

The South Carolina Court of Appeals

Marion Wade Frye #375354, Appellant,

v.

United States; State of South Carolina; South Carolina Department of Corrections; Prisma Health Midlands Hospital; Alan Howard Brill, MD; Nicholas D. Papadea, MD; George Shealy, RN; Victoria, RN; Trisha Ann Jones, CRNA; Larence Smith, RN; Colby Bounds, RN; Gabrielle Jenkins, RN; Linda Heatwole, RN; Samantha Robinson, RPA; The Governor of South Carolina Henry McMaster; The South Carolina Attorney General Alan McCrory Wilson; Bryan Sterling; The South Carolina Department of Corrections Medical Services Director; John Doe, MD of Evans C.I.; Bruce Lobitz, MD; Viola Thorton, RN; Image Care, LLC; Timothy P. close, MD; Jane Doe, Image Care, LLC; The South Carolina Department of Licensing Labor and Regulation State Board of Medical Examiners; South Carolina Department of Labor Licensing and Regulation, State Board of Medical Examiners Directors; The United States Health and Human Services, Food and Drug Administration; The United States Health and Human Services, Food and Drug Administration, Secretary; The United States Health and Human Services, Office of Inspector General; The United States Health and Human Services, Office of Inspector General, Inspector General; John Doe, Dr. Soto of S.C.D.C.; Jane Doe, RN, Ridgeland, C.I.; Jane Doe, RN, Lee County C.I.; Jane Doe RN, Massey of Broad River C.I.; Jane Doe, RN, Opedia of Broad River C.I.; Jane Doe, Dr. Chapman of Broad River C.I.; Jane Doe, RN of Broad River C.I., Nightshift; Jane Doe, MD of Tyger River C.I.; C. Hall, RN of Tyger River C.I.; Jane Doe RN of Kershaw C.I.; Jane Doe, RN of Turbeville C.I.; The United States Department of Justice; The United States Health and Human Services, Office of Civil Right; The United States Health and Human

Services, Office for Civil Rights, Secretary; The United States Office of Special Counsel; the United States Department of Justice, Federal Bureau of Prisons; The United States Department of Justice, Federal Bureau of Prisons, Director; The South Carolina Law Enforcement Division, Chief Mark A. Keel; John Doe, South Carolina Law Enforcement Officer No. One; John Doe, South Carolina Law Enforcement Officer No. Two; Jane Doe, South Carolina Law Enforcement Officer No. Three; Donnie Stonebreaker; John Doe, Wray/Ray, Associate Warden of Evans C.I.; John Doe Warden of Ridgeland C.I.; John Doe Hubbard, Associate Warden of Evans, C.I.; John Doe Bailey, Associate Warden of Ridgeland C.I.; Kenneth Nelson, Warden of Broad River C.I.; Shane Jackson, Warden of Lee County C.I.; John Doe Tisdale, Associate Warden of Lee County C.I.; John Doe Dr. Jay of Broad River C.I.; John Doe, Cannon Associate Warden of Broad River C.I.; John Doe, Warden of Tyger River C.I.; John Doe, Associate Warden of Tyger River C.I. No. One; John Doe Associate Warden of Tyger River C.I. No. Two; John Doe Warden of Kershaw C.I. No. One; John Doe Associate Warden of Kershaw C.I. No. Two; Kenneth Sharp Warden of Turbeville C.I.; Jonathan Williams Associate Warden of Turbeville C.I.; Richard Chvala Associate Warden of Turbeville C.I.; Jane Doe Officer of Evans C.I.; John Doe Officer of Evans C.I.; the United States Department of Justice, Federal Bureau of Prisons Director; Jane Doe, RN of Broad River C.I.; United States Attorney's Office; The South Carolina Office of the Inspector General; The South Carolina Inspector General; The South Carolina Governor's Office; The South Carolina Attorney General's Office; Jane Doe, RN of Turbeville, C.I., Defendants,

of which the United States; the State of South Carolina; South Carolina Department of Corrections; Prisma Health Midlands Hospital; Alan Howard Brill, MD; Nicholas D. Papadea, MD; George Shealy, RN; Victoria, RN; Trisha Ann Jones, CRNA; Larence Smith, RN;

Colby Bounds, RN; Gabrielle Jenkins, RN; Linda Heatwole, RN; Samantha Robinson, RPA; The Governor of South Carolina Henry McMaster; The South Carolina Attorney General Alan McCrory Wilson; Bryan Sterling; John Doe, MD of Evans C.I.; Bruce Lobitz, MD; South Carolina Department of Labor Licensing and Regulation, State Board of Medical Examiners Directors; The United States Health and Human Services, Office of Inspector General; Jane Doe, MD of Tyger River C.I.; The South Carolina Inspector General; and The South Carolina Attorney General's Office are the Respondents.

Appellate Case No. 2025-002449

ORDER

On March 16, 2026, Respondent Governor McMaster filed a motion to be dismissed as a respondent in the appeal, arguing he was never served with a summons in the circuit court and indicating he was not served with the notice of appeal. Appellant did not file a return.

After careful consideration, we deny Respondent McMaster's motion to be dismissed from the appeal. However, nothing prevents Respondent McMaster from arguing the issue of personal jurisdiction in his appellate brief.

 J.
FOR THE COURT

Columbia, South Carolina

cc:
Marion Wade Frye, 375354
David Allen Anderson, Esquire
Cordes Baxter Kennedy, Esquire
Kyle H. Cooper, Esquire

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Apr 16 2026

Robyn W. Madden, Esquire
William Grayson Lambert, Esquire
The State of South Carolina
South Carolina Department of Corrections

Trisha Ann Jones

Bryan Sterling

John Doe

Bruce Lorbitz

South Carolina Department of Labor Licensing and Regulation, State Board of
Medical Examiners Directors

United State Health and Human Services Office Inspector General

Jane Doe

The South Carolina Inspector General