

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT  
APPEAL FROM S.C. STATE ETHICS COMMISSION  
MEGHAN WALKER DAYSON, EXECUTIVE DIRECTOR  
S.C. STATE ETHICS COMMISSION CASE NO. \_\_\_\_\_  
SUP. CT. APPELLATE CASE NO: 2026 - 001576

ROBERT WARNEY, PETITIONER,  
V.  
S.C. STATE ETHICS COMMISSION, RESPONDENT,  
V.  
SUMTER COUNTY CLERK OR COURT OF COMMON PLEAS,  
CO-RESPONDENT,

APPENDIX

RECEIVED

AUG 24 2026

SC Court of Appeals

SMITH + ROBINSON  
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AUG 15<sup>TH</sup> 16, 2026

~~ROBERT WARNEY~~  
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PETITIONER, APPLICANT, PRO-SE

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# The Supreme Court of South Carolina

Robert William Wazney, Petitioner,

EXHIBIT ECH-1/16

v.

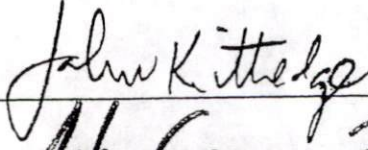
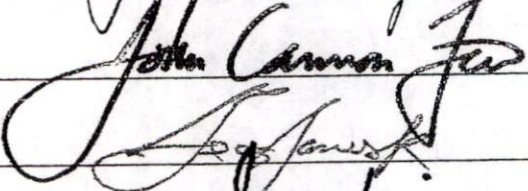
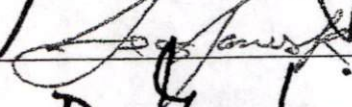
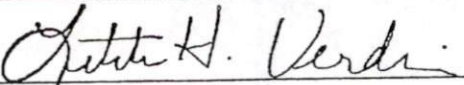
South Carolina State Ethics Commission and Sumter  
County Clerk of Court of Common Pleas, Respondents.

Appellate Case No. 2025-002342

## ORDER

By letter dated November 6, 2025, this Court declined to take action on Petitioner's November 5, 2025 filings due to his failure to file the filing fee and notarized affidavit that the matter was nonfrivolous and proper for this Court's original jurisdiction as required by a prior order dated October 8, 2019.

Petitioner has now filed a motion to reinstate. The request is denied.

|                                                                                      |      |
|--------------------------------------------------------------------------------------|------|
|  | C.J. |
|  | J.   |
|  | J.   |
| D. Hanlin                                                                            | J.   |
|  | J.   |

Columbia, South Carolina  
January 16, 2026

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4-4-76

EXHIBIT ECA-BRIEF  
STATE OF SOUTH CAROLINA  
COURT OF APPEALS

APPEAL FROM THE S.C. STATE ETHICS COMMISSION  
MARGHAN WALKER RYSEN, EXECUTIVE DIRECTOR  
S.C. STATE ETHICS COMMISSION CASE NO. \_\_\_\_\_  
COURT OF APPEALS CASE NO. 2026-000264

ROBERT WAZNEY, APPELLANT  
v.

SOUTH CAROLINA STATE ETHICS COMMISSION, RESPONDENT  
v.

SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS,

CO-RESPONDENT

BRIEF OF APPELLANT

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ATTORNEY FOR CO-RESPONDENT

STATEMENT OF CASE

1. On April 8, 2025, Petitioner filed a verified Complaint with the Respondent, STATE ETHICS COMMISSION, against SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS violation of S.C. State laws, violations of S.C. Code Sections 17-27-40 (PCR Act), 8-1-80 (misconduct in office), and Code Ann. §§ 8-13-100 et seq. (Ethics Reform Act), as more fully appears from a copy of the Complaint in the action, which is attached hereto as EXHIBIT EC-1 and made part hereof and incorporated by reference.

2. On April 23, 2025, Respondent, STATE ETHICS COMMISSION, advised that it does not have authority to investigate Petitioner's complaint, as more fully appears from a copy of the decision in the action, which is attached hereto as EXHIBIT EC-4/23 and made part hereof and incorporated by reference.

3. On May 5, 2025 Petitioner appealed, to the Respondent, STATE ETHICS COMMISSION, the 4/23/25 decision.

4. On May 13, 2025, Petitioner's appeal was rejected by the Respondent, STATE ETHICS COMMISSION, who decided it does not have jurisdiction, as more fully appears from a copy of the decision in the action, which is attached hereto as EXHIBIT EC-2 and made part hereof and incorporated by reference.

5. On May 27, 2025, Petitioner tendered for filing with Respondent a motion to amend his complaint entitled Motion for Leave To Amend Complaint B ; Interlineation, hereinafter "AMENDMENT", pursuant to Rule 15, South Carolina Rules of Civil Procedure, as more fully appears from a copy of the AMENDMENT in the action, which is attached hereto as EXHIBIT EC-3 and made part hereof and incorporated by reference. Ethics Commission failed to respond to Petitioner's AMENDMENT.

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6. Because of Respondent's failure to respond, over the next several months, Petitioner attempted several times to reach the Respondent asking about the status of his AMENDMENT:

on 6/30/25 status update requested,

on 8/2/25 status update requested,

on 9/3/25 status update requested,

as more fully appears from a copy of the status update requests in the action, which is attached hereto as EXHIBITS EC-4, EC-5, EC-6, and made part hereof and incorporated by reference, however, Respondent, STATE ETHICS COMMISSION, did not return any of Petitioners's calls.

7. On October 18, 2025, Petitioner filed a Petition For A Writ Of Mandamus with S.C. supreme Court against the Respondent's failure to respond to Petitioner's AMENDMENT, refused by court 11/6/25, reh'g denied 1/16/26, as more fully appears from a copy of the final order in the action, which is attached hereto as EXHIBIT ECM-1/16 and made part hereof and incorporated by reference, effectively disposing of this branch of the cause, and giving final disposition of the AMENDMENT to the STATE ETHICS COMMISSION as unanswered.

