



BAKER RAVENEL BENDER

ATTORNEYS AT LAW

FACSIMILE TRANSMITTAL SHEET

TO: Linda 803-734-1499
 South Carolina Supreme Court
 Clerk of Courts Office

FROM: Jilian Kurka

RE: Kelley v. Wren, et. al. (Supreme Court Case: 2016-000697)

DATE: April 4, 2016

OUR FILE NO.: 7645.11

NUMBER OF PAGES (including transmittal sheet): 17

RECEIVED

APR 04 2016

S.C. SUPREME COURT

MESSAGE:

Dear Linda,

Jay Bender received a phone call from Ms. Shealy asking for copies of Mr. Buchan's Pro Hac Vice status in the above-referenced case. Attached please find copies of the documents that were filed with the SC Court of Appeals.

If you require anything further in this matter, please call me at 803-744-3696.

Yours truly,

Jilian M. Kurka
Paralegal to Jay Bender

Please call (803) 799-9091 if all pages are not received.
Facsimile No. (803) 779-3423
Contact: Jilian Kurka

The information contained in this facsimile transmittal is confidential information intended for the individual or entity named above. If the receiver of this message is not the intended recipient, please immediately notify us by telephone and return the original message to us at the above address immediately. Thank you.

(S)

McGuireWoods LLP
Fifth Third Center
201 North Tryon Street
Suite 3000
Charlotte, NC 28202
Tel 704.343.2000
Fax 704.343.2300
www.mcguirewoods.com

Jonathan E. Buchan
Direct: 704.343.2063

McGUIREWOODS

jbuchan@mcguirewoods.com
Direct Fax: 704.444.8714

June 18, 2015

BY FEDERAL EXPRESS

Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED
JUN 19 2015
SC Court of Appeals

Re: *Kelley v. Wren, et al.*
Court of Appeals No. 2014-001249
Court of Common Pleas No. 2012-CP-263804 (Horry County, SC)

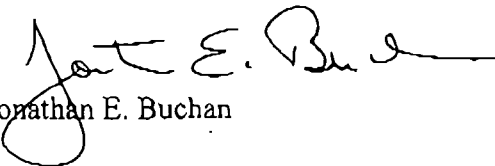
Dear Sir/Madam:

Enclosed is the original of my Verified Application for Admission *Pro Hac Vice* in the State of South Carolina in the above-captioned matter pending before the South Carolina Court of Appeals. A copy of the Application, together with the requisite \$250.00 filing fee, have been forwarded to the Supreme Court of South Carolina.

By copy of this letter, we are serving counsel for Appellants and Respondent with a copy of the Application.

Should you have any questions or require additional information, please contact my assistant, Beth Carroll at 704-343-2259.

Sincerely,


Jonathan E. Buchan

JEB/bc
Enclosures

cc: Clerk's Office, Supreme Court of South Carolina (by Federal Express)
Jay Bender, Counsel for Appellants (w/enc.) (by U.S. Mail)
James P. Stevens, Jr., Counsel for Respondent (w/enc.) (by U.S. Mail)

5

McGuireWoods LLP
Fifth Third Center
201 North Tryon Street
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Charlotte, NC 28202
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Jonathan E. Buchan
Direct 704.343.2063

McGUIREWOODS

jbuchan@mcguirewoods.com
Direct Fax: 704.444.8714

June 18, 2015

BY FEDERAL EXPRESS

Bar Admissions
Supreme Court of South Carolina
1231 Gervais Street
Columbia, SC 29201

RECEIVED

JUN 19 2015

SC Court of Appeals

Re: *Kelley v. Wren, et al.*
Court of Appeals No. 2014-001249
Court of Common Pleas No. 2012-CP-263804 (Horry County, SC)

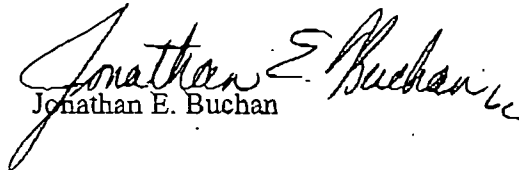
Dear Sir/Madam:

Enclosed is a copy of my Verified Application for Admission *Pro Hac Vice* in the State of South Carolina in the above-captioned matter pending before the South Carolina Court of Appeals, together with the requisite \$250.00 filing fee. The original Application has been forwarded to the Court of Appeals.

