



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

June 28, 2013

The Honorable Melanie Huggins-Ward
Clerk of Court, Horry County
PO Box 677
Conway SC 29528-0677

REMITTITUR

Re: Windy Price v. Horry County Election Commission
Lower Court Case No. 2012CP2604403
Appellate Case No. 2012-213489

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc:

Christine Companion Varnado, Esquire

Jason Scott Luck, Esquire

Julius Carnes Nicholson, III, Esquire

Robert E. Tyson, Jr., Esquire

Bess Jones DuRant, Esquire

Alan McCrory Wilson, Esquire

John W. McIntosh, Esquire

**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 Supreme Court**

Windy Price, Appellant,

v.

Horry County Election Commission, South Carolina
Election Commission, Jake Evans, Josephine Isom, and
Charlene Taylor, Defendants,

of whom Horry County Election Commission and South
Carolina Election Commission are Respondents.

Appellate Case No. 2012-213489

Appeal From Horry County
J. Derham Cole, Circuit Court Judge

Memorandum Opinion No. 2013-MO-018
Submitted June 4, 2013 – Filed June 12, 2013

AFFIRMED

Christine Companion Varnado and Jason Scott-Luck,
both of Seibels Law Firm, of Charleston, for Appellant.

Robert E. Tyson, Jr., and Bess Jones DuRant, both of
Sowell Gray Stepp and Laffitte, LLC., of Columbia,
Attorney General Alan Wilson, Chief Deputy Attorney
General John W. McIntosh, and Assistant Attorney

General Julius Carnes Nicholson, III, of Columbia, for
Respondents.

PER CURIAM: Affirmed pursuant to Rule 220(b)(1), SCACR, and the following authorities: Appellant's Arguments IA and III: *Cole v. Town of Atl. Beach Election Comm'n*, 393 S.C. 264, 712 S.E.2d 440 (2011); *Gecy v. Bagwell*, 372 S.C. 237, 642 S.E.2d 569 (2007); *Taylor v. Town of Atl. Beach Election Comm'n*, 363 S.C. 8, 609 S.E.2d 500 (2005); *Butler v. Town of Edgefield*, 328 S.C. 238, 493 S.E.2d 838 (1997); S.C. Code Ann. § 5-15-130 (2004); S.C. Code Ann. § 7-13-35 (Supp. 2012); S.C. Code Ann. § 7-7-1000 (Supp. 2012); S.C. Code Ann. § 7-7-910(B)(2) (Supp. 2012); Appellant's Argument IB: *Butler v. Town of Edgefield*, *supra*; Appellant's Argument II: *Taylor v. Town of Atl. Beach Election Comm'n*, *supra*; S.C. Code Ann. § 30-4-100 (2007); Appellant's Argument IV: *USAA Prop. & Cas. Ins. Co. v. Clegg*, 377 S.C. 643, 661 S.E.2d 791 (2008) (issues which were neither raised to nor ruled upon by the circuit court are not preserved for appellate review); *Staubes v. City of Folly Beach*, 339 S.C. 406, 529 S.E.2d 543 (2000) (an issue cannot be raised for the first time on appeal, but must have been raised to and ruled upon by the trial court to be preserved for appellate review).

AFFIRMED.

**TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ.,
concur.**