8. Now, Petitioner, on appeal to S.C. Court of Appeals, pursuant to S.C. Code §§ 1-23-380 and 8-13-320(9)(m), is challenging the STATE ETHICS COMMISSION's decision that STATE ETHICS COMMISSION lacks jurisdiction to warrant investigation by the Commission.

#### SUMMARY PREFACE TO ARGUMENT

The Petitioner insists that, as he stated a case alleged to fall within the provisions of the act, and he was entitled to have the Commission consider the case as amended, Respondent is in error to dismiss his case for lack of jurisdiction. He believes the amendment ought to remedy the jurisdictional issue and compel that body to hear and decide his case.

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## FACTS

9. The South Carolina General Assembly enacted the Ethics Reform Act. 1991 SC Act No. 248 in response to "Operation Lost Trust." "Operation Lost Trust" was an extensive federal investigation of public corruption which resulted in the indictment and prosecution of various senior members of State Government. The General Assembly recognized the serious effect of the investigation and noted that because the public's trust was essential for government to function effectively, the use of any threats, favoritism, undue influence, or other impropriety would undermine the public's confidence. Act No. 248, 1991 S.C. Acts 1579. State v. Thrift, 312 SC 282, 440 SE2d 341 (1994). The "Operation Lost Trust" prosecutions included tampering with a witness, Matter of Limehouse, 307 SC 278, 414 SE2d 783 (1992), obstruction of justice, U.S. v. Rogers, 976 F2d 728 (1992), possession of cocaine, Matter of Ferguson, 314 SC 278, 443 SE2d 905 (1994), and contempt, In re Shain, 978 F2d 850, 36 Fed.R.Evid.Serv. 1508 (1992). And, the current legislature does not intend to permit someone to escape prosecution for acts of ... similar activity. See generally Thrift, supra.

10. The current legislation of the Ethics Reform Act, S.C. Code §§ 8-13-100 et seq., gives "[t]he State Ethics Commission ... the[] dut[y] and power[] ... to ... make investigations ... of the person alleged to have committed a violation of th[e Ethics Reform Act] and the particulars of the violation" and which "does not preclude prosecution of public officials ... for violation of any law of this State.". S.C. Code § 8-13-320.

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11. S.C. Code section 8-13-320(10)(a),(b) clearly reads the STATE ETHICS COMMISSION "... shall accept from an individual, ... a verified complaint, in writing, that states the name of a person alleged to have committed a violation of this chapter and the particulars of the violation ..." and "... shall forward a copy of the complaint, a general statement of the applicable law with respect to the complaint ... to the [SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS] within ten days of the filing of the complaint ...", and "[i]f the ... executive director ... determines that the complaint does not allege facts sufficient to constitute a violation, the [STATE ETHICS COMMISSION] must dismiss the complaint and notify the complainant and respondent ...". S.C. Code section 8-13-320(10)(a),(b).

#### ARGUMENT

##### I. STATE ETHICS COMMISSION ERROR OF LAW

12. Petitioner's original complaint, EXHIBIT EC-1, clearly shows where SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS, a public official of South Carolina, violated several laws of South Carolina and caused injury to the Petitioner. The South Carolina Ethics Reform Act gives the STATE ETHICS COMMISSION the duty and power to make investigations of the person alleged to have committed a violation the Ethics Reform Act and the particulars of the violation, which does not preclude prosecution of public officials for violation of any law of this State, S.C.Code § 8-13-320. Because STATE ETHICS COMMISSION dismissed Petitioner's complaint for lack of jurisdiction based on it's belief that the statute only "... pertains to use of public office for ... [unauthorized] financial ... and lobbying activities", see EXHIBIT EC-4/23, SOUTH CAROLINA ETHICS COMMISSION ERRED IN MAKING AND ENTERING IT'S JUDGMENT DATED MAY 13, 2025, EXHIBIT EC-2, DISMISSING PETITIONER'S COMPLAINT FOR LACK OF JURISDICTION, FOR THE REASON THAT THE JUDGMENT IS CONTRARY TO THE APPLICABLE LAW.

## ANALYSIS

13. The Ethics Reform Act creates a right and at the same time prescribes a remedy for enforcing the right, the prescribed statutory course must be followed by anyone claiming the right. See Bethea v. Allen, 101 SC 350, 85 SE 903, 915 (1915). Upon complaint, Petitioner invoked the provisions of the Ethics Reform Act by bringing himself within the conditions prescribed therein. See, e.g., Prepetual Bldg. & Loan Ass'n of Columbia v. South Carolina Tax Comm'n, 255 SC 523, 180 SE2d 195 (1971).

14. The STATE ETHICS COMMISSION dismissed Petitioner's complaint, and his appeal, for lack of jurisdiction based on it's own interpretation of the Ethics Reform Act, declaring that the Act pertains only to unauthorized financial and lobbying activities under use of public office, see EXHIBIT EC-4/23, STATE ETHICS COMMISSION then affirmed the dismissal in a decision that legitimized that interpretation and stated that Petitioner failed to allege violation of S.C. Code § 8-13-320, see EXHIBIT EC-2. It is here that the STATE ETHICS COMMISSION is in error where it has misinterpreted the provisions of the Ethics Reform Act and has erroneously dismissed the complaint as presented by the Petitioner.

## STANDARD OF REVIEW.

15. Legal questions involving statutory interpretation are questions of law subject to de novo review. Spring Vafley Interests, LLC v. Best for Last, LLC, --- SE2d ---, 2026 WL 4507 (SC 2026), First Citizens Bank and Trust Co., Inc. v. Taylor, 431 SC 149, 847 SE2d 249 (Ct.App.2020). On de novo review, an appellate court has plenary independent, and non-deferential authority to determine whether the trial tribunal erred in its legal rulings. Brown v. Dick Smith Nissan, 414 SC 101, 777 SE2d 208 (S.C. 2015), Associated Receiveables Funding, Inc. v. Dunlap, Inc. 443 SC 568, 905 SE2d 816 (Ct.App.2024).