By copy of this letter, we are serving counsel for Appellants and Respondent with a copy of the Application.

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Sincerely,


Jonathan E. Buchan

JEB/bc
Enclosures

cc: Clerk's Office, South Carolina Court of Appeals (by Federal Express)
Jay Bender, Counsel for Appellants (w/enc.) (by U.S. Mail)
James P. Stevens, Jr., Counsel for Respondent (w/enc.) (by U.S. Mail)

76399

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

JUN 24 2015

APPEAL FROM HORRY COUNTY
Court of Common Pleas

SC Court of Appeals

Larry B. Hyman, Circuit Court Judge

Case No. 2012-CP-26-3804
Court of Appeals No. 2014-001249

Mark Kelley,.....Respondent,

v.

David Wren and Sun Publishing Co., Inc., d/b/a/ *The Sun News*,.....Appellants.

**MOTION FOR ADMISSION OF
JONATHAN E. BUCHAN *PRO HAC VICE***

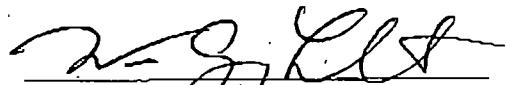
Wm. Grayson Lambert
S.C. Bar No. 101282
MCGUIREWOODS LLP
201 North Tryon Street
Suite 3000
Charlotte, NC 28202
Tel: (704) 343-2000
Fax: (704) 444-8738

Attorney for Amici Curiae

Proposed *amici curiae* the Associated Press, Gannett Co., Inc. d/b/a *The Greenville News* and WLTX-TV, and Osteen Publishing Company d/b/a *The Sumter Item* (collectively, *Amici*), by and through their counsel, hereby respectfully move this Court, pursuant to Rule 404, SCACR, for an Order permitting Jonathan E. Buchan, of the firm McGuireWoods LLP, to appear as counsel *pro hac vice*. The original Verified Application for Admission *Pro Hac Vice* of Jonathan E. Buchan, together with a copy of the Certificate of Good Standing, has been submitted in support of this motion.

Respectfully submitted this 23rd day of June, 2015.

Respectfully submitted,



Wm. Grayson Lambert
S.C. Bar No. 101282
MCGUIREWOODS LLP
201 North Tryon Street
Suite 3000
Charlotte, NC 28202
Tel: (704) 343-2000
Fax: (704) 444-8738

Attorney for Amici Curiae

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

JUN 24 2015

SC Court of Appeals

APPEAL FROM Horry COUNTY
Court of Common Pleas

Larry B. Hyman, Circuit Court Judge

Court of Appeal No. 2014-001249

Mark Kelley,.....Respondent,

v.

David Wren and Sun Publishing Co., Inc., d/b/a/ *The Sun News*,.....Appellants.

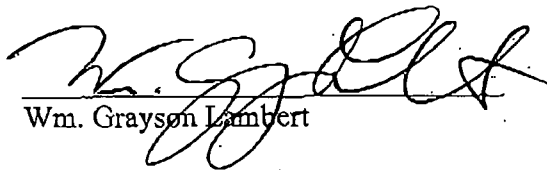
CERTIFICATE OF SERVICE

The undersigned certifies that this Motion for Admission of Jonathan E. Buchan *Pro Hac Vice* was served on counsel for the Appellants and Respondent by depositing a copy thereof in the United States Mail, first class, postage prepaid, addressed to:

Jay Bender
Baker, Ravenel, & Bender, L.L.P.
P.O. Box 8057
Columbia, South Carolina 29202
Counsel for Appellants

James P. Stevens, Jr.
Natalie Stevens-Graziani
Stevens Law Firm, P.C.
P.O. Drawer 127
Loris, South Carolina 29569
Counsel for Respondent

This the 23rd day of June, 2015.


Wm. Grayson Lambert

McGuireWoods LLP
Fifth Third Center
201 North Tryon Street
Suite 3000
Charlotte, NC 28202
Tel 704.343.2000
Fax 704.343.2300
www.mcguirewoods.com

Jonathan E. Buchan
Direct: 704.343.2063

McGUIREWOODS

jbuchan@mcguirewoods.com
Direct Fax: 704.444.8714

June 23, 2015

BY EMAIL & FEDERAL EXPRESS

Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
ATTN: ELIZABETH CARTER
ecarter@sccourts.org

RECEIVED

JUN 24 2015


SC Court of Appeals

Re: Kelley v. Wren, et al.
Court of Appeals No. 2014-001249
Court of Common Pleas No. 2012-CP-263804 (Horry County, SC)

Dear Ms. Carter:

Per our conversation this morning, enclosed is the original Motion for Admission of Jonathan E. Buchan *Pro Hac Vice*, which was inadvertently not included with the previously forwarded (and received by your office) Verified Application for Admission *Pro Hac Vice* of Jonathan E. Buchan. Also enclosed is this firm's check in the amount of \$25.00 representing the requisite motions fee.

