

In the Supreme Court of the United States

DANIEL SMALLS,

Petitioner.

v.

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES

and TARA PARKER,

Respondents.

APPENDIX

APPENDIX

**Appendix A – Opinion of the South Carolina Court of Appeals
(submitted April 1, 2025 – Filed May 14,2025)**

**Appendix B – Order of the South Carolina Court of Appeals Denying
Rehearing (May, 30 2025)**

**Appendix C – Order of the South Carolina Supreme Court Denying
Certiorari (August 13.2025)**

**Appendix D – Clerk’s Letter Refusing Petition for Rehearing (Aug. 25,
2025)**

Appendix E – Transcript Excerpts / Appendix of Key Record Citations

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

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

South Carolina Department of Social Services and Tara
Parker, Respondents,

v.

Daniel Smalls, Appellant.

Appellate Case No. 2023-001195

Appeal From Beaufort County
Douglas L. Novak, Family Court Judge

Unpublished Opinion No. 2025-UP-163
Submitted April 1, 2025 – Filed May 14, 2025

AFFIRMED

Daniel Smalls, of Beaufort, pro se.

Paul Fredrick LeBarron, of North Charleston; and Harry
O. Shaw, III, of Charleston, both for Respondent South
Carolina Department of Social Services.

Tara Parker, of Beaufort, pro se.

PER CURIAM: Daniel Smalls, pro se, appeals a family court order establishing
his paternity of Tara Parker's minor child (Child) and ordering he pay child

Appendix A

support. On appeal, Smalls argues the family court erred in (1) failing to dismiss the order for lack of in personam jurisdiction and (2) holding he was Child's legal father without first establishing in personam jurisdiction. We affirm pursuant to Rule 220(b), SCACR.

We hold Smalls failed to provide a sufficient record in order for the court to determine whether the court lacked personal jurisdiction due to alleged improper service. *See Hamilton v. Greyhound Lines East*, 281 S.C. 442, 444, 316 S.E.2d 368, 369 (1984) ("The appealing party has the burden of furnishing a sufficient record from which this court can make an intelligent review."); Rule 210(h), SCACR ("[T]he appellate court will not consider any fact which does not appear in the [r]ecord on [a]ppeal."). Because we affirm the family court's finding regarding service and personal jurisdiction, we decline to address Smalls's remaining argument. *See Futch v. McAllister Towing of Georgetown, Inc.*, 335 S.C. 598, 613, 518 S.E.2d 591, 598 (1999) (declining to address remaining issues when resolution of a different issue was dispositive).

AFFIRMED.¹

KONDUROS, MCDONALD, and VINSON, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.

The South Carolina Court of Appeals

South Carolina Department of Social Services and Tara
Parker, Respondents,

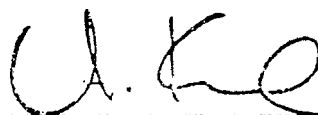
v.

Daniel Smalls, Appellant.

Appellate Case No. 2023-001195

ORDER

After careful consideration of the petition for rehearing, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.



J.



J.



J.

Columbia, South Carolina

cc:

Daniel Smalls

Harry O. Shaw, III, Esquire

Paul Fredrick LeBarron, Esquire

Tara Parker

The Honorable Douglas L. Novak

FILED
May 30 2025

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The Supreme Court of South Carolina

South Carolina Department of Social Services and Tara
Parker, Respondents,

v.

Daniel Smalls, Petitioner.

Appellate Case No. 2025-001104

ORDER

Based on the vote of the Court, the petition for a writ of certiorari is denied.

FOR THE COURT

BY

Patricia Howard

CLERK

Columbia, South Carolina
August 13, 2025

cc:

Harry O. Shaw, III

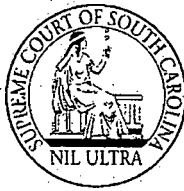
Paul Fredrick LeBarron

Tara Parker

Daniel Smalls

The Honorable Jenny Abbott Kitchings

Appendix C-1



The Supreme Court of South Carolina

PATRICIA A. HOWARD
CLERK OF COURT

BRENDA F. SHEALY
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August 25, 2025

Daniel Smalls
2201 Boundary Street Apt. 313
Beaufort, SC 29902

Re: SCDSS v. Daniel Smalls
Appellate Case No. 2025-001104

Dear Mr. Smalls:

This acknowledges receipt of your petition for rehearing. Pursuant to Rule 221 of the South Carolina Appellate Court Rules (SCACR), "no petition for rehearing shall be allowed from an order denying a petition for a writ of certiorari under Rule 242, SCACR." Accordingly, no action will be taken on your petition for rehearing.

Very truly yours,

Patricia A. Howard

CLERK

cc: Harry O. Shaw, III
Paul Fredrick LeBarron
Tara Parker
The Honorable Jenny A. Kitchings

Appendix D

IN THE SUPREME COURT OF SOUTH CAROLINA

South Carolina Department of Social Services and Tara Parker, Respondents,

v.

Daniel Smalls, Petitioner.

Appellate Case No. 2025-001104

APPENDIX OF KEY RECORD CITATIONS

(Hearing of June 26, 2023)

Topic	Transcript Page & Lines	Exact Quoted Excerpt	Argument / Significance
Paternity Not Established	p. 8, lines 9–13	Paternity has not been established... Parties were divorced in 2010. This child was born in 2012.	Department's admission defeats jurisdiction under § 63-17-20(A) and UIFSA.
Improper Service Admission	p. 12, lines 3–19	I do not have the actual service document, I do have a signed notice of hearing... Petitioner: I was never served personally. Service was on my daughter.	Counsel lacked proof of proper service; service on a non-resident adult daughter is defective under Rule 4(d).
Reliance Solely on Mother's Testimony	p. 10, lines 16–23	MR. LEBARRON: Did such occur with Mr. Smalls? MS. PARKER: Yes, sir. MR. LEBARRON: Was there possibility of any other individual... MS. PARKER: No, sir.	Uncorroborated testimony cannot establish paternity; no documentary or forensic evidence provided.

Appendix E

Refusal to Consent
to DNA Test

p. 9, lines 1-8

MR. SMALLS: I'm
not -- I'm not
consenting to any
of this. None of it.

Declining testing is
not proof of
paternity; Court
misapplied burden
of proof. South
Carolina requires
competent evidence
of paternity (Little
v. Little, 290 S.C.
405, 351 S.E.2d
846 (Ct. App.
1986)). Refusal to
test cannot establish
paternity without
corroborating
evidence (Ex parte
Jenkins, 723 So. 2d
649 (Ala. 1998);
Dept. of HRS v.
Privette, 617 So. 2d
305 (Fla. 1993)).
Due process
requires proper
procedures and
proof (Stanley v.
Illinois, 405 U.S.
645 (1972)). At
most, refusal may
allow an adverse
inference, but not
substitute for proof
(Ex parte C.A.P.,
683 So. 2d 1010
(Ala. 1996)).

Removal from
Court

p. 15, lines 1-4

THE COURT: Will
you have Mr.
Smalls removed
from the courtroom

Removal during
jurisdictional
objection is a
structural due