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED~~

16. The South Carolina Supreme Court recently stated, that the cardinal rule of statutory construction is to ascertain and give effect to the intent of the legislature. We must give the words in a statute their plain and ordinary meaning, without resort to subtle or forced construction to limit or expand the statute's operation, and when the words are unambiguous, we must apply their literal meaning. Statutes should be read in harmony with their purpose and with other provision that are part of the same general statutory law in order to determine their effect. While this Court will generally give deference to an agency's interpretation of an applicable statute or its own regulation, where the plain language of a statute is contrary to the agency's interpretation, this Court will reject the agency's interpretation. Deference to an agency's interpretation is not mandatory. Davis v. S.C. Department of Corrections, 444 SC 138, 150, 906 SE2d 569 (S.C. 2024).

17. Given this guideline, obviously, as noted above, the essential purpose of the Ethics Reform Act, where it is aimed solely at the dishonest acts of public officials, is to provide individuals protection from, and to prosecute, public officials who commit violations of law, e.g., Obstruction of Justice, see U.S. v. Rogers, supra.

18. The words of S.C. Code § 8-13-320,

"The State Ethics Commission has the[] dut[y] ... to initiate or receive complaints and make investigations ... as appropriate ... upon complaint by an individual, of an alleged violation of this chapter ... in th[e] manner ... [t]his section does not preclude prosecution of public officials ... for violation of any law of this State.",

given their plain and ordinary meaning, are unambiguous, therefore their literal meaning should be applied.

19. Literally, S.C. Code § 8-13-320 reads that the STATE ETHICS COMMISSION is able to "initiate or receive complaints and make investigations, as appropriate, upon complaint by an individual, of an alleged violation of the Ethics Reform Act in the manner which does not preclude prosecution of public officials for violation of any law of this State".

20. What a legislature says in the text of a statute is considered the best evidence of the legislative intent or will. Hodges v. Rainey, 341 SC 79, 533 SE2d 578 (S.C. 2000). The language of Code § 8-13-330 is unambiguous and evidences the General Assembly's intent to grant an individual, such as the Petitioner, the power to lodge his complaint with and invoke the STATE ETHICS COMMISSION's jurisdiction. Therefore, the courts are bound to give effect to the expressed intent of the legislature. Hodges v. Rainey, 341 SC 79, 533 SE2d 578 (S.C. 2000)(quoting Norman J. Singer, Sutherland Statutory Construction § 46.03 at 94 (5th ed. 1992)).

21. Under the "plain meaning rule," it is not the court's place to change the meaning of a clear and unambiguous statute; when a statute's language is plain and unambiguous, and conveys a clear and definite meaning, the rules of statutory interpretation are not needed, and the court has no right to impose another meaning. Hodges v. Rainey, 341 SC 79, 533 SE2d 578 (S.C. 2000); Crocker v. S.C. Dept. of Health and Env. Control, 428 SC 1, 831 SE2d 924 (2019).

22. This literal meaning of Code § 8-13-320 reads harmoniously with its purpose and with the other provisions that are part of the same general statutory law.

23. Pursuant Rule 201 SCRE, Petitioner requests this Court take Judicial Notice, of the STATE ETHICS COMMISSION's government website at <https://ethics.sc.gov/complaints>, which clearly reads on it's face:

"Anyone who suspects that a violation of the law has been committed by a public official, public member, or public employee may file a complaint to the State Ethics Commission."

<https://ethics.sc.gov/complaints>. This posting gives a very clear interpretation by the STATE ETHICS COMMISSION of the Ethics Reform Act and is contrary to the agency's decision in this case.

24. Therefore, the legislative intent of the Ethic Reform Act, supported by STATE ETHICS COMMISSION's interpretation on it's public website of the Ethics Reform Act, gives rise to, and manifest, STATE ETHICS COMMISSION jurisdiction over Petitioner's complaint against SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS State law violations, and demonstrates STATE ETHICS COMMISSION ERROR OF LAW in dismissing Petitioner's complaint.

II. SECOND ASSIGNMENT OF ERROR,  
STATE ETHICS COMMISSION INACTION ON AUTHORITY TO CONSIDER

25. Subsequent Petitioner's original complaint, EXHIBIT EC-1, clearly showing where SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS, a public official of South Carolina, violated several South Carolina laws and causing injury to the Petitioner, STATE ETHICS COMMISSION April 23, 2025 determination, EXHIBIT EC-4/23, dismissing for lack of jurisdiction, based on limits to the Ethics Reform Act, Petitioners' jurisdictional contentions were reasserted in an appeal, EXHIBIT EC-5/5. Petitioners' statement of points on appeal asserted jurisdiction over his person because the SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS' violation of state laws caused injury to Petitioner. STATE ETHICS COMMISSION again dismissed, EXHIBIT EC-2, for lack of jurisdiction, based on Petitioner's complaint not alleging violation of Section 8, Chapter 13, of the S.C. Code of Laws. Petitioner amended his Complaint, EXHIBIT EC-3, amending, by interlineation, the specific allegation that SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS violated SC Code section 8-13-320, asserting exactness and emphasis on violation of S.C. Code section 8-13-320. The STATE ETHICS COMMISSION never responded to Petitioner's Amendment papers, EXHIBIT EC4, EXHIBIT-EC5, EXHIBIT EC6. Petitioner attempted a mandamus against STATE ETHICS COMMISSION, EXHIBIT EC-MANAMUS, but pro-se Petitioner did not successfully litigate the mandamus, EXHIBIT ECM-1/16.

25.5. Because the Ethics Reform Act gives the STATE ETHICS COMMISSION the duty and power to make investigations of the person alleged to have committed a violation the Ethics Reform Act and the particulars of the violation, which does not preclude prosecution of public officials for violation of any law of this State, S.C. Code § 8-13-320, and because the plain statutory language of the Ethics Reform Act gives Petitioner a clear statutory right to have his amended complaint reviewed and recommendation made by STATE ETHICS COMMISSION, 8-13-320(10)(a),(b), SOUTH CAROLINA ETHICS COMMISSION ERRED IN REFUSING TO CONSIDER PETITIONER'S AMENDED COMPLAINT, WHICH WAS PRESENTED TO THE SOUTH CAROLINA STATE ETHICS COMMISSION FOR THE REASON THAT PETITIONER'S ORIGINAL COMPLAINT DID NOT SPECIFICALLY ALLEGE THAT SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS VIOLATED S.C. CODE SECTION 8-13-320.