Should you have any questions or require additional information, please contact me at 704-343-2259. Thank you for your assistance.

Sincerely,

Beth A. Carroll
Assistant to Jonathan E. Buchan

JEB/bc
Enclosures

cc: Jay Bender, Counsel for Appellants (w/enc.) (by U.S. Mail)
James P. Stevens, Jr., Counsel for Respondent (w/enc.) (by U.S. Mail)

PS|Ship - FedEx Label

Page 1 of 2

From: (704) 343-2000
Jonathan Edward Buchan
McGuireWoods LLP
201 North Tryon St
Suite 3000
Charlotte, NC 28202

Origin ID: QWVGA



Ship Date: 23JUN15
Act/Wgt: 0.5 LB
CAD: 103720227/MSX02750

Delivery Address Bar Code



SHIP TO: (704) 343-2259
Elizabeth Carter, Clerk's Office
South Carolina Court of Appeals
1220 SENATE ST

COLUMBIA, SC 29201

BILL SENDER

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Ref # 4584080-0002MWW/pjebuchan
Po #
Dept #

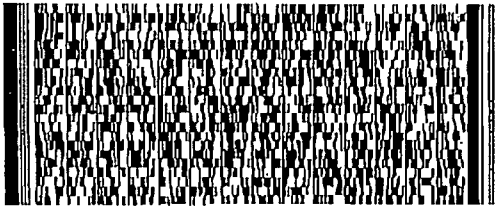
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SC Court of Appeals

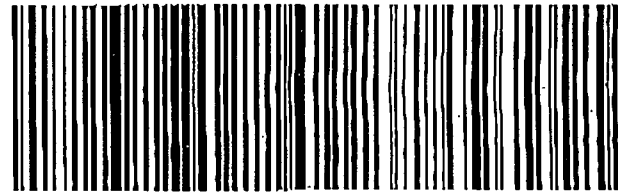
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FOLD on this line and place in shipping pouch with bar code and delivery address visible

1. Fold the first printed page in half and use as the shipping label.
2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

Legal Terms and Conditions

Tendering packages by using this system constitutes your agreement to the service conditions for the transportation of your shipments as found in the applicable FedEx Service Guide, available upon request. FedEx will not be responsible for any claim in excess of the applicable declared value, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the applicable FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of 100 USD or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is 500 USD, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see applicable FedEx Service Guide. FedEx will not be liable for loss or damage to prohibited items in any event or for your acts or omissions, including, without limitation, improper or insufficient packaging, securing, marking or addressing, or the acts or omissions of the recipient or anyone else with an interest in the package. See the applicable FedEx Service Guide for complete terms and conditions. To obtain information regarding how to file a claim or to obtain a Service Guide, please call 1-800-GO-FEDEX (1-800-463-3339).

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APR 04 2016

VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE* IN THE STATE OF SOUTH CAROLINA

JUN 19 2015

S.C. SUPREME COURT

Case No. 2012-CP-26-3804
Court of Appeals No. 2014-001249

Court of Appeals
Appeal from the Court of
Court of Common Pleas
S.C. Court of Appeals
Court

Plaintiff

Case No.

Court

vs.

David Wren and Sun Publishing Co., Inc.
d/b/a The Sun News

Mailing Address of Court: 1220 Senate Street
Columbia, South Carolina 29201

Defendant

Comes now Jonathan E. Buchan, Jr., applicant herein, and respectfully represents the following:

1. Applicant resides at:

2019 Meadowood Lane

Street Address

Charlotte

City

704.904.5834

Telephone

Mecklenburg

County

NC

State

28211

Zip Code

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)

McGuireWoods LLP, with offices at, at

201 N. Tryon Street, Suite 3000

Street Address

Charlotte

City

704.343.2063

Telephone

Mecklenburg

County

NC

State

704.444.8714

Fax Number

28202

Zip Code

3. Applicant has been retained personally or as a member of the above named law firm by The Associated Press, Gannett Co., Inc., and Osteen Publishing Company who intend to file a motion for leave to file an *amicus* brief in connection with the above case now pending before the above named court of the State of South Carolina.

