

The South Carolina Court of Appeals

U.S. Bank National Association, Appellant,

v.

South Carolina Department of Revenue, Respondent.

Appellate Case No. 2024-001577

ORDER

On July 11, 2025, Appellant filed a consent motion to file certain matters under seal. Specifically, Appellant requests an order sealing Joint Exhibits #3-11 and 19-32, which were submitted with its motion.

Although there is no provision in the South Carolina Appellate Court Rules for sealing records in the appellate court, the court has the power to control its own records. *See Ex parte Capital U-Drive-It, Inc.*, 369 S.C. 1, 12, 630 S.E.2d 464, 470 (2006). Rule 41.1(b), SCRCR, requires the moving party to state the reasons why sealing is necessary, explain why less drastic alternatives to sealing will not afford adequate protection, and address the following factors:

(1) ensuring the parties' right to a fair trial or hearing; (2) the need for witness cooperation; (3) the reliance of the parties upon expectations of confidentiality of the proceeding; (4) the public or professional significance of the proceeding; (5) the perceived harm to the parties from disclosure; (6) why alternatives other than sealing the documents are not available to protect legitimate private interests; and (7) why the public interest, including, but not limited to, the public health and safety, is best served by sealing the documents.

After careful consideration of the consent motion to seal, the motion to seal is granted. Appellant may file a supplemental record on appeal under seal, which contains the sealed versions of the Joint Exhibits #3-11 and 19-32.

Kyrst Curtis

FOR THE COURT

Columbia, South Carolina

cc:

Bryson Moore Geer, Esquire
Craig B. Fields, Esquire
Nicole L. Johnson, Esquire
Marcus Dawson Antley, III, Esquire
Wayne Allen Myrick, Jr., Esquire
Jason Phillip Luther, Esquire

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