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SC Court of Appeals

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GOVERNOR

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March 9, 2026

VIA E-FILING

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: *Frye v. United States*, No. 2025-002448 (S.C. Ct. App.)

Dear Ms. Kitchings:

The Office of the Governor received a letter dated March 5, 2026, in this case, stating that the Court had received the notice of appeal and listing the Governor as a respondent.

This letter was the first that the Office of the Governor has heard of this case. The Governor was not served with a summons in circuit court, and no proof of service for a summons appears on the circuit court's docket. A summons is how a trial court obtains personal jurisdiction over a defendant, and without that summons, a court cannot issue a valid judgment against a defendant. *See Ex parte S.C. Dep't of Revenue*, 350 S.C. 404, 408, 566 S.E.2d 196, 198 (Ct. App. 2002). The Governor should therefore not be a party to this appeal.

If a motion instead of a letter is required to address this issue, please let me know.

Very truly yours,

A handwritten signature in blue ink, appearing to read "W. Grayson Lambert".

Wm. Grayson Lambert
Chief Legal Counsel

cc: Counsel of Record (*via email*)
Appellant (*via U.S. Mail*)