

STATE OF SOUTH CAROLINA  
COUNTY OF MCCORMICK  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2016-CP-35-00134

J. R. Jones, et al

South Carolina Republican Party, et al

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.  See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

**PURSUANT TO STATUTE, PLAINTIFF'S CHALLENGED THE GENERAL ELECTION RESULTS TO THE MCCORMICK COUNTY BOARD OF CANVASSERS (COUNTY ELECTION COMMISSION) WHERE THE ISSUE OF THE DEFENDANT SHERIFF'S QUALIFICATIONS TO SERVE AS SHERIFF UNDER SOUTH CAROLINA STATUES WAS PRESENTED AND ARGUED. PLAINTIFFS' DID NOT APPEAL THE DENIAL OF THEIR ELECTION PROTEST TO THE SOUTH CAROLINA ELECTION COMMISSION OR THEREAFTER TO THE SOUTH CAROLINA SUPREME COURT.**

**A MANDAMUS IS THE HIGHEST JUDICIAL WRITE AND IS ISSUED ONLY WHEN THERE IS A SPECIFIC RIGHT TO BE ENFORCED, A POSITIVE DUTY TO BE PERFORMED, AND THERE IS NO OTHER SPECIFIC REMEDY. CITY OF ROCK HILL V. THOMPSON, 349 S.C. 197, 563 S.E.2D 101, (2002).**

**IN THIS CASE, PLAINTIFFS' SEEK THIS COURT ORDER'S DIRECTING THAT THE MCCORMICK COUNTY REPUBLICAN PARTY (AND SOUTH CAROLINA ELECTION COMMISSION) DE-CERTIFY DEFENDANT SHERIFF AS BEING A QUALIFIED CANDIDATE FOR THE OFFICE OF SHERIFF OF MCCORMICK COUNTY, WHICH WOULD EFFECTIVELY NULLIFY THE ELECTION.**

**ALTHOUGH THIS COURT QUESTIONS WHETHER THE CERTIFICATION OF A CANDIDATE AS BEING "QUALIFIED" TO RUN FOR THE OFFICE BEING SOUGHT CONSTITUTES A MINISTERIAL DUTY, THE PLAINTIFFS CLEARLY HAD AVAILABLE A SPECIFIC REMEDY TO CHALLENGE DEFENDANT'S CERTIFICATION AS BEING QUALIFIED TO RUN FOR THE OFFICE OF SHERIFF OF MCCORMICK COUNTY. PLAINTIFFS ABANDONED THEIR APPEAL AFTER BEING UNSUCCESSFUL IS THEIR CHALLENGE AT THE COUNTY LEVEL. HAVING A SPECIFIC REMEDY AVAILABLE, PLAINTIFFS CANNOT SEEK A WRIT OF MANDAMUS.**

I REQUEST THAT DEFENDANT SHERRIFF'S COUNSEL (OR OTHER ATTORNEY REPRESENTING THE DEFENDANTS) PREPARE A FORMAL ORDER INCORPORATING THIS ORDER, THE STIPULATIONS OF FACT, AND THE ORAL AND WRITTEN ARGUMENTS PRESENTED.

This order  ends  does not end the case.

Additional Information for the Clerk : \_\_\_\_\_

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

\_\_\_\_\_  
Circuit Court Judge

\_\_\_\_\_  
Judge Code

\_\_\_\_\_  
Date

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
ATTORNEY(S) FOR THE PLAINTIFF(S)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
ATTORNEY(S) FOR THE DEFENDANT(S)

\_\_\_\_\_  
CLERK OF COURT

**Court Reporter:**

\_\_\_\_\_  
ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.



McCormick Common Pleas

**Case Caption:** J.R. Jones , plaintiff, et al VS South Carolina Republican Party ,  
defendant, et al  
**Case Number:** 2016CP3500134  
**Type:** Order/Form 4

S/R. LAWTON McINTOSH

S/R.LAWTON McINTOSH

Electronically signed on 2017-11-06 11:00:20 page 3 of 3

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	FOR THE ELEVENTH JUDICIAL CIRCUIT
	)	
J.R. Jones, South Carolina Democratic Party, and McCormick County Democratic Party,	)	Civil Action No.: 2016-CP-35-134
	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	<b>ORDER</b>
	)	
South Carolina Republican Party, McCormick County Republican Party, Clarke Anderson Stearns, and State of South Carolina,	)	
	)	
	)	
Defendants.	)	

This matter comes before the Court on J.R. Jones, the South Carolina Democratic Party, and the McCormick County Democratic Party's (collectively, "the plaintiffs") Verified Complaint challenging the qualifications of Clarke Stearns to serve as sheriff of McCormick County and requesting that the Court invoke its equitable powers to grant several forms of relief. Specifically, the plaintiffs ask this Court to (1) declare Stearns does not meet the qualifications for office set forth in section 23-11-110 of the South Carolina Code (Supp. 2016), (2) enjoin Stearns from serving as sheriff of McCormick County, and (3) issue a writ of mandamus directing "the appropriate officials" to remove Stearns from office. For the reasons set forth below, after considering all the evidence and arguments of counsel, the Court declines to grant the extraordinary relief sought by the plaintiffs because this matter already has been decided by the McCormick County Election Commission<sup>1</sup> (the Commission), and the plaintiffs abandoned their

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<sup>1</sup> The relevant statutes refer to a county election commission as a "county board of canvassers" and the State Election Commission as the "State Board of Canvassers." In McCormick County, the county election commission is called the Department of Voter Registration and Elections for McCormick County. Regardless of which moniker is assigned to these entities, they are both election commissions for all intents

right to challenge Stearns's qualifications by failing to appeal that decision. Therefore, the Court hereby enters a verdict in favor of the South Carolina Republican Party, the McCormick County Republican Party, Stearns, and the State of South Carolina (collectively, "the defendants").<sup>2</sup>

