

THE CIRCUIT COURT OF SOUTH CAROLINA
FIFTH JUDICIAL CIRCUIT
1701 Main Street, Richland County Judicial Center
Columbia, South Carolina 29201

L. Casey Manning
Resident Judge
(803) 576-1773
(803) 576-1744 Fax

Reply to :
P.O. Box 192
Columbia, S.C. 29202



November 23, 2020

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NOV 30 2020
SC Court of Appeals

Via US and Electronic Mail

The Honorable James E. Lockemy
Court of Appeals
1220 Senate Street
Columbia, SC 29201

Judge Lockemy,

This letter concerns the Court of Appeals Order in Appellate Case No. 2019-001603 and a letter from Appellant Counsel D. Michael Mathison received on November 20, 2020.

Pursuant to Rule 205 SCACR, I lost jurisdiction over this matter when the notice of appeal was served. Mr. Mathison's email to me dated November 20, 2020 is, although well-intentioned perhaps, I believe misguided and misdirected.

I no longer have these exhibits. They were not filed but submitted to be reviewed *in camera* by me and then shared with Mr. Mathison.

Sincerely,

A handwritten signature in blue ink that reads "Casey Manning".

L. Casey Manning

Enclosure:
Mathison Email 11-20-2020
Mathison Letter 11-20-2020
Appellate Court Order
cc:
Jasmine Rogers Drain, Esquire
Vernie L. Williams, Esquire
Donald Michael Mathison, Esquire
The Honorable Jeanette W. McBride

Manning, L. Casey Law Clerk (Harvey Shiver)

From: MICHAEL MATHISON <MATHISON.MICHAEL@richlandcountysc.gov>
Sent: Friday, November 20, 2020 11:51 AM
To: Manning, L. Casey Secretary (Raye J. Jefferson); Manning, L. Casey Law Clerk (Harvey Shiver)
Cc: Jasmine Rogers Drain (jdrain@hmwlegal.com); Vernie L. Williams (vwilliams@hmwlegal.com)
Subject: Exhibits - T.D. v. Richland Cnty. Sch. Dist. Two; Case No. 2019-CP-40-01615; App. Case No. 2019-001603
Attachments: 2020-11-20 Letter to J Manning re Exhibits.pdf

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good Morning Judge Manning,

Please see our letter and Order from the Court of Appeals attached regarding the release of audio file exhibits in the matter referenced for filing with the Court of Appeals. The exhibits described in the letter were filed directly with your office on July 15, 2019 and August 30, 2019.

Please advise when we might be able to pick up the three CD exhibits from your office. If you have any questions, don't hesitate to contact me.

Thank you.

D. Michael Mathison
Assistant Public Defender
Richland County Public Defender's Office
1420 Henderson Street
Columbia, SC 29201
T: (803) 766-5174
F: (803) 766-5180
C: (843) 384-3761
MATHISON.MICHAEL@richlandcountysc.gov

The information contained in this message is intended only for the use of the individual or entity named above. If you are not the intended recipient (or the employee or agent responsible for delivery to the intended recipient), please do not distribute, disseminate, or copy this communication. If you received this message in error, please notify our office and delete immediately. Thank you.

**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

November 20, 2020
VIA FACSIMILE and EMAIL

The Honorable L. Casey Manning
Circuit Court Judge
Post Office Box 192
Columbia, South Carolina 29202
Fax: (803) 576-1744
CManningSC@sccourts.org
CManninglc@sccourts.org

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SC Court of Appeals

Re: T.D., by and through his guardians, A.D. and J.D., v. Richland County School District Two
Case No. 2019-CP-40-01615
Appellate Case No. 2019-001603

Dear Judge Manning,

Enclosed is an order from the Court of Appeals authorizing the release of exhibits to our office for the purposes of transporting and filing the exhibits with the Court of Appeals.

We have already obtained the exhibits on file with the Clerk of Court's office (Plaintiff's Exhibit 8, 9 and 10). Mr. Truitt in the Clerk's office has advised that they do not have the remaining exhibits, which were filed directly with your office together with the Defendant's Motion to Seal on July 15, 2019. The Defendant submitted additional copies directly with your office on or about August 30, 2019. The Exhibits filed directly with your office include of the following three audio CDs, which are needed by the Court of Appeals:

- (1) Respondent/Defendant's Amended Certification of Record Exhibit 34 (Audio recording of December 12, 2018 Hearing Part I)
- (2) Respondent/Defendant's Amended Certification of Record Exhibit 35 (Audio recording of December 12, 2018 Hearing Part II)
- (3) Respondent/Defendant's Additional Matter for Record Exhibit 19 (Audio recording of February 12, 2019 appeal before Board)

The Honorable L. Casey Manning
November 20, 2020
Page 2

Please advise when I might be able to pick these exhibits from your office. If you have any questions, don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Mathison', written over a horizontal line.

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

Cc: Jasmine R. Drain, Esq.
Vernie L. Williams, Esq.
Post Office Box 11367
Columbia, SC 29211
Attorneys for the Respondent
F: (803)-771-4422

The South Carolina Court of Appeals

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

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v.

NOV 30 2020

Richland County School District Two, Respondent **SC Court of Appeals**

Appellate Case No. 2019-001603

The Honorable L. Casey Manning
Richland County
Trial Court Case No. 2019CP4001615

ORDER

Pursuant to Rule 210(f) of the South Carolina Appellate Court Rules, it is ordered that the Clerk of Court for Richland County release:

Plaintiff's Exhibit 8 (Hearing Office Audio 1, December 12, 2019)

Plaintiff's Exhibit 9 (Hearing Office Audio 2, December 12, 2019)

Plaintiff's Exhibit 10 (Board Audio, February 12, 2019)

Respondent/Defendant's Amended Certification of Record Exhibit 34 (Audio recording of December 12, 2018 Hearing Part I)

Respondent/Defendant's Amended Certification of Record Exhibit 35 (Audio recording of December 12, 2018 Hearing Part II)

Respondent/Defendant's Additional Matter for Record Exhibit 19 (Audio recording of February 12, 2019 appeal before Board)

to Donald Michael Mathison, Esquire, or his designee, to be transported to this Court for consideration in the above referenced matter.

FOR THE COURT

BY  C.J.

Columbia, South Carolina

cc:

Jasmine Rogers Drain, Esquire

Vernie L. Williams, Esquire

Donald Michael Mathison, Esquire

The Honorable Jeanette W. McBride

L. Casey Manning
Resident Judge
Richland Judicial Center
Post Office Box 192
Columbia, South Carolina 29202

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NOV 30 2020

SC Court of Appeals



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THE HONORABLE JAMES E. LOCKEMY
COURT OF APPEALS
1220 SENATE STREET
COLUMBIA, SC 29201

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