
Ph: (803) 766-5170
Fax: (803) 766-5180
Mathison.Michael@richlandcountysc.gov
Attorney for Appellants

September 15, 2020

EXHIBIT A

R118

RICHLAND COUNTY PUBLIC DEFENDER YOUTH REENTRY PROGRAM

1420 HENDERSON ST.
POST OFFICE BOX 192
COLUMBIA, SC 29201

PHONE (803) 766-5174
FAX (803) 766-5180

June 5, 2019

VIA E-Filing System and Hand Delivery

The Honorable Jeanette W. McBride
Richland County Clerk of Court
1701 Main Street
Columbia, South Carolina 29201

Re: T.D. v. Richland County School District Two; Case No. 2019-CP-40-01615
Filing of Exhibits

Dear Ms. McBride,

Enclosed for filing please find one (1) compact disc containing the following three (3) audio exhibits to be included in the record in connection with this appeal:

- Audio of Hearing before Lottie Chishom on December 12, 2018, Part 1.
- Audio of Hearing before Lottie Chishom on December 12, 2018, Part 2.
- Audio of Hearing before the Richland County School District Two School Board on February 12, 2019.

Plaintiffs have designated these items for inclusion in the record in Plaintiffs' Designation of Matter to be Included in the Record on Appeal, dated March 20, 2019 (Items 8, 9 and 10). Defendant has identified items 1 and 2 above for inclusion in its Amended Certification of Record. See, Amended Certification of Record, dated May 1, 2019, p. 3, Items 34 and 35. Defendant has identified item 3 above for inclusion in the record in Defendant's Designation of Additional Matter for Record, dated May 2, 2019, p. 3, Item 19. An identical compact disc is being provided to Defendant's counsel by hand delivery with a copy of this letter.

If you have any questions or concerns don't hesitate to contact me.

Sincerely,



S/D. Michael Mathison
D. Michael Mathison
Email: Mathison.Michael@richlandcountysc.org

cc: Jasmine R. Drain, Esq. (Via Email and Hand Delivery)
Vernie L. Williams, Esq. (Via Email and Hand Delivery)



**HALLIGAN MAHONEY
& WILLIAMS**

HALLIGAN MAHONEY WILLIAMS
SMITH FAWLEY & REAGLE, PA

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WILLIAM F. [BICK] HALLIGAN
KATHRYN LONG MAHONEY
ALLEN D. SMITH
SHIRLEY M. FAWLEY ◊
JOHN M. REAGLE ◊
VERNIE L. WILLIAMS
THOMAS K. BARLOW ◊◊

ALLISON AIKEN HANNA
CONNIE P. JACKSON
KIMBERLY KELLEY BLACKBURN
JASMINE ROGERS DRAIN ◻
DWAYNE T. MAZYCK
SHENEKA S. LODENQUAI ◻

July 15, 2019

VIA HAND DELIVERY

The Honorable L. Casey Manning
1701 Main Street, Room 214
Columbia, SC 29202

Re: T.D. by and through his guardians, A.D. and J.D. v. Richland County
School District Two, C.A. No. 2019-CP-40-01615

Dear Judge Manning:

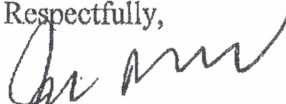
Our firm represents Respondent/ Defendant Richland County School District Two in the above referenced matter which involves an appeal and request for injunctive relief/ declaratory judgment. On May 1, 2019, we filed an Amended Certification of Record, and thereafter, on May 2, 2019, filed Respondent's/ Defendant's Designation of Additional Matter for the Record. We subsequently filed a Motion to Seal certain documents identified in the Amended Certification of Record and within Respondent's/ Defendant's Designation of Additional Matter for Record. Our Motion to Seal is still pending before the Court. However, we have received notice that a hearing on the appeal has been scheduled for July 26, 2019, before Your Honor.

In light of the procedural posture of the case, we are providing all records accompanying the Amended Certification of Record and Defendant's Designation of Additional Matter for the Record to chambers for in-camera review.

By copy of this correspondence, we are notifying opposing counsel of this communication with the Court and providing a copy of the same.

We appreciate the Court's consideration.

Respectfully,


Jasmine Rogers Drain
drain@hmwlegal.com

JRD/rdf

Enclosures

c: Michael Mathison, Esquire (Via Hand Delivery)

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PROOF OF SERVICE

I certify that I have served the Appellants' Motion to Transport Exhibits, by emailing a copy of same to its attorneys of record, Jasmine R. Drain and Vernie L. Williams, of Halligan, Mahoney & Williams, to their addresses listed in the Attorney Information System, on September 15, 2020, in accordance with the Order of the Supreme Court dated March 20, 2020, and revised May 29, 2020, addressed as follows:

jdrain@hmwlegal.com
vwilliams@hmwlegal.com

s/ D. Michael Mathison
D. Michael Mathison
Richland County Public Defender's Office
1701 Main St., Suite 103
Post Office Box 192
Columbia, South Carolina 29202
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Fax: (803) 766-5180
Mathison.Michael@richlandcountysc.gov
Attorney for Appellants

September 15, 2020

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YOUTH REENTRY PROGRAM**

1420 HENDERSON ST.
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September 15, 2020
E-FILING AND U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211
F: (803) 734-1839
Ctappfilings@sccourts.org

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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 Appellants' Motion to Transport Exhibits dated
September 15, 2020, together with the proof of service and payment in the amount of \$50.00
(Payment No. 26475931383) for the motion filing fee.

Please advise if anything further is needed.

Sincerely,

S/ D. Michael Mathison
D. Michael Mathison
Richland County Public Defender's Office
1701 Main St., Suite 103
Post Office Box 192
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Ph: (803) 766-5170
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