

THE STATE OF SOUTH CAROLINA
In the Supreme Court

RECEIVED

Aug 04 2026

S.C. SUPREME COURT

APPEAL FROM RICHLAND COUNTY
Daniel M. Coble, Circuit Court Judge

Case No. 2026-CP-40-05213

Danny Ford, II, Respondent,

v.

South Carolina Republican Party and
South Carolina Election Commission
a/k/a State Election Commission Appellants.

MOTION TO CERTIFY

Pursuant to Rule 204(b), SCACR, to the extent necessary, South Carolina Republican Party respectfully moves the Court to certify this case for immediate review. The circuit court’s order is immediately appealable under S.C. Code Ann. § 14-3-330(4). And the rules instruct a party to file with the Supreme Court of South Carolina an appeal from “[a]ny final judgment from the circuit court pertaining to elections and election procedure.” Rule 203(d)(1)(A)(iv), SCACR.

Here, the circuit court’s August 4, 2026 order granted a mandatory preliminary injunction requiring the Party to certify Respondent Danny Ford, II as a Republican candidate for U.S. Senate and ordering the State Election Commission to place his name on the ballot in the middle of an ongoing election. Because there is no way to undo the relief ordered, this is effectively a “final,” *id.*, order for purposes of the 2026 Republican special primary election for U.S. Senate.

At any rate, certification is “appropriate” because “the case involves an issue of significant public interest or a legal principle of major importance.” Rule 204(b), SCACR. Specifically, at

issue in this case is whether a court can (1) issue relief during an ongoing election, (2) order a political party to certify a candidate to run under its banner, (3) decide the case on a constitutional ground not raised in the complaint or briefing, and (4) require voters to use two separate ballots for the same primary. Further, early voting starts tomorrow. “This is a matter of great public importance. Integrity in elections is foundational.” *Bailey v. S.C. State Election Comm’n*, 430 S.C. 268, 272, 844 S.E.2d 390, 392 (2020) (quoting *Anderson v. S.C. Election Comm’n*, 397 S.C. 551, 556, 725 S.E.2d 704, 706 (2012)).

For these reasons, the Party respectfully requests the Court decide this case in the first instance as soon as possible.¹

Respectfully submitted,

/s/Vordman Carlisle Traywick, III

Robert E. Tyson, Jr. (10820)

Vordman Carlisle Traywick, III (102123)

Sarah C. Frierson (104643)

ROBINSON GRAY STEPP & LAFFITTE, LLC

Post Office Box 11449

Columbia, South Carolina 29211

(803) 929-1400

rtyson@robinsongray.com

ltraywick@robinsongray.com

sfrierson@robinsongray.com

Counsel for South Carolina Republican Party

Columbia, South Carolina
August 4, 2026

¹ The undersigned understands the State Election Commission intends to join this request as well.