

RECEIVED
Sep 14 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Hon. Thomas W. McGee III, Circuit Court Judge

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 LAW ENFORCEMENT DIVISION (SLED) and Mark Keel, in his
official capacity as Chief of the South Carolina Law Enforcement Division
..... Respondents.

**MOTION OF THE SOUTH CAROLINA ATTORNEY GENERAL'S
OFFICE AND SOUTH CAROLINA SOLICITORS' ASSOCIATION
FOR LEAVE TO FILE AMICUS BRIEF
IN SUPPORT OF RESPONDENTS**

Pursuant to Rule 213, SCACR, Alan Wilson, Attorney General of South Carolina, and the Solicitors' Association of South Carolina, move for leave to participate as *amicus curiae* in this matter and to file the attached amicus brief for the following reasons: (1) to address the issue on the scope of S.C. Code Ann. § 23-3-15(A), particularly with respect to SLED's authority therein to utilize and maintain ALPRs and an ALPR database, (2) to respond to the constitutional concerns that other *Amici* have attempted to interject into this case, and (3) to note that Appellants' privacy concerns are matters of policy best left to the democratic process.

The Attorney General "has broad statutory and common law authority in his capacity as the chief legal officer of the State" *State ex rel. Condon v. Hodges*, 349 S.C. 232, 562 S.E.2d

623 (2002); *see also In re: Littlejohn v. State*, 354 S.C. 634, 583 S.E.2d 430, 434 (2003); *State ex rel. Daniel v. Broad River Power Co.*, 157 S.C. 1, 153 S.E. 537 (1929). The case of *Condon v. Hodges* cited *Porcher v. Cappelmann*, 187 S.C. 491, 198 S.E. 8 (1938), for the proposition that the “Attorney General represents sovereign power and general public.” 562 S.E.2d at 627. Pursuant to these and other authorities, the Attorney General regularly files *amicus* briefs in state and federal court on matters of public importance.

The Solicitors’ Association of South Carolina consists of all elected Solicitors as well as their appointed, designated, and commissioned assistant solicitors. Among the purposes of the Solicitors’ Association is the pursuit of justice, which includes prosecuting criminal charges using legally obtained evidence. Prosecutors therefore have a substantial interest in the Court’s resolution of this appeal because the decision may affect the availability and use of ALPR information in criminal investigations and prosecutions.

Participation as *amici* would enable the Attorney General and Solicitors to provide the Court with their perspective on the legal implications of the use of ALPRs and SLED’s ALPR database. Allowing this participation will allow the Court to hear more fully from stakeholders and will assist the Court in resolving this matter.

Therefore, for all the foregoing reasons, the Attorney General and the South Carolina Solicitors’ Association respectfully request that this Court grant leave to file the attached *amicus* brief.

[signature on following page]

Respectfully submitted,

s/ Chandler N. Huskey

ALAN WILSON
South Carolina Attorney General
Thomas T. Hydrick
Solicitor General
S.C. Bar No. 103198
Joseph D. Spate
Deputy Solicitor General
S.C. Bar No. 103734
Chandler N. Huskey
Assistant Solicitor General
S.C. Bar No. 108018
OFFICE OF THE ATTORNEY GENERAL
Post Office Box 11549
Columbia, SC 29211
(803) 734-3765 (Phone)
(803) 734-3677 (Fax)
Chandlerhuskey@scag.gov

*Counsel for Amicus South Carolina Attorney
General's Office*

s/ Samuel R. Hubbard, III

SOUTH CAROLINA SOLICITORS' ASSOCIATION
Samuel R. Hubbard, III
S.C. Bar No. 15294
205 East Main Street, Suite 309
Lexington, SC 29072
(803) 785-8285
rhubbard@lexingtoncounty.sc.gov

*Counsel for Amicus South Carolina Solicitors'
Association*

September 14, 2026