4. Since August of 1978, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of North Carolina where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

Date Admitted:

U.S. District Court, Western District of North Carolina	October 1978
U.S. District Court, Middle District of North Carolina	August 1979
U.S. District Court, Eastern District of North Carolina	July 1986
U.S. Court of Appeals for the Fourth Circuit	October 1980
United States Supreme Court	May 1984

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

None

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

None

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

None

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

None

9. Local counsel of record associated with applicant in this case is Wm. Grayson Lambert, of the McGuire Woods LLP law firm, which has offices at:

201 N. Tryon Street, Suite 300

Street Address

Mecklenburg

County

704.343.2000

Telephone

Charlotte

City

NC

State

28202

Zip Code

If applicable list all other firms/attorneys you are associated with in this matter

n/a

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

See Attachment A.

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 18th day of June, 2015.

(S)

Jonathan E. Buchan, Jr.
APPLICANT

VERIFICATION

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, JONATHAN E. BUCHAN, JR., do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

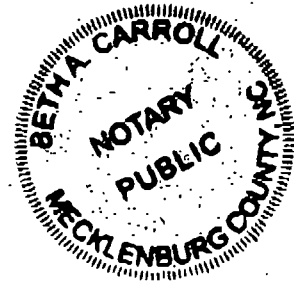
Jonathan E. Buchan, Jr.
APPLICANT/AFFLIANT

Subscribed and sworn to before me this 13th day of June, 2015.

Beth A. Carroll Beth A. Carroll

Notary Public for the State of North Carolina

My Commission Expires: November 28, 2016



LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 18th day of June, 2015.

[Signature]
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 18th day of June, 2015.

Jonathan E. Buchan
APPLICANT/AFFLIANT

ATTACHMENT A

1. United States of America v. Mitchell Byrd, United States District Court for the District of South Carolina, Rock Hill Division, Criminal No. 91-29 (1990). Local counsel of record was William Pope of the Richland County Bar. The *pro hac vice* motion was granted.
2. State of South Carolina v. Sterling Barnett Spann, Court of General Sessions, York County, Case Nos. 82-GS46-1796 – 1799 (2002). Local counsel of record was James L. Ward, Jr. of Helms Mulliss & Wicker, PLLC. The *pro hac vice* motion was granted.
3. NAACP, et al. v. Kevin Brackett, et al., United States District Court, Rock Hill Division, CV-02-2329 (2003). Local counsel of record was Robert A. Muckenfuss of Helms Mulliss & Wicker, PLLC. The *pro hac vice* motion was granted.
4. Thomas D. Keels, Jr. v. James T. Glasscock, Jr. et al., Court of Common Pleas, Sixteenth Judicial Circuit, Sumter County, Case No. 2007-CP-43-1136. Local counsel of record was Robert A. Muckenfuss of McGuireWoods LLP. The *pro hac vice* motion was granted.
5. Lanette Hicks v. The Founders Financial Group, LLC, et al., Court of Common Pleas, Sixteenth Judicial District, York County, Case No. 08-CP-46-4678. Local counsel of record was Robert A. Muckenfuss of McGuireWoods LLP. The *pro hac vice* motion was granted.

Supreme Court OF THE STATE OF NORTH CAROLINA



I, Christie S. Cameron Roeder, Clerk of the Supreme Court of North Carolina, do hereby certify that on August 19, 1978, license to practice as an Attorney and Counselor at Law in all the Courts of this State was issued by the North Carolina Board of Law Examiners to

JONATHAN E. BUCHAN, JR.

according to the certified list of licentiates reported by the Secretary of said Board and filed in my office as required by statute.

To the date of this certificate, no order revoking said license has been filed with this Court and no order suspending same is in effect.

WITNESS my hand and the Seal of the Supreme Court of North Carolina at office in Raleigh, this June 17, 2015.



