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Mar 31 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

ALC Docket No.: 24-ALJ-07-0367-CC
Appellate Case No.: 2025-000288

Walter Buchanon,

Appellant,

v.

South Carolina Department of Environmental Services and
Silfab Solar, Inc.,

Respondents.

MOTION FOR SUBSTITUTION OF COUNSEL

This case comes before the Court on appeal from the South Carolina Administrative Law Court (“ALC”). Sara V. Martinez was counsel of record for the South Carolina Department of Environmental Services (the “Department”), along with Dawn K. Miller, before the ALC. However, Ms. Martinez is no longer employed with the Department and cannot continue with representation of the Department on appeal.

Accordingly, pursuant to Rule 240, SCACR, the Department respectfully requests that this Court issue an Order substituting the undersigned for Ms. Martinez as counsel for Department. Ms. Miller will continue to represent the Department on appeal.

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Walter Buchanon

Appellant,

v.

South Carolina Department of Environmental Services and
Silfab Solar, Inc.,

Respondents.

Certificate of Service

I, Bennett W. Smith, attorney for the South Carolina Department of Environmental Services, hereby certify that I have on this 28th day of March 2025, served the Department's March 28, 2025, *Motion for Substitution of Counsel* upon all parties via e-mail sent by the undersigned to the primary AIS e-mail address for counsel of record, as follows:

J. Cameron Halford, Esq. Halford Law Firm, LLC P.O. Box 172 Barnwood, SC 29812 cam@halfordlaw.net	Ethan R. Ware, Esq. Ryan W. Trail, Esq. Richard H. Willis, Esq. John G. Tamasitis, Esq. Williams Mullen Law Firm 1230 Main Street, Suite 330 Columbia, South Carolina 29201 eware@williamsmullen.com rtrail@williamsmullen.com rwillis@williamsmullen.com jtamasitis@williamsmullen.com
Counsel for Appellant	Counsel for Respondent Silfab Solar

s/ Bennett W. Smith
Bennett W. Smith
Assistant General Counsel
South Carolina Department of
Environmental Services
2600 Bull Street
Columbia, SC 29201
Tel: (803) 898-7286
bennett.smith@des.sc.gov

March 28, 2025
Columbia, South Carolina

From: [Bennett W. Smith](#)
To: ["Ware, Ethan"; "cam@halfordlaw.net"](#)
Cc: ["Martinez, Sara"; Dawn K. Miller; "joanni@halfordlaw.net"; "Trail, Ryan"; Willis, Richard; "jtamasitis@williamsmullen.com"; Makayla Gladden; Tyler, Sara; "kmartin-rothrock@williamsmullen.com"](#)
Subject: RE: Buchanon vs. SCDES & Silfab - Motion for Substitution of Counsel - Appellate Case No.: 000288
Date: Friday, March 28, 2025 11:39:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[SCDES - Motion for Substitution - 3.28.25.pdf](#)
[SCDES - Certificate of Service Mtn for Sub - 3.28.25.pdf](#)

All:

Please find attached the Department's **Motion for Substitution of Counsel**, a draft of which was sent for your review and consent yesterday.

Also attached is a Certificate of Service reflecting service of the motion via email.

I will file the same shortly with the Court of Appeals.

Thank you,

Bennett W. Smith
Assistant General Counsel

Direct: 803.898.3570

Bennett.Smith@des.sc.gov

From: Bennett W. Smith
Sent: Thursday, March 27, 2025 4:18 PM
To: Ware, Ethan <eware@williamsmullen.com>; cam@halfordlaw.net
Cc: Martinez, Sara <smartinez@burr.com>; Dawn K. Miller <Dawn.Miller@des.sc.gov>; joanni@halfordlaw.net; Trail, Ryan <rtrail@williamsmullen.com>
Subject: RE: Buchanon vs. SCDES & Silfab - Motion for Substitution of Counsel - Appellate Case No.:

Thanks, Ethan.

I received Cameron's consent by separate email.

I'll file tomorrow.

Bennett

Bennett W. Smith
Assistant General Counsel

Counsel for Appellant and counsel for Respondent Silfab Solar, Inc., have consented to this motion.

Respectfully submitted,

s/ Bennett W. Smith
Bennett W. Smith, S.C. Bar No. 102894
Assistant General Counsel
Dawn K. Miller S.C. Bar No. 80133
Assistant General Counsel
South Carolina Department of
Environmental Services
2600 Bull Street
Columbia, South Carolina 29201
Tel: (803) 898-7286
bennett.smith@des.sc.gov
dawn.miller@des.sc.gov

March 28, 2025
Columbia, South Carolina



SC DEPARTMENT of
**ENVIRONMENTAL
SERVICES**

Bennett W. Smith
Office of General Counsel
2600 Bull Street
Columbia, South Carolina 29201

March 28, 2025

Via Email: ctappfilings@sccourts.org

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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Mar 28 2025

SC Court of Appeals

Re: Walter Buchanan vs. South Carolina Department of Environmental Services and
Silfab Solar, Appellate Case No.: 2025-000288.

Dear Madam Clerk:

Please find enclosed the Department's **Motion for Substitution of Counsel** and accompanying **Certificate of Service** for filing in the above-referenced matter.

Thank you for your assistance with this matter. Please contact our office should you have questions or need additional information.

Sincerely,

/s/ Bennett W. Smith

Bennett W. Smith
Assistant General Counsel

Enclosures

cc: J. Cameron Halford, Esquire (cam@halfordlaw.net)
Ethan. R. Ware, Esquire (eware@williamsmullen.com)
Ryan W. Trail, Esquire (rtrail@williamsmullen.com)
Richard H. Willis, Esquire (rwillis@williamsmullen.com)
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Dawn K. Miller, Esquire (dawn.miller@des.sc.gov)
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