→ ANALYSIS (OF 2ND ASSIGNMENT w/ ERROR)

26 . STATE ETHICS COMMISSION

DECISION TO DISMISS PETITIONER'S COMPLAINT

FOR LACK OF JURISDICTION BECAUSE

HIS COMPLAINT DID NOT CONFORM TO

THE AGENCY'S INTERPRETATION OF

SIC CODE SECTION 8-13-320 AND THE

~~ETHICS~~ REFORM ACT, AND BECAUSE

HIS COMPLAINT DID NOT ALLEG

A VIOLATION OF CODE § 8-13-320,

EXHIBIT EC-2, SHOULD HAVE BEEN

CURED BY PETITIONER'S AMENDMENT,

EXHIBIT EC-3, WHICH ADDRESSED THE

§ 8-13-320 ALLEGATION REQUIREMENT ISSUE

AND RE-ASSERTED HIS COMPLAINT. HOWEVER,

STATE ETHICS COMMISSION REMAINED SILENT

TO PETITIONER'S AMENDMENT.

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27. THE SILENCE OF THE  
STATE ETHICS COMMISSION TO  
PETITIONER'S AMENDMENT PAPERS  
DEMONSTRATES EITHER STATE ETHICS  
COMMISSION

A) Negligence; or

B) Legislative Acquiescence.

A. Negligence

28. DESPITE THE SILENCE OF THE  
STATE ETHICS COMMISSION TO THE PETITIONER'S  
AMENDMENT, ADOVERSE INTERFERENCE FROM  
SUCH SILENCE BRINGS A PSYCHIC  
PRESSURE TO BEAR ON THE STATE  
ETHICS COMMISSION IMPELLING IT  
TO ACT ON ITS BRANCH AND DUTY.  
HENCE, PETITIONER'S CAUSE FOR

MANDAMUS ACTION, EXHIBIT EC -  
MANDAMUS, HOWEVER, SOUTH CAROLINA  
SUPREME COURT REFUSED TO  
ENTER TAZN THE MANDAMUS ACTION,  
EXHIBIT ECM-1/16.

#### B. LEGISLATIVE ACQUIESCENCE.

29. Despite the silence of  
THE STATE ETHICS COMMISSION TO  
THE PETITIONER'S AMENDMENT, LEGISLATIVE  
SILENCE IN THE FACE OF AGENCY  
DECISIONS PERTAINING TO A STATUTE  
MAY, UNDER CERTAIN CIRCUMSTANCES,  
SUGGEST LEGISLATIVE ACQUIESCENCE. BROWN  
& WILLIAMSON TOBACCO CORP. V. FOOD & DRUG  
ADMIN., 153 F3d 155 (1998).

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30. Legislative acquiescence is a legal fiction that assumes, in any particular case, that legislative silence is meant to carry a particular meaning—as relevant here, affirmation of the judicial decision at issue.

EXHIBIT EC-2.

31. The legislative acquiescence doctrine is an estoppel doctrine designed to protect those who rely on long-standing administrative interpretation. This tool of statutory construction "provides that a long adhered to administrative interpretation dating from

THE LEGISLATIVE ENACTMENT,  
WITH NO SUBSEQUENT CHANGE  
HAVING BEEN MADE IN THE STATUTE  
INVOLVED, RAISES A PRESUMPTION  
OF LEGISLATIVE ACQUIESCENCE WHICH  
IS STRONGLY PERSUASIVE ON THE  
COURTS. " B.L. REVER TRANSPORT, INC.  
V. INDIANA DEPT. OF STATE, 163 NE3d 968  
(2021).

32. HOWEVER, IT SHOULD BE  
NOTED, PETITIONER'S POINT HAS  
NOT BEEN CHALLENGED SINCE  
THE ENACTMENT OF I.C.  
CODE SECTION 8-13-320,

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→ STANDARD OF REVIEW (of and Assignment of error)

33. The Court relies, as it must, on the authority of the COMMISSIONER TO INTERPRET AND APPLY STATUTE AND ON THE DEFERENCE THAT COURTS SHOULD ACCORD TO AGENCY VIEWS WITH RESPECT TO THE LEGISLATION IT IS CHARGED WITH ENFORCING. 'THE AMOUNT OF DEFERENCE due an administrative agency's interpretation of a statute ... will depend on the thoroughness evident in its consideration, the validity of its reasoning, its consistency with earlier agency administrative pronouncements, and all

Those factors which give it  
power to ~~control~~. CBS Inc. v.  
F.C.C., 101 S.Ct. 2813, 453 US 367  
(1981).

34, IN South Carolina, an  
Administrative interpretation or  
construction of a state statute  
is clearly not binding on the  
courts, Bannister v. Ohio Chs. Ins.,  
314 SC 388, ~~388~~ 444 S.E2d 528 (1994),  
Davis v. S.C. Dept. of Corr., 444  
SC 138, 906 S.E2d 569 (2024), BUT  
the courts will generally defer  
to Administrative Interpretations  
of the statutes if it is changed

With Administering. BANNISTER, SUPRA,  
DAVIS, SUPRA. Nevertheless, the courts  
should NOT defer to an  
Agency's construction of a statute  
when the provision at issue  
previously has not been subjected  
to judicial scrutiny or when  
the Agency's interpretation has  
not been time tested. ISF Promotions  
Inc. v. Administrator, Unemployment Comp.  
Act, 265 Conn. 413, 828 A2d 609 (2003);  
MANGIAFICO v. STATE Bd. of Educ. 138  
Conn. App. 677, 53 A3d 1066 (2012) (noting  
standard of review is plenary).

