

Carter, Elizabeth A.

From: JoAnne Wessinger Hill <JWessingerHill@RichardsonPlowden.com>
Sent: Friday, December 19, 2014 12:12 PM
To: Carter, Elizabeth A.
Cc: JoAnne Wessinger Hill
Subject: SC Appellate Case 2014-000244
Attachments: 2011-12-12 Order of Substitution of Defendants.pdf

Ms. Carter:

It is my understanding that the following is the correct caption. I have attached the Order of Substitution which has the former caption when the matter was filed list on the motion cover sheet, but the correct or revised caption (which is also below) on the face of the Order and in the rulings of the Order. There were no changes in the Plaintiffs from the time of filing the matter, just in the Defendants since the agency director and commissioners changed.

CAPTION:

Protection and Advocacy for the People with Disabilities, Inc.; M.J.B. on behalf of and as next friend of J.B.; C.B.B. on behalf of and as guardian of P.B.; G.C. and L.C. on behalf of and as guardians of F.C.; D.P. on behalf of and as guardian of C.M.D.; K.F. and S.F. on behalf of and as next friend of A.E.; J.H. on behalf of and as next friend of A.J.; G.M. on behalf of and as next friend of E.M.; N.M. on behalf of and as guardian of E.J.M.; R.P. on behalf of and as Guardian of S.P.; R.R. and J.R. on behalf of and as guardians of K.D.R.; and J.K. on behalf of and guardian of S.S. **APPELLANTS**

v.

South Carolina Department of Disabilities and Special Needs; Dr. Beverly Buscemi, in her official capacity as Director of the South Carolina Department of Disabilities and Special Needs; and Nancy Banor, Deborah McPherson, Christine Sharp, Rick Huntress, Fred Lynn, Harvey Shiver and Kelly Hanson Floyd, as Commissioners of the South Carolina Department of Disabilities and Special Needs **RESPONDENTS**

Please let me know if you need anything else.

Jo Anne

HOME	VCARD	BIO	LOCATION
	C. Jo Anne Wessinger Hill Attorney at Law jhill@richardsonplowden.com		
RICHARDSON PLOWDEN <small>ATTORNEYS AT LAW</small>	Richardson Plowden & Robinson, P.A. P.O. Drawer 7788 (29202) 1900 Barnwell Street Columbia, SC 29201 Tel: 803.576.3714 Fax: 803.779.0016 www.RichardsonPlowden.com		

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STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS  
 )  
COUNTY OF RICHLAND ) FOR THE FIFTH JUDICIAL CIRCUIT

Protection and Advocacy for the People ) C/A No.: 2007-CP-40-2187  
with Disabilities, Inc.; M.J.B. on behalf )  
of and as next friend of J.B.; C.B.B. on )  
behalf of and as guardian of P.B.; G.C. )  
and L.C. on behalf of and as )  
guardians of F.C.; D.P. on behalf of )  
and as guardian of C.M.D.; K.F. and S.F. )  
on behalf of and as next friend of A.E.; )  
J.H. on behalf of and as next friend of )  
A.J.; G.M. on behalf of and as next )  
friend of E.M.; N.M. on behalf of and as )  
guardian of E.J.M.; R.P. on behalf of and )  
as Guardian of S.P.; R.R. and J.R. on )  
behalf of and as guardians of K.D.R.; )  
and J.K. on behalf of and as guardian of )  
S.S., )

Plaintiffs, )

v. )

South Carolina Department of )  
Disabilities and Special Needs; Dr. )  
Beverly Buscemi, in her official capacity )  
as Director of the South Carolina )  
Department of Disabilities and Special )  
Needs; and Nancy Banor, Deborah )  
McPherson, Christine Sharp, Rick )  
Huntress, Fred Lynn, Harvey Shiver )  
and Kelly Hanson Floyd, as )  
Commissioners of the South Carolina )  
Department of Disabilities and Special )  
Needs, )

Defendants. )

