

The South Carolina Court of Appeals

Justin McGee, Respondent

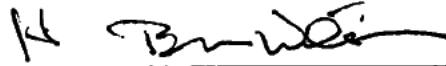
v.

Lindsay F. McGee, Petitioner.

Appellate Case No. 2023-001376

ORDER

Petitioner's motion to suppress communications pursuant to the South Carolina Homeland Security Act (the Act) is currently pending before this court. *See* S.C. Code Ann. § 17-30-10 to - 145 (2014). We believe additional discovery is required before this court can rule on Petitioner's motion; thus, we certify the family court to supervise additional discovery relating to the Petitioner's motion and to issue a report with its proposed findings as to what, if any, of Respondent's actions constituted violations under the Act. *See* S.C. Code Ann. § 14-8-280 ("[W]henever the determination of any question of fact shall be necessary to the exercise of the jurisdiction conferred upon the Court of Appeals, the court may frame an issue therein and certify such issue . . . to the circuit court of the county in which the cause of action has arisen."). The family court shall consult with the parties in any manner it deems appropriate to resolve any discovery requests relevant to the motion to suppress and shall oversee the completion of this discovery within ninety (90) days of the date of this order. The family court should prioritize the collection and analysis of any electronic devices referenced in the parties' requests and has the authority to extend these deadlines to ensure these devices are properly analyzed. Should the family court extend these deadlines, the family court must notify this court within ten days of its decision to do so. Thereafter, the family court shall have sixty (60) days to conduct any hearing it deems appropriate and to present its report and the collected discovery to this court. *See id.* ("The Court shall also have the same powers as are now possessed by the circuit courts of the State for the appointment of referees to take testimony and report thereon, under such instructions as may be prescribed by the court. . . .").



C.J.

FOR THE COURT

Columbia, South Carolina

cc:

Nicholas Jerry Theos, Esquire
Marie-Louise Ramsdale, Esquire
Matthew A. Abee, Esquire
Peter George Currence, Esquire
Richard Giles Whiting, Esquire
Julie J. Armstrong
Elizabeth J. Stringer, Esquire
The Honorable Alice Anne Richter

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