### BACKGROUND

Jones ran as the Democratic nominee for sheriff of McCormick County and lost by a margin of seventeen percentage points to Stearns, the Republican nominee, in the November 8, 2016, election. Thereafter, Jones filed a formal protest of the election with the Commission in a letter dated November 16, 2016. In the notice of protest, Jones advised he was "submitting this letter in formal protest of the November 8, 2016 McCormick County Sheriff's Race. Mr. Stearns does not meet the qualifications set forth by the State of South Carolina." The Commission held a hearing on Jones's election protest on November 21, 2016. At the hearing, Jones's counsel stated he also was there on behalf of the South Carolina Democratic Party and the McCormick County Democratic Party. After hearing arguments from both parties, the Commission denied the protest. The plaintiffs did not appeal the Commission's ruling to the State Election Commission. Instead, on December 7, 2016, the plaintiffs filed a Verified Complaint in this Court, seeking, *inter alia*, an injunction and a writ of mandamus.

Almost a month later, on January 3, 2017, the plaintiffs filed a motion for a temporary restraining order and a temporary injunction. Stearns filed a response in opposition to the plaintiffs' motion on January 5, 2017. Following a hearing before the Honorable William P. Keesley on January 6, 2017, the Court issued an Order on January 19, 2017, denying the plaintiffs'

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and purposes. *See, e.g.*, S.C. Code Ann. § 7-17-10 (Supp. 2016) ("The commissioners of election . . . shall proceed to organize as the county board of canvassers."); S.C. Code Ann. § 7-17-210 (1976) ("The State Election Commission shall, ex officio, constitute the State Board of Canvassers.").

<sup>2</sup> At the hearing on October 18, 2017, counsel for all parties gave their consent to dismiss McCormick County as a party to this lawsuit, and the Court has amended the caption accordingly.

motion for a temporary injunction. The plaintiffs did not appeal this Order. Aside from serving responses denying Stearns's requests for admission, the plaintiffs took no further action to litigate the case in circuit court. Nearly nine months later, on October 6, 2017, Stearns filed a motion to dismiss for failure to prosecute and, in the alternative, a motion for summary judgment based upon the mootness doctrine. A hearing on the motions was held on October 16, 2017. The Court denied the motion to dismiss in a Form 4 Order dated October 18, 2017, and took the motion for summary judgment under advisement.

The parties appeared for a bench trial before the Honorable R. Lawton McIntosh on October 18, 2017. After counsel conceded the only issue before the Court was a question of law and agreed to stipulate to the relevant facts, the Court determined an evidentiary hearing was not necessary. The parties subsequently filed a joint stipulation of facts and submitted their respective briefs for the Court's review on October 30, 2017. The Court also gave the parties an opportunity to file response briefs. Accordingly, the case is now ripe for this Court's disposition. The plaintiffs are represented by E. Charles Grose, Jr., Esquire; William H. Alexander, Esquire; James E. Smith, Jr., Esquire; and Tommy L. Stanford, Esquire. The defendants are represented by Karl S. Bowers, Jr., Esquire; Robert E. Tyson, Jr., Esquire; and Vordman Carlisle Traywick, III, Esquire.

#### FINDINGS OF FACT

The Court finds the following facts based upon the Joint Stipulation of Facts entered into by the parties as well as the evidence in the record before the Court:

1. On March 16, 2016, when he signed the filing affidavit to run for sheriff of McCormick County, Stearns had never been certified as a law enforcement officer in the State of South Carolina.

2. After Stearns's affidavit was filed with the State Election Commission, it was

publicly available on the website of the State Election Commission.

3. Jones was not aware of any issue pertaining to Stearns's statutory qualifications to be a sheriff in the State of South Carolina until after the 2016 General Election.

4. Alonzo Harrison, chairman of the McCormick County Democratic Party, was not aware of any issue pertaining to Stearns's statutory qualifications to be a sheriff in the State of South Carolina until after the 2016 General Election.

5. Stearns obtained his certification as a law enforcement officer in South Carolina from the South Carolina Criminal Justice Academy on September 6, 2017.

6. The Commission made the plaintiffs aware of their right to appeal its decision to the State Election Commission at the conclusion of the hearing and, therefore, they had actual knowledge of this right.

7. The plaintiffs did not file a notice of appeal of the Commission's decision with the State Election Commission.

8. By now challenging the Commission's authority to decide issues of qualifications, which is the exact opposite position the plaintiffs took during the hearing before the Commission, the Court finds the plaintiffs voluntarily and intentionally chose not to appeal the Commission's decision to the State Election Commission.

#### ANALYSIS

The plaintiffs argue Stearns is not qualified to serve as sheriff of McCormick County and ask this Court to invoke its equitable powers to grant several drastic forms of relief. The defendants counter that the plaintiffs waived their right to argue this issue because they failed to appeal the Commission's decision to the State Election Commission and, therefore, the Commission's ruling is now the law of the case.

At the October 18, 2017, hearing before the Court, the plaintiffs agreed that the relief they are seeking at this stage is a writ of mandamus.<sup>3</sup> “Mandamus is the highest judicial writ and is issued only when there is a specific right to be enforced, a positive duty to be performed, and no other specific remedy.” City of Rock Hill v. Thompson, 349 S.C. 197, 199, 563 S.E.2d 101, 102 (2002). “A writ of mandamus is a coercive writ that orders a public official to perform a ministerial duty.” Id. at 200