

**RECEIVED**  
**Dec 18 2025**

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

S.C. SUPREME COURT

APPEAL FROM GEORGETOWN COUNTY  
APPEAL FROM ORANGEBURG COUNTY  
Roger M. Young, Sr., Circuit Court Judge

Appellate Case No. 2024-001481  
Appellate Case No. 2025-000207

Richard A. Butts, individually and on behalf of all others similarly situated,  
..... Respondent,

v.

Miriam Mace, in her official capacity as Treasurer of Georgetown County,  
and Georgetown County, South Carolina, ..... Appellants.

AND

Carroll Brown, individually and on behalf of all others similarly situated, ..... Respondent,

v.

Harold M. Young, in his official capacity as Orangeburg County  
Administrator; Matt Stokes, in his official capacity as Orangeburg County  
Treasurer; Orangeburg County; and Orangeburg County Council, ..... Appellants.

**MOTION TO ARGUE AGAINST PRECEDENT**

Pursuant to Rule 217, SCACR, Appellants Miriam Mace, Georgetown County, Harold M. Young, Matt Stokes, Orangeburg County, and Orangeburg County Council (collectively, “Appellants”) respectfully move for leave to argue against precedent. Specifically, Appellants intend to argue against the holdings and analysis set forth in *Lindsay v. Nat’l Old Line Inc. Co.*, 262 S.C. 621, 207 S.E.2d 75 (1974), *Steinke v. S.C. Dept. of Labor, Licensing & Regulation*, 336

S.C. 373, 520 S.E.2d 142 (1999), *JRS Builders, Inc. v. Neunsinger*, 364 S.C. 598, 614 S.E.2d 629 (2005), and their progeny.

As explained more thoroughly in Appellants' Joint Brief, the rule applied in these cases conflicts with both the rule articulated by the United States Supreme Court and the rule adopted by a majority of other jurisdictions. The Appellants also seek to argue against precedent based upon a separation of powers analysis similar to the analysis discussed by former Chief Justice Costa Pleicones in his dissent in *JRS Builders, Inc.*, *supra*. Because the lower court's ruling rests directly on the application of the precedent established in the above-mentioned South Carolina cases, this appeal presents an appropriate and practical occasion for the Court to re-examine and reconsider its retroactivity jurisprudence.

Rule 217 requires that a motion seeking leave to argue against precedent be filed at least fifteen (15) days prior to oral argument. Given that oral argument is currently scheduled for January 13, 2026, this motion is timely filed.

Therefore, Appellants respectfully request that the Court grant this motion for leave to argue against precedent.

[*Signature page to follow*]

Respectfully submitted,

s/ Andrew F. Lindemann

ANDREW F. LINDEMANN #13030  
LINDEMANN LAW FIRM, P.A.  
5 Calendar Court, Suite 202  
Post Office Box 6923  
Columbia, South Carolina 29260  
(803) 881-8920  
Email: andrew@ldlawsc.com

s/ Bradley T. Farrar

BRADLEY T. FARRAR #66381  
AIKEN COUNTY ATTORNEY'S OFFICE  
1930 University Parkway, Suite 3600  
Aiken, South Carolina 29801  
(803) 642-3628  
Email: bfarrar@aikencountysc.gov

*Counsel for Appellants Harold M. Young,  
Matt Stokes, Orangeburg County, and  
Orangeburg County Council*

s/ Austin T. Reed

H. THOMAS MORGAN, JR. #73585  
AUSTIN T. REED #102808  
FREDERICK N. HANNA, JR. #104659  
SMITH | ROBINSON  
935 Broad Street  
Post Office Drawer 39  
Camden, South Carolina 29020  
(803) 432-1992

*Counsel for Appellants Miriam Mace  
and Georgetown County*

December 18, 2025