

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM GREENWOOD COUNTY

Donald B. Hocker, Circuit Court Judge

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Appellate Case Number: 2014-002721

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**RECEIVED**

SEP 18 2015

**S.C. Supreme Court**

Edward Dean and Nolan Brown

Appellants

v.

Mark Keel in his official capacity as  
Chief of the South Carolina Law  
Enforcement Division

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Respondent

**Petition to Argue Against Precedent**

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Pursuant to Rule 217, SCACR, the appellants, Edward Dean and Nolan Brown, petition this Court for an order granting them permission to argue against precedent.

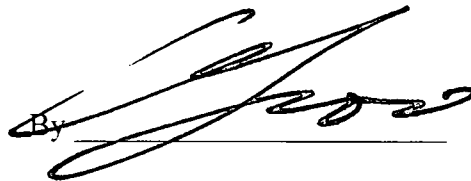
Dean and Brown appeal the order of the Court of Common Pleas denying them relief in a declaratory judgment action brought to determine their rights under South Carolina's Sex Offender Registry, S.C. Code Ann. §23-3-400 *et. seq.*, and various provisions of the United States and South Carolina Constitutions.

This Court has decided six cases involving the constitutionality of our state's Sex Offender Registry: *State v. Nation*, 408 S.C. 474, 759 S.E.2d 428 (2014); *In re Justin B.*, 405 S.C. 391, 747 S.E.2d 774 (2013); *State v. Dykes*, 403 S.C. 499, 744 S.E.2d 505 (2013); *Hendrix v. Taylor*, 353 S.C. 542, 579 S.E.2d 320 (2003); *In re Ronnie A.*, 355 S.C. 407, 585 S.E.2d 311 (2003); and *State v. Walls*, 348 S.C. 26, 558 S.E.2d 524 (2002).

Dean and Brown do not seek to invalidate our state's sex offender registry. Rather, they ask this Court to determine whether requiring them to register as sex offenders, retroactively, based on juvenile adjudications, occurring before enactment of the Sex Offender Registry, offends the state and federal constitutions. As this Court observed, "If this state retains the doctrine of *parens patriae* in juvenile proceedings, then the consequences of these proceedings should expire when the individual reaches the age of twenty-one years old." *In re Kevin R.*, 409 S.C. 297, 306, fn. 10, 762 S.E.2d 387, 391, fn. 10 (2014). Since this narrow issues has not been addressed by this Court, it is possible to grant Dean and Brown relief without overruling these case. Nevertheless, to the extent necessary to grant them relief, Dean and Brown seek permission to argue that this Court should overrule or modify these six cases.

IT IS SO MOVED.

Respectfully Submitted,

By 

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*Attorney for Appellants*

September 15, 2015  
Greenwood, South Carolina

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Certificate of Service

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I certify that I have served the Petition to Argue Against Precedent on the Respondent, by placing a copy in the United States Mail, postage prepaid, on the date reflected below, addressed as follows:

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