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JUN 19 2017

S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

June 19, 2017

The Honorable Daniel E. Shearouse
Clerk of Court
South Carolina Supreme Court
HAND DELIVERED

Re: County of Florence v. West Florence Fire District - Appellate Case No. 2017-000693
State of South Carolina's position in this case

Dear Mr. Shearouse:

The State of South Carolina takes no position on the merits of this case. In proceedings below, we simply called to the attention of the circuit court the presumption of constitutionality accorded to legislation and a prior Opinion of the Office of the Attorney General (*Ops. Atty. Gen.* April 15, 2011 - 2011WL1740746) that a statute for a fire district located in more than one county is not a law for a specific county and is valid under S.C. Const. art. VIII, §7. State's Post Trial Memorandum at p. 3, R. p. __. Those points are addressed in the Appellants' brief and may be discussed also in the initial brief of the Florence Respondents. The State defers to this Court's determination of how the law applies to the facts of this case and respectfully requests that this Court make such determination as it deems appropriate.

The State is listed in the caption as a defendant rather than as a respondent. The State is fine with that designation, but does not object if the Court prefers to change the designation to respondent. If the Court would like a more formal response from the State, or would like the State to file a substantive initial brief, we will gladly file one.

Respectfully submitted,

J. Emory Smith, Jr.
Deputy Solicitor General
Counsel for Defendant State of South Carolina

cc: D. Malloy McEachin, Jr., Esquire John S. Nichols, Esquire
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