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Jul 01 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Thomas W. McGee III, Circuit Court Judge

Trial Court Case No. 2023-CP-40-01850
Appellate Case No. 2025-002437

SOUTH CAROLINA PUBLIC INTEREST FOUNDATION and JOHN SLOAN,
individually and on behalf of all others similarly situated..... Appellants,

v.

SOUTH CAROLINA STATE LAW ENFORCEMENT DIVISION and Mark Keel, in his
official capacity as Chief of the South Carolina State Law Enforcement Division..... Respondents.

MOTION FOR ADMISSION *PRO HAC VICE* OF MICHAEL BENJAMIN SOYFER

Under Rule 404 of the South Carolina Appellate Court Rules, E. Brandon Gaskins, a regular member of the South Carolina bar in good standing, who serves as counsel of record for *amicus curiae* the Institute for Justice in the above captioned matter, hereby moves for the admission of Michael B. Soyfer to practice *pro hac vice* before this Court.

Michael B. Soyfer is a member in good standing of the bar of the highest court of the District of Columbia. Mr. Soyfer is an attorney with the non-profit public interest law firm Institute for Justice.

Attached to this motion are Mr. Soyfer's verified application to be admitted *pro hac vice* (Exhibit "A"), Mr. Soyfer's Certificate of Good Standing in the District of Columbia (Exhibit "B"), and a certification from the South Carolina Supreme Court Office of Bar Admissions acknowledging receipt of that application and the related fee (Exhibit "C").

THEREFORE, the movant prays for an Order of this Court permitting the appearance of Michael B. Soyfer, *pro hac vice* in this action as counsel for *amicus curiae* the Institute for Justice.

Respectfully submitted,

s/E. Brandon Gaskins

E. Brandon Gaskins (SC Bar No. 73274)

Moore & Van Allen PLLC

78 Wentworth Street

P.O. Box 22828

Charleston, SC 29413-2828

Telephone: (843) 579-7000

Facsimile: (843) 579-7099

Email: brandongaskins@mvalaw.com

Attorney for *Amicus Curiae*

July 1, 2026

Charleston, South Carolina

EXHIBIT A

Pro Hac Vice Application

Amendment Submitted on 06.23.2026

General Information

Personal Information

Applicant First Name	Michael
Applicant Middle Name	Benjamin
Applicant Last Name	Soyfer
Applicant Suffix	
Applicant Business Address 1	901 N. Glebe Road
Applicant Business Address 2	Suite 900
Applicant City	Arlington
Applicant State	Virginia
Applicant Zip Code	22203
Applicant County	Arlington
Applicant Primary Phone Number	(703) 682-9320
Applicant Cell Phone Number	null
Applicant Primary Email	msoyfer@ij.org

Applicant Firm Information

Applicant Law Firm Name	Institute for Justice
Applicant Law Firm Address 1	901 N. Glebe Road
Address 2	Suite 900
City	Arlington
State	VA
Zip Code	22203
Applicant Law Firm County	Arlington
Applicant Law Firm Phone Number	7036829320
Applicant Law Firm Email	msoyfer@ij.org

Case Information

Plaintiff Name	South Carolina Public Interest Foundation and John Sloan
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Defendant Name South Carolina State Law Enforcement Division and Mark Keel

Case Name South Carolina Public Interest Foundation and John Sloan, individually and on behalf of all others similarly situated v. South Carolina State Law Enforcement Division and Mark Keel, in his official capacity as Chief of the South Carolina Law Enforcement Division

Case Number (Please include all zeros in case number) 2025-002437

Applicant Retained By South Carolina Public Interest Foundation and John Sloan (As an Amici Curiae)

Tribunal South Carolina Court of Appeals

Tribunal Address 1 1220 Senate Street

Address 2

City Columbia

State
South Carolina

Zip Code 29201

Local Counsel Information

Are you filing a pro hac vice application to appear in an arbitration, mediation, or alternative dispute resolution? No

Please be aware that local counsel must be Rule 403 certified.

Local Counsel First Name Brandon

Local Counsel Last Name Gaskins

Local Counsel Bar Number SC Bar No. 73274

Local Counsel Law Firm Name Moore & Van Allen PLLC

Local Counsel Law Firm Address 1 78 Wentworth Street

Address 2 P.O. Box 22828

City Charleston

State SC

Zip Code 29413

Local Counsel Law Firm County Charleston

Local Counsel Primary Phone Number 8435797000

Local Counsel Cell Phone Number 8435797000

Local Counsel Email brandongaskins@mvalaw.com

Jurisdictions/Courts

Jurisdictions/Courts

List all courts before which you have been admitted to practice law, including United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and state courts or the District of Columbia.