Christie S. Cameron Roeder

Christie S. Cameron Roeder
Clerk of the Supreme Court
of the State of North Carolina

PS|Ship - FedEx Label

Page 1 of 2

From: (704) 343-2000
Jonathan Edward Butcher
McGuireWoods LLP
201 North Tryon St
Suite 3000
Charlotte, NC 28202

Origin ID: QWGA



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ActWgt: 0.5 LB
CAD: 103720227/MSX02750

Delivery Address Bar Code



SHIP TO: (704) 343-2259

Clerk of Court
South Carolina Court of Appeals
1220 SENATE ST

COLUMBIA, SC 29201

BILL SENDER

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Invoice # 478401-0002

PO #

Dept #

JUN 19 2015

SC Court of Appeals

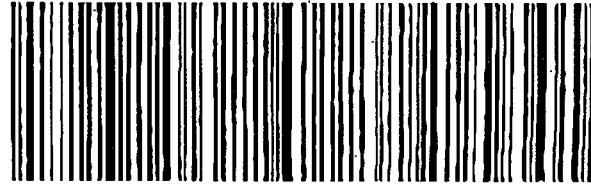
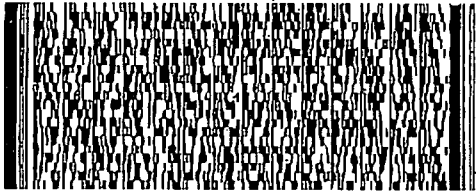
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PRIORITY OVERNIGHT

ASR
29201

6C-US
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TRK# 7808 4201 4766
0201

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FOLD on this line and place in shipping pouch with bar code and delivery address visible

1. Fold the first printed page in half and use as the shipping label.
2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

Legal Terms and Conditions

Tendering packages by using this system constitutes your agreement to the service conditions for the transportation of your shipments as found in the applicable FedEx Service Guide, available upon request. FedEx will not be responsible for any claim in excess of the applicable declared value, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the applicable FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of 100 USD or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is 500 USD, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see applicable FedEx Service Guide. FedEx will not be liable for loss or damage to prohibited items in any event or for your acts or omissions, including, without limitation, improper or insufficient packaging, securing, marking or addressing, or the acts or omissions of the recipient or anyone else with an interest in the package. See the applicable FedEx Service Guide for complete terms and conditions. To obtain information regarding how to file a claim or to obtain a Service Guide, please call 1-800-GO-FEDEX (1-800-463-3339).



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499

June 23, 2015

Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
JUL 1 4 2015
SC Court of Appeals

RE: Mark Kelly v. David Wren, et al
Appellate Case No.: 2014-001249

Dear Clerk of Court:

I certify that the Office of Bar Admissions has received a verified application requesting Jonathan E. Buchan, Jr., be admitted *pro hac vice* in the above matters. The \$250 filing fee for the applicant for the above case has been paid.

Yours truly,

Deputy Clerk for Bar Admissions

GBW/st

The South Carolina Court of Appeals

Mark Kelley, Respondent,

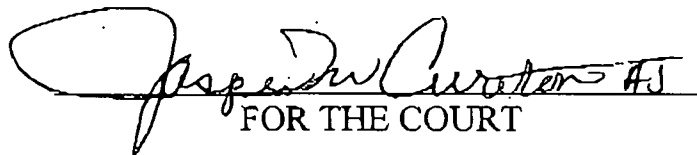
v.

David Wren and Sun Publishing Company Inc., d/b/a
The Sun News, Appellants.

Appellate Case No. 2014-001249

ORDER

This court has received three conditionally filed and served *amicus curiae* briefs in support of Appellants along with motions for leave to file the briefs.¹ The AP Group also filed a motion requesting that Jonathan E. Buchan be admitted *pro hac vice* and serve as their counsel in this appeal. The motions are granted. Respondent shall file any response to the *amicus* briefs within thirty days of entry of this order.


FOR THE COURT

Columbia, South Carolina

FILED

August 24, 2015

¹ The first motion and brief was collectively filed by The Reporters Committee for Freedom of the Press, the National Newspaper Association, the Newspaper Association of America, and the Society of Professional Journalists. Another motion and brief was collectively filed by The Associated Press; Gannett Company, Inc. and Gannett GP Media, Inc. d/b/a The Greenville News; TEGNA Inc. and Pacific and Southern LLC d/b/a WLTX-TV; and Osteen Publishing Company d/b/a The Sumter Item (the AP Group). The third motion and brief was filed by Gannett Company, Inc.

cc: James P. Stevens, Jr., Esquire
Natalie Shawn Stevens-Graziani, Esquire
Jerry Jay Bender, Esquire
Edward T. Fenno, Esquire
William Grayson Lambert, Esquire
Wallace K. Lightsey, Esquire