Thus when a state agency  
charged with administration of

A STATE'S STATUTE HAS CONSTRUED  
OR INTERPRETED THE STATUTE IN  
A PARTICULAR WAY, THE COURTS OF  
THE STATE, IN RECOGNITION OF THE  
AGENCY'S EXPERTISE IN THE FIELD, GIVE  
SUCH INTERPRETATION GREAT  
DEFERENCE UNLESS IT IS IN  
CONFLICT WITH LEGISLATIVE INTENT,  
DAVIS, SUPRA, DOE V. KEEL, 440 SC 427,  
892 SE2D 282 (2023), BASED ON THE  
LANGUAGE USED, FOX V. MINITRIE, 379  
SC 609, 666 SE2D 915 (2008), DOE V.  
KEEL, SUPRA, OR RELEVANT DECISIONAL  
LAW, OR IS CLEARLY ERRONEOUS,  
ARBITRARY, OR UNREASONABLE, DAVIS

SUPRA., DAE V. KEE, SUPRA. A COURT  
WILL NOT UPSET THE AGENCY'S  
INTERPRETATION OF A STATUTE IF  
THE INTERPRETATION HAS A RATIONAL  
BASIS AND DOES NOT CONFLICT WITH  
THE STATUTE'S LEGISLATIVE HISTORY,  
PRIOR COURT DECISIONS OR CONSTITUTIONAL  
PROHIBITIONS. DAVIS, SUPRA., DAE V. KEE,  
SUPRA. A LONGSTANDING ADMINISTRATIVE  
CONSTRUCTION OF A STATUTE BY THE  
AGENCY CHARGED WITH ITS ENFORCEMENT  
IS EVIDENCE OF WHAT THE LAW IS,  
UNDER THIS VIEW, WHEN A LEGAL  
QUESTION UNDER THE STATUTE IS  
ONE OF FIRST IMPRESSION AND

There is nothing to suggest  
that the Agency has had any  
experience in interpreting the  
statute to the facts or first  
impression, no reference is  
afforded the Agency's interpretation  
of the law. CHAO V. N.C. GROWERS  
ASSN, 280 F.Supp2d 500 (2003).

35. HERE, in this case,  
where the point of Petitioner's  
complaint has never been  
definitively interpreted under  
Code Section 8-13-320 by the

COURTS OF SOUTH CAROLINA AS  
JURISDICTIONAL, ANY ARGUMENT BY  
THE GOVERNMENT ABOUT LEGISLATIVE  
ACQUIESCENCE WOULD BE UNAVAILING  
GIVEN THE ABSENCE OF ANY  
JUDICIAL INTERPRETATION TO WHICH  
IT COULD ACQUIESCE. EVEN IF  
STATE ETHICS COMMISSION DID NOT  
VSL LEGISLATIVE ACQUIESCENCE AS A  
SOLE DETERMINATIVE FACTOR IN ITS  
DECISION, BUT LOOKED TO OTHER  
CASES TO DETERMINE WHETHER JURISDICTION  
EXISTS, AND MERELY USED THE  
DOCTRINE AS AN AID IN  
STATUTORY CONSTRUCTION, BEING

THE POINT HAS NEVER BEEN  
CHALLENGED SINCE THE ENACTMENT  
OF THE STATUTE, THE DOCTRINE  
OF LEGISLATIVE AGGRIEVANCE  
SHOULD NOT APPLY AND NO  
AGENCY DEFERENCE AFFORDED,

THE STATE ETHICS COMMISSION  
DECISION TO DISMISS BASED ON  
THE JURISDICTIONAL LIMITS AS  
DESCRIBED:

"... limited ... TO USE OF  
PUBLIC OFFICE FOR PERSONAL  
FINANCIAL GAIN, FINANCIAL  
DISCLOSURE BY PUBLIC OFFICIALS,  
MEMBERS AND EMPLOYEES, CAMPAIGN  
FINANCE PRACTICES AND LOBBYING  
ACTIVITIES."

EXHIBIT EC-4/23, IS IN ~~CONFLICT~~  
CONFLICT WITH THE LEGISLATIVE  
INTENT OF THE ETHICS REFORM  
ACT CODE SECTION 8-13-320 BASED  
ON THE LANGUAGE USED!

"... PROSECUTION OF PUBLIC  
OFFICIALS ... FOR VIOLATION  
OF ANY LAW OF THIS  
STATE."

J.C. Code sect. 8-13-320(10)(a) The decision  
IS clearly erroneous AND UNREASONABLE,  
AND IS IRRATIONAL BASED ON THE  
LEGISLATIVE HISTORY OF THE ACT AND  
THE CODE WHICH IS CLEARLY ROOTED  
IN "OPERATION COST TRUST", SUPRA.

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AND ITS ASSOCIATED LEGISLATIVE  
DECISIONS.

STATE ETHICS COMMISSION TOTALLY  
IGNORING THE LEGISLATIVE HISTORY  
OF THE ETHICS REFORM ACT AND  
CODE SECT. 8-13-320 ERRONEOUSLY  
GAVE LIMITATION ON THE REACH  
OF THE AGENCY'S DUTY TO  
PROVIDE REASONABLE ACCESS OR  
UPON THE SCOPE OF ITS  
OVERSIGHT RESPONSIBILITIES - NAMELY  
ITS JURISDICTION. THE STATE ETHICS  
COMMISSION'S IGNORANCE PERSUADED  
THE AGENCY INTO WHAT OUR JURISDICTION  
OF PETITIONER'S COMPLAINT, AND  
IN ADVANCING ITS DECISION TO DISMISS.

{ 30 - OF - 37 }

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36, THIN BRINGS A Legal  
QUESTION OF FIRST IMPRESSION  
AND THEN IS NOTHING TO  
SUGGEST THAT THE STATE  
ETHICS COMMISSION HAS HAD ANY  
EXPERIENCE IN INTERPRETING  
STATUTE 8-13-320 TO THE FACTS  
OF FIRST IMPRESSION.

37, STATE ETHICS COMMISSION  
DEFINITIVE INTERPRETATION OF THE  
STATUTORY PROVISION 8-13-320 AS  
JURISDICTIONAL IS WITHOUT DUE  
REGARD FOR PRINCIPLES OF  
STARE DECISIS. John R. SAND  
& GRAVEL Co. v. U.S., 552 U.S. 130,  
128 S.Ct. 750 (2008).