NOTE: You will be required to upload **one** certificate of good standing dated within the last 90 days from the highest court of the District of Columbia or the State where the applicant regularly practices law.

NOTE: If you are filing a pro hac vice application to appear in an arbitration, mediation, or other alternative dispute resolution proceeding in South Carolina, the certificate of good standing you are required to upload must be from the jurisdiction where your pre-existing representation of a client is located.

Court Name	U.S. District Court for the District of Columbia
Jurisdiction	District of Columbia
Date Admitted	11-2021
Are you presently a member in good standing of the bar of this court?	Yes

Court Name	U.S. District Court for the Eastern District of Michigan
Jurisdiction	District of Michigan
Date Admitted	2-2024
Are you presently a member in good standing of the bar of this court?	Yes

Court Name	U.S. Court of Appeals for the Fourth Circuit
Jurisdiction	Fourth Circuit
Date Admitted	2-2026
Are you presently a member in good standing of the bar of this court?	Yes

Court Name	U.S. Court of Appeals for the Seventh Circuit
Jurisdiction	Seventh Circuit
Date Admitted	4-2024
Are you presently a member in good standing of the bar of this court?	Yes

Court Name	Appellate Division of the Supreme Court of the State of New York Third Judicial Department
Jurisdiction	New York
Date Admitted	1-2017
Are you presently a member in good standing of the bar of this court?	Yes

Court Name	District of Columbia Court of Appeals, the District of Columbia Bar
Jurisdiction	District of Columbia
Date Admitted	2-2018
Are you presently a member in good standing of the bar of this court?	Yes

Are you presently subject to any suspension or disbarment proceedings, or been formally notified of any complaints pending before a disciplinary agency?	No
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Prior Pro Hac Vice Applications

Prior Pro Hac Vice Applications

Have you previously filed an application to appear Pro Hac Vice in any South Carolina cases? No

Have you ever had any application for admission Pro Hac Vice denied or any Pro Hac Vice admission revoked in this or any other jurisdiction? No

NOTE: You must upload a copy of any order of denial or revocation.

Have you ever had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked? No

Attestations

Attestations

Applicant agrees to comply with the applicable statutes, law and rules of the State of South Carolina; be familiar with and comply with the South Carolina Rules of Professional Conduct. I Agree

Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct. I Consent

Type name in the box to sign electronically Michael Benjamin Soyfer

Signed on this date: 06/23/2026 12:55:25

Type in Date 6-23-2026

LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 22nd day of June, 20 26

E. B. [Signature]

LOCAL COUNSEL OF RECORD

VERIFICATION

STATE OF Virginia)

COUNTY OF Arlington)

I, Michael Soyfer, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission *pro hac vice*. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear *pro hac vice* in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.


APPLICANT/AFFIANT

Subscribed and sworn to before me this 23 day of June, 20 26


(Notary Signature)

Notary Public for the State of Virginia

My Commission Expires: 5/31/2028



EXHIBIT B



*On behalf of JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals,
the District of Columbia Bar does hereby certify that*

Michael Benjamin Soyfer

*was duly qualified and admitted on February 5, 2018 as an attorney and counselor entitled to
practice before this Court; and is, on the date indicated below, an Active member in good
standing of this Bar.*

*In Testimony Whereof,
I have hereunto subscribed my
name and affixed the seal of this
Court at the City of
Washington, D.C., on April 08, 2026.*

Julio A. Castillo
JULIO A. CASTILLO
Clerk of the Court

Issued By:

A handwritten signature in black ink, appearing to read "David Chu".

*David Chu - Director, Membership
District of Columbia Bar Membership*

***For questions or concerns, please contact the D.C. Bar Membership Office at 202-626-3475 or email
memberservices@dcbar.org.***

EXHIBIT C

PHV Certification

Jun 26 2026

**South Carolina Supreme Court
Office of Bar Admissions
1231 Gervais Street
Columbia, SC 29201
<https://sctbaradmissions.sccourts.org>**



**The Supreme Court of South Carolina
Office of Bar Admissions**

PATRICIA A. HOWARD
CLERK OF COURT

T. KYLE TENNIS
DEPUTY CLERK

KATHLEEN "TINA" BRYANT
MANAGER, OFFICE OF BAR
ADMISSIONS

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
TELEPHONE: (803) 734-1317
FAX: (803) 734-0394

June 26, 2026

Michael Benjamin Soyfer
901 N. Glebe Road
Suite 900
Arlington, VA 22203

RE: South Carolina Public Interest Foundation, et al. v. South Carolina State Law Enforcement Division, et al.