2011 DEC 12 AM 11:42  
FILED  
JEANETTE W. McBRIDE  
C.C.P. & G.S.

ORDER OF SUBSTITUTION OF  
DEFENDANTS

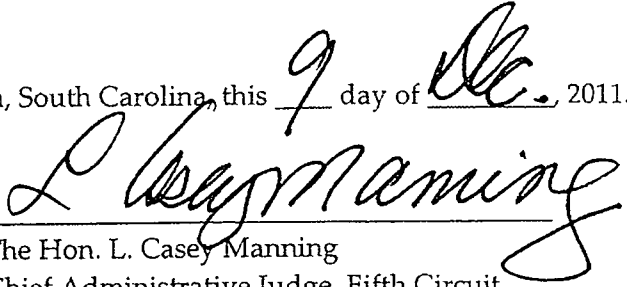
It having been noted that Beverly Buscemi has been appointed as the Director of the South Carolina Department of Disabilities and Special Needs, and that Nancy Banor, Deborah McPherson, Christine Sharp, Rick Huntress, Fred Lynn, Harvey Shiver and Kelly Hanson Floyd, have been appointed as Commissioners, and as such should be substituted for Stanley J. Butkus, and Edythe Dove, Mary Katherine Bagnal, Ronald Forrest, John Vaughn, Dr. Otis Speight, and W. Robert Harrell as Defendants pursuant to Rule 25(d)(1), SCRCF;

And it is further noted that new or other Commissioner are substituted periodically;

THEREFORE, IT IS HEREBY ORDERED that the record shall reflect that Beverly Buscemi, Nancy Banor, Deborah McPherson, Christine Sharp, Rick Huntress, Fred Lynn, Harvey Shiver and Kelly Hanson Floyd are now the named Defendants in this matter;

AND IT IS FURTHER ORDERED that as new or other Commissioners are appointed the caption of the case shall automatically be amended without further order of the Court, to reflect a change in the party.

AND IT IS SO ORDERED at Columbia, South Carolina, this 9 day of Dec., 2011.

  
The Hon. L. Casey Manning  
Chief Administrative Judge, Fifth Circuit

STATE OF SOUTH CAROLINA )

IN THE COURT OF COMMON PLEAS  
CASE NO.:

COUNTY OF RICHLAND )

Protection and Advocacy for People with Disabilities, Inc.)  
MJB on behalf of and as next friend of J.B., CBB on behalf  
of and as guardian of P.B., GC and LC on behalf )  
and as guardian of F.C., DP on behalf of and as )  
guardian of C.M.D., KF and SF on behalf of and as )  
next friend of A.F., JH on behalf of and as next friend )  
of A.J., GM on behalf of and as next friend of E.M., )  
MM on behalf of and as guardian of E.J.M., RP on )  
Behalf of and as guardian of S.P., RR and JR on behalf )  
Of and as guardian of K.D.R. and JK on behalf of and )  
As guardian of S.S. )

Plaintiffs, )

MOTION AND ORDER INFORMATION  
FORM AND COVER SHEET

v. )

South Carolina Department of Disabilities and Special  
Needs, Dr. Stanley J. Butkus, in his official capacity )  
As Director of the South Carolina Department of )  
Disabilities and Special Needs, and Edythe Dove, )  
Mary Katherine Bagnal, Ronald Forrest, John Vaughn, )  
Dr. Otis Speight, W. Robert Harrell as Commissioners )  
Of the South Carolina Department of Disabilities and )  
Special Needs, )

Defendants. )

2011 DEC 12 AM 11:42  
JEANETTE W. McBRIDE  
C.C.P. & G.S.  
RICHLAND COUNTY  
FILED

Plaintiff's Attorney:

C. Jo Anne Wessinger Hill, Esq.  
Steven W. Hamm, Esq.  
Richardson, Plowden & Robinson, PA  
Post Office Drawer 7788  
Columbia, South Carolina 29202  
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e-mail: other:

Defendant's Attorney:

William H. Davidson, II  
Kenneth P. Woodington, Esq.  
PO Box 8568  
Columbia, SC 29202

phone:

fax:

MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)

FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)

X PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: Order of Substitution of Defendants

ESTIMATED TIME NEEDED

COURT REPORTER NEEDED:

SECTION II: Motion/Order Type

Written motion attached

Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Signature of Attorney for Plaintiff / Defendant

Date submitted 12/9/2011

**SECTION III: Motion Fee**

11 PAID - AMOUNT:

EXEMPT: Rule to Show Cause in Child or Spousal Support  
(check reason) Domestic Abuse or Abuse and Neglect  
Indigent Status State Agency v. Indigent Party  
Sexually Violent Predator Act Post-Conviction Relief  
Motion for Stay in Bankruptcy  
Motion for Publication Motion for Execution (Rule 69, SCRCP)  
Proposed order submitted at request of the court; or,  
reduced to writing from motion made in open court per judge's instructions  
Name of Court Reporter:  
Other:

XX

**JUDGE'S SECTION**

Motion Fee to be paid upon filing of the attached order.

Other:

JUDGE

CODE:

Date:

**CLERK'S VERIFICATION**

Date Filed:

Collected by:

SCCA/233 (11-03)