160

[31 - or - 37]

38. LEGISLATIVE INACTION CANNOT  
LEGITIMIZE A FLAWED ANALYSIS AND  
DOES IT IMPOSE AN OBLIGATION TO  
RELY ON THE PLAIN LANGUAGE  
OF A STATUTE, HUGHES ON  
BEHALF OF ESTATE OF HUGHES V.  
BANK OF AMERICA NATL. ASSN,  
442 S. 113, 898 S.W.2D 102 (S.C. 2024),  
CONGRESSIONAL SILENCE, NO MATTER  
HOW "CLANGING," CANNOT OVERRIDE  
THE WORDS OF A STATUTE,  
Sedima, SPRL v. IMREX Co., INC.,  
473 U.S. 479, 105 S. CT. 327, 587  
LED2D 346 (1985)

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## CONCLUSION

39, HAD THE STATE ETHICS COMMISSION ACCEPTED AND CORRECTLY CONSIDERED THE PETITIONER'S ARGUMENTS, IT WOULD HAVE RECOGNIZED Mrs COMPLAINT WAS PROPER, AND IT WOULD HAVE ASCERTAINED ITS EARLIER INTERPRETATION OF SECTION 8-13-320 AND ITS PRIOR DECISIONS TO DISMISS FOR LACK OF JURISDICTION, WERE INVOKED IN ERROR.

## PRAYER FOR RELIEF

WHEREFORE, premises considered, The Appellant/Petitioner Prays that the Court Award the following relief:

1. The Court Acknowledge the Presence of, AND ASSESS, S.C. STATE ETHICS COMMISSION Jurisdiction over the case; AND/OR
2. The Court perform de novo Review over this case;
3. The Court provide for such further or other Relief as the Nature of the case may require, AND AS MAY BE AGREEABLE to Equity AND Good conscience.

I declare under penalty of perjury that the foregoing is true and correct.

[34 - SF-32]

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Brief of Appellant  
April 4, 2026

ROBERT WAZLEY

610 Holly St. West

Bennettsville, SC 29512

(803) 896-4958

Appellant, Petitioner, PRO SE

[35-OF-37]

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STATE OF SOUTH CAROLINA  
COURT OF APPEALS

APPEAL FROM THE S.C. STATE ETHICS COMMISSION  
MEGHAN WALKER DAYTON, EXEC. DIRECTOR  
S.C. STATE ETHICS COMMISSION CASE NO. \_\_\_\_\_  
COURT OF APPEALS CASE NO. 2026-000264

ROBERT WAZNEY, APPELLANT  
V.

S.C. STATE ETHICS COMMISSION, RESPONDENT  
V.

SOUTH CAROLINA CLERK OF COURT AND COMMON PLEAS  
CO-RESPONDENT.

PROOF OF SERVICE

I, ROBERT WAZNEY, CERTIFY THAT  
I HAVE SERVED THIS BRIEF ON APPELLANT  
AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL  
ON ALL RESPONDENTS BY DEPOSITIONS A COPY  
OF THE SAME IN THE U.S. MAIL,  
POSTAGE PRE-PAID, ADDRESSED TO S.C.  
STATE ETHICS COMMISSION, 201 EXECUTIVE  
CENTER DRIVE, SUITE 150, COLUMBIA,  
SOUTH CAROLINA 29201, AND TO SOUTH  
CAROLINA CLERK OF COURT AND  
COMMON PLEAS, 215 NORTH MARSH

{ 36 - OF - 37 }

165

Street, Sutton, South Carolina.  
29150, Hwy to S.C. Army General,  
PO Box 11549, Columbia, South Carolina  
29211, on this day:

April 4, 2026

~~Robert W. WAZLEY~~

~~Elk Hwy 7 West~~

~~Ben CTS v11/2 SC 295/2~~

~~(803) 846-4958~~

Accepted on

~~अष्टाविंशद्वार~~

~~25. 11. 1961~~

Other cases: ~~for review~~

J.C. Attaway ~~General~~

PO Box 115-49

C-144 214, 50 29211

(803) 734-3970

# Attorney Non Respondent

Авторы кн (с-директор)

{37 - OF- 37 }

166

# The South Carolina Court of Appeals

Robert William Wazney, Appellant,

v.

South Carolina State Ethics Commission, Respondent,

v.

Sumter County Clerk of Court of Common Pleas, Co-respondent.

Appellate Case No. 2026-000264

---

## ORDER

---

Appellant has failed to provide a proof of service for the notice of appeal stating the attorney that was served on behalf of the respondent and a copy of the order challenged on appeal, as required by Rule 203 of the South Carolina Appellate Court Rules and this Court's letters dated February 20, 2026, and March 9, 2026. Accordingly, this matter is dismissed.<sup>1</sup> The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY

Jasmine D. Smith, Deputy  
CLERK

**FILED**

**Apr 07 2026**

Columbia, South Carolina

---

<sup>1</sup> Due to the dismissal of this appeal, this Court will take no further action on the appellant's motion for an extension of time filed on February 19, 2026, and the appellant's motion to proceed *in forma pauperis* filed on March 5, 2026.

ROBERT WARNEY  
610 Hwy. 9 WEST  
Bennettsville, SC 29512  
803 896-4958

April 17, 2026

S.C. COURT OF APPEALS  
PO Box 11629  
Columbia, SC 29211

RE: 2026-000254

Dear S.C. Court of Appeals:

ENCLOSED HERewith ARE DOCUMENTS IN THE  
ABOVE REFERENCED CASE FOR FILING:

1. MOTION FOR REHEARING
2. PROOF OF SERVICE OF MOTION  
FOR REHEARING

PLEASE FILE THESE ENCLOSED DOCUMENTS  
WITH THE COURT.

Thank you for your assistance in  
this regard.

Sincerely,

ROBERT WARNEY  
Applicant, Petitioner, PRO SE

Encls. 13 pages

EXHIBIT  
EUA-REHEAR

STATE OF SOUTH CAROLINA  
COURT OF APPEALS  
APPEAL FROM S.C. STATE ETHICS COMMISSION  
MERLE WALKER, MAYOR, Executive Director  
S.C. STATE ETHICS COMMISSION CASE NO. \_\_\_\_\_  
COURT OF APPEALS CASE NO. 2026 - 000264

ROBERT WALKER, Appellant,  
v.  
S.C. STATE ETHICS COMMISSION, Respondent,  
v.  
SOUTH COUNTY CLERK OF COURT OR COUNCIL OF CLERKS,  
co-respondent,

MOTION FOR REHEARING

April 17, 2026

~~ROBERT WALKER~~

~~610 Hwy 9 West~~

~~NEWPORT NEWS, SC 29512~~

~~803-896-4958~~

~~APPELLANT, PETITIONER, PLAINTIFF~~

SIC ATTORNEY GENERAL

PO BOX 11549

COLUMBIA, SC 29211

803-734-3970

ATTORNEY FOR RESPONDENT

ATTORNEY FOR CO-RESPONDENT

## MOTION FOR REHEARING

The Appellant, Petitioner, ROBERT WADSWORTH, PURSUANT TO rule 22) SCACR, moves the court to reconsider its April 7, 2026 ORDER. In support of the motion, the Appellant shows the following to the court:

1. This court overlooked a MATERIAL FACT in the record in the following respect(s):

a. This court's letters DATED FEBRUARY 26, 2026 AND MARCH 9, 2026, requesting CORRECTION OF APPELLANT'S PROOF OF SERVICE TO BE IN COMPLIANCE with Form 7 in Appendix C to Part II of the SCACR, AND copy of the order(s) AND/OR JUDGMENT(S) on APPEAL, were served on

the COURT OF APPEALS AND  
ON the ATTORNEYS FOR THE  
RESPONDENT AND CO-RESPONDING  
ON MARCH 18, PRIOR TO  
THIS SERVICE, THE PROFF  
OF SERVICE WAS SERVED,  
IN SUBSTANTIAL COMPLIANCE  
WITH the S.C. RULES  
OF COURT, ON JANUARY  
26, 2026. THE COURT OF  
APPEALS obviously overlooked  
the MARCH 18, 2026 correspondence  
WHICH IS ATTACHED HERETO,  
INDICATING SERVICE OF THE  
COURTS REQUESTS TO BRING  
THE APPELLANT'S PAPERS  
IN COMPLIANCE,

2. The material FACT overlooked  
Requires A different decision  
FROM THAT Rendered By the  
COURT OF APPEALS

3. The decision that should have been rendered is for Robert Wazney's papers to file suit against the respondent and co-respondent are ~~proper~~.

4. It should be noted that Robert Wazney received the April 7, 2026 order on April 13, 2026, and he will need to make copies of the signed orders and other materials at the prison law library, available on Fridays, to perfect this motion for rehearing, and in light of rule 221(a) SCAR, requiring 15 days actually received by the appellate court. His earliest possible mailing will be 13 days past April 7, 2026. These conditions are beyond Robert Wazney's control. That order is also attached hereto.

[4-05-13]

WHEREFORE, the Appellant.  
Respectfully requests the Court to  
Reconsider its April 7, 2026  
opinion AND rule IN FAVOR  
of the Appellant.

April 17 \_\_\_\_\_, 2026

~~Robert Wazney~~

~~610 Hwy 9 West~~

~~Bonnetville SC 29512~~

~~803-896-4958~~

~~Appellant, Petitioner, and so~~

# The South Carolina Court of Appeals

Robert William Wazney, Appellant,

v.

South Carolina State Ethics Commission, Respondent,

v.

Sumter County Clerk of Court of Common Pleas, Co-respondent.

Appellate Case No. 2026-000264

---

## ORDER

---

Appellant has failed to provide a proof of service for the notice of appeal stating the attorney that was served on behalf of the respondent and a copy of the order challenged on appeal, as required by Rule 203 of the South Carolina Appellate Court Rules and this Court's letters dated February 20, 2026, and March 9, 2026. Accordingly, this matter is dismissed.<sup>1</sup> The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY

Jasmine D. Smith, Deputy  
CLERK

**FILED**

**Apr 07 2026**

Columbia, South Carolina

<sup>1</sup> Due to the dismissal of this appeal, this Court will take no further action on the appellant's motion for an extension of time filed on February 19, 2026, and the appellant's motion to proceed *in forma pauperis* filed on March 5, 2026.

cc:  
Robert William Wazney, 00363679  
South Carolina Attorney General

[7-01-13]

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South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS, CLERK  
POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211

COLUMBIA SC 290

7 APR 2026 PM 3

FIRST-CLASS



US POSTAGE IMPITNEY BOWES



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0008028700 APR. 07 2026

SD0140

ROBERT WILLIAM WAZNEY, 00363679  
EVANS CORRECTIONAL INSTITUTION  
610 HIGHWAY #9, WEST  
BENNETTSVILLE SC 29512

RECEIVED

APR 10 2026

EVANS CI  
MAIL ROOM

Rec'd  
April 13, 2026

29512-213010



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8-01-13

ROBERT WILLIAM WAZNEY  
610 Hwy. 9 West  
Bennetttsville, SC 29512  
(803) 896-4958

March 18, 2026

S.C. COURT OF APPEALS  
PO Box 11629  
Columbia, SC 29211

Re: Robert Wazney v. S.C. State Ethics Commission v. Sumter County Clerk Of  
Court Of Common Pleas  
Appellate Case No. 2026-000264

Dear S.C. COURT OF APPEALS:

In response to your recent letter noting two deficiencies dated March 9, 2026,  
which I received on March 17, 2016:

Your letter indicates two deficiencies to be corrected, as stated in  
your letter dated February 20, 2026, within 10 days or matter will be  
dismissed:

- (1) Accompanying proof of service; and
- (2) Orders or Judgements challenged on appeal.

Please find attached hereto, to be filed with the court, the  
accompanying proof of service (specifying names of attorneys  
representing the respondents), and, the Orders and/or Judgments  
challenged on appeal.

Thank you for your cooperation and assistance in this regard.

With best wishes, I remain,

Very truly yours,

Robert Wazney,  
Appellant, pro se

Encls. 3 pages

CC: S.C. Attorney General

[9-05-13]

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STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA STATE ETHICS COMMISSION  
Meghan Walker Dayson, Executive Director

S.C. State Ethics Commission Case Number: \_\_\_\_\_

Robert William Wazney, Appellant,  
v.  
South Carolina State Ethics Commission, Respondent,  
v.  
Sumter County Clerk Of Court Of Common Pleas, Co-respondent.

PROOF OF SERVICE

I, Robert William Wazney, certify that I have served this Notice Of Appeal on Respondents by depositing a copy of the same in the U.S. Mail, postage prepaid, addressed to STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION, 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29201, and to SUMTER COUNTY CLERK OF COURT OF COMMON PLEAS, 215 North Harvin Street, Sumter, South Carolina 29150, and to SOUTH CAROLINA ATTORNEY GENERAL, PO Box 11549, Columbia, South Carolina 29211, on this day:

January 26, 2026

/s/

Robert William Wazney  
610 Hwy. 9 West  
Bennettsville, SC 29512  
(803) 896-4958  
Appellant, Pro se

Other Counsel of Record:

S.C. Attorney General  
PO Box 11549  
Columbia, SC 29211  
(803) 734-3970  
Attorney for Respondent  
Attorney for Co-respondent

[10-1F-13]

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# The Supreme Court of South Carolina

Robert William Wazney, Petitioner,

EXHIBIT ECM-1/16

v.

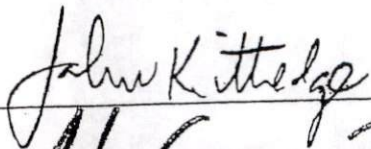
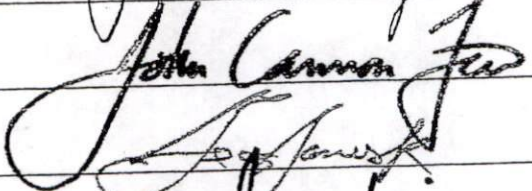
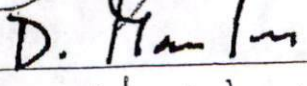
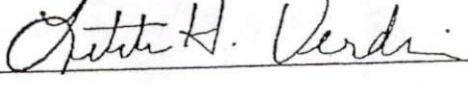
South Carolina State Ethics Commission and Sumter  
County Clerk of Court of Common Pleas, Respondents.

Appellate Case No. 2025-002342

## ORDER

By letter dated November 6, 2025, this Court declined to take action on Petitioner's November 5, 2025 filings due to his failure to file the filing fee and notarized affidavit that the matter was nonfrivolous and proper for this Court's original jurisdiction as required by a prior order dated October 8, 2019.

Petitioner has now filed a motion to reinstate. The request is denied.

|                                                                                      |      |
|--------------------------------------------------------------------------------------|------|
|  | C.J. |
|  | J.   |
|  | J.   |
|  | J.   |
|  | J.   |

Columbia, South Carolina  
January 16, 2026

{ 11 - OF - 13 }

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*State of South Carolina*  
**State Ethics Commission**

SCOTT E. FRICK, CHAIRMAN  
F. XAVIER STARKES, VICE CHAIRMAN  
BRYANT S. CALDWELL  
AJ HOLLOWAY



EXHIBIT EC-2  
BRANDOLYN THOMAS PINKSTON  
MARY HUNTER B. TOMLINSON  
NEAL D. TRUSLOW  
MATTHEW N. TYLER

201 EXECUTIVE CENTER DRIVE, SUITE 150  
COLUMBIA, S.C. 29210

MEGHAN WALKER DAYSON  
EXECUTIVE DIRECTOR

May 13, 2025

Robert Wazney  
SCDC ID: 00363679  
610 Hwy, 9 West  
Bennettsville, SC 29512

*RE: Your Letter Dated May 5, 2025*

Mr. Wazney,

I am in receipt of your letter dated May 5, 2025. As stated in the Commission's letter to you on April 23, 2025, the Commission does not have jurisdiction over the allegations in your complaint against Sumter County Clerk of Court James C. Campbell. If you believe that Mr. Campbell has violated *Section 8, Chapter 13 of the South Carolina Code of Laws*, you are free to file a complaint alleging those violations.

Sincerely,

A handwritten signature in black ink, appearing to read "Meghan W. Dayson".

Meghan W. Dayson  
Executive Director

STATE OF SOUTH CAROLINA  
COURT OF APPEALS  
APPEAL FROM S.C. STATE ETHICS COMMISSION  
MEGHAN WALKER DAYSON, EXECUTIVE DIRECTOR  
S.C. STATE ETHICS COMMISSION CASE NO. \_\_\_\_\_  
COURT OF APPEALS CASE NO. 2026-000264

ROBERT WAZNEY, APPELLANT  
v.  
S.C. STATE ETHICS COMMISSION, RESPONDENT,  
v.  
SUMNER COUNTY CLERK OF COURT OF COMMON PLEAS,  
CO-RESPONDENT,

PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED THE  
MOTION FOR REHEARING  
ON RESPONDENTS BY depositing a copy of  
THE SAME IN THE U.S. MAIL, POSTAGE PREPAID,  
ON THIS DAY, ADDRESSED TO ALL RESPONDENTS  
ATTORNEY OF RECORD AT S.C. ATTORNEY GENERAL,  
PO BOX 11549, COLUMBIA, SC, 29211;

April 17, 2026

OTHER COPIES OF RECORD:

S.C. ATTORNEY GENERAL  
PO BOX 11549  
COLUMBIA, SC 29211  
803-734-3970

ATTORNEY FOR RESPONDENT  
ATTORNEY FOR CO-RESPONDENT

~~ROBERT WAZNEY~~

~~610 Hwy 9 West~~

~~Summerville, S.C. 29512~~

~~803-896-4958~~

~~APPELLANT, PETITIONER, PRO-SC~~

{13-OF-13}

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# The South Carolina Court of Appeals

Robert William Wazney, Appellant,

v.

South Carolina State Ethics Commission, Respondent,

v.

Sumter County Clerk of Court of Common Pleas, Co-respondent.

Appellate Case No. 2026-000264

## ORDER

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

*Paula D. Thomas*

J.

*Stephanie P. McDonald*

J.

*[Signature]*

J.

Columbia, South Carolina

cc:

**FILED**  
**Jun 22 2026**

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