Appellate Case No. 2025-002437

Dear Applicant:

I certify that the Office of Bar Admissions has received your application for admission pro hac vice in the above action. The \$250 admission fee has been paid.

Sincerely,

T. Kyle Tennis

Deputy Clerk

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SC Court of Appeals

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In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

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SOUTH CAROLINA PUBLIC INTEREST FOUNDATION and JOHN SLOAN,
individually and on behalf of all others similarly situated..... Appellants,

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SOUTH CAROLINA STATE LAW ENFORCEMENT DIVISION and Mark Keel, in his
official capacity as Chief of the South Carolina State Law Enforcement Division..... Respondents.

PROOF OF SERVICE

This is to certify that I have this day served counsel in the above-captioned matter with a
copy of the **Motion for Admission Pro Hac Vice of Michael Benjamin Soyfer, Motion for
Admission Pro Hac Vice of James Aaron Odell, and the Motion for Admission Pro Hac Vice
of Robert Frommer** via electronic mail only, addressed as follows:

fred.hanna@smithrobinsonlaw.com
austin.reed@smithrobinsonlaw.com
murrell@smithrobinsonlaw.com
awhitsett@sled.sc.gov
pahearn@sled.sc.gov
daniel.plyler@smithrobinsonlaw.com
barry.friedman@law.nyu.edu
nancy.glass@nyu.edu
james.carpenter@carpenterlawfirm.net
attorneyalesia@gmail.com
jpeterman@orrick.com
allie@clekis.com
mcavedon@cato.org

Respectfully submitted,

s/E. Brandon Gaskins

E. Brandon Gaskins (SC Bar No. 73274)

Moore & Van Allen PLLC

78 Wentworth Street

P.O. Box 22828

Charleston, SC 29413-2828

Telephone: (843) 579-7000

Facsimile: (843) 579-7099

brandongaskins@mvalaw.com

Attorney for Amicus Curiae

July 1, 2026

Charleston, South Carolina

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SC Court of Appeals

Moore & Van Allen

July 1, 2026

VIA E-FILING

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@mvalaw.com

E. Brandon Gaskins
Attorney at Law

T 843 579 7038
F 843 579 8738
brandongaskins@mvalaw.com

Moore & Van Allen PLLC

78 Wentworth Street
Charleston, SC 29401-1428

Mailing Address:
Post Office Box 22828
Charleston, SC 29413-2828

Re: South Carolina Public Interest Foundation and John Sloan, individually and on behalf of all others similarly situated vs. South Carolina State Law Enforcement Division and Mark Keel, in his official capacity as Chief of the South Carolina State Law Enforcement Division
Civil Action No.: 2023-CP-40-01850
Appellate Case No.: 2025-002437

Dear Ms. Kitchings,

With regard to the above-referenced matter, please accept the following for filing:

- Motion for Admission Pro Hac Vice of Michael Benjamin Soyfer;
- Motion for Admission Pro Hac Vice of James Aaron Odell;
- Motion for Admission Pro Hac Vice of Robert Peller Frommer; and
- Proof of Service.

The required respective filing fees in the amount of \$50.00 for each motion are being mailed to the Court under separate cover.

By copy of this letter, I am serving all counsel in the above matter with a copy of the Motions for Admission *Pro Hac Vice*. Thank you for your assistance in this matter. If you should have any questions or concerns, please feel free to contact me.

Sincerely,



E. Brandon Gaskins

EBG/llp

Enclosures: As Stated.

Charlotte, NC
Charleston, SC

cc:

VIA EMAIL ONLY

James G. Carpenter, Esq.

Jeremy Peterman, Esq.

Alexandra Elyse Menegakis, Esq.

Phyllis Alesia Rico Flores, Esq.

Barry Friedman, Esq.

Nancy Glass, Esq.

Frederick Newman Hanna, Jr., Esq.

Daniel Clifton Plyler, Esq.

Austin Tyler Reed, Esq.

George Murrell Smith, Jr., Esq.

Adam L. Whitsett, Esq.

Paul Thomas Ahearn, III, Esq.

Matthew P. Cavedon, Esq.