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Dec 23 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM RICHLAND COUNTY

Administrative Law Court

The Honorable S. Phillip Lenski, Administrative Law Judge

Appellate Case No. 2024-002078

Joshua White Appellant,

v.

South Carolina Department of Motor Vehicles Respondent.

MOTION TO BE RELIEVED AS COUNSEL

Pursuant to Rule 264, SCACR, the Respondent South Carolina Department of Motor Vehicles (SCDMV) moves for attorneys Brandy A. Duncan and Curtis Hutchinson to be relieved as counsel for the SCDMV in this appeal. The reasons for relieving Ms. Duncan and Mr. Hutchinson from their representation of the SCDMV in this matter are the following:

- 1) Ms. Duncan, formerly the General Counsel for the SCDMV, served her last working day for the SCDMV on November 15, 2024. Ms. Duncan now works for the South Carolina Department of Labor, Licensing, and Regulation. As such, the SCDMV is no longer Ms. Duncan’s client and is no longer

authorized by the SCDMV to represent the SCDMV in courts of this state.

- 2) Mr. Hutchinson, currently the Deputy General Counsel for the SCDMV, is resigning his position at the SCDMV to be the General Counsel for the South Carolina Commission for the Blind. Mr. Hutchinson's last working day with the SCDMV is scheduled to be December 31, 2024. Therefore, beginning on January 1, 2025, the SCDMV will no longer be Mr. Hutchinson's client and Mr. Hutchinson will no longer be authorized by the SCDMV to represent the SCDMV in courts of this state.

Thomas Eller, III, SC Bar # 75802, is Assistant General Counsel for the SCDMV and plans on still being employed by the SCDMV as of January 1, 2025. Therefore, SCDMV moves for Ms. Duncan and Mr. Hutchinson to be relieved as counsel and for Thomas Eller, III to be substituted as counsel for the SCDMV in this matter. By their signatures below, Ms. Duncan and Mr. Eller have consented to these changes being made in this case. Given the nature of this motion, I do not believe consultation with the other parties or their Counsel is required by the rules.

s/ Curtis R. Hutchinson
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Counsel for the Respondent

December 23, 2024
Blythewood, South Carolina

I CONSENT:

s/Brandy A. Duncan
Brandy A. Duncan, SC Bar #72052

I CONSENT:

s/Thomas H. Eller, III
Thomas H. Eller, III, SC Bar #75802
Assistant General Counsel for SCDMV