

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

May 26 2023

S.C. SUPREME COURT

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Honorable Clifton Newman, Circuit Court Judge

Appellate Case No. 2023-_____

Case No. 2023-CP-40-02745

PLANNED PARENTHOOD SOUTH ATLANTIC, on behalf of itself, its patients, and its
physicians and staff; KATHERINE FARRIS, M.D., on behalf of herself and her patients;
GREENVILLE WOMEN’S CLINIC, on behalf of itself, its patients, and its physicians and
staff; and TERRY L. BUFFKIN, M.D., on behalf of himself and
his patients, Respondents,

v.

STATE OF SOUTH CAROLINA; ALAN WILSON, in his official capacity as Attorney General
of South Carolina; EDWARD SIMMER, in his official capacity as Director of the South
Carolina Department of Health and Environmental Control; ANNE G. COOK, in her
official capacity as President of the South Carolina Board of Medical Examiners;
STEPHEN I. SCHABEL, in his official capacity as Vice President of the South Carolina
Board of Medical Examiners; RONALD JANUCHOWSKI, in his official capacity as
Secretary of the South Carolina Board of Medical Examiners; GEORGE S. DILTS, in his
official capacity as a Member of the South Carolina Board of Medical Examiners; DION
FRANGA, in his official capacity as a Member of the South Carolina Board of Medical
Examiners; RICHARD HOWELL, in his official capacity as a Member of the South Carolina
Board of Medical Examiners; ROBERT KOSCIUSKO, in her official capacity as a Member
of the South Carolina Board of Medical Examiners; THERESA MILLS-FLOYD, in her
official capacity as a Member of the South Carolina Board of Medical Examiners;
JENNIFER R. ROOT, in his official capacity as a Member of the South Carolina Board of
Medical Examiners; CHRISTOPHER C. WRIGHT, in his official capacity as a Member of the
South Carolina Board of Medical Examiners; SAMUEL H. MCNUTT, in his official
capacity as Chairperson of the South Carolina Board of Nursing; SALLIE BETH TODD, in
her official capacity as a Member of the South Carolina Board of Nursing; TAMARA DAY,
in her official capacity as a Member of the South Carolina Board of Nursing; JONELLA
DAVIS, in her official capacity as a Member of the South Carolina Board of Nursing;
KELLI GARBER, in her official capacity as a Member of the South Carolina Board of
Nursing; LINDSEY K. MITCHAM, in her official capacity as a Member of the South
Carolina Board of Nursing; REBECCA MORRISON, in her official capacity as a Member of

the South Carolina Board of Nursing; KAY SWISHER, in her official capacity as a Member of the South Carolina Board of Nursing; ROBERT J. WOLFF, in his official capacity as a Member of the South Carolina Board of Nursing; SCARLETT A. WILSON, in her official capacity as Solicitor for South Carolina’s 9th Judicial Circuit; BYRON E. GIPSON, in his official capacity as Solicitor for South Carolina’s 5th Judicial Circuit; and WILLIAM WALTER WILKINS III, in his official capacity as Solicitor for South Carolina’s 13th Judicial Circuit,..... Defendants,

HENRY MCMASTER, in his official capacity as Governor of the State of South Carolina; G. MURRELL SMITH, JR., in his official capacity as Speaker of the South Carolina House of Representatives; THOMAS C. ALEXANDER, in his official capacity as President of the South Carolina Senate,.....Intervenor–Defendants,

Of whom HENRY MCMASTER, in his official capacity as Governor of the State of South Carolina; G. MURRELL SMITH, JR., in his official capacity as Speaker of the South Carolina House of Representatives; THOMAS C. ALEXANDER, in his official capacity as President of the South Carolina Senate; STATE OF SOUTH CAROLINA; and ALAN WILSON, in his official capacity as Attorney General of South Carolina, are the Appellants.

CERTIFICATE OF SERVICE

I certify that this *Emergency Motion to Transfer and Petition for Writ of Supersedeas* was served on counsel of record on May 26, 2023, via email under Paragraph (d)(1) of Order Re: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022), Appellate Case No. 2020-000447.

s/Wm. Grayson Lambert
Wm. Grayson Lambert
Counsel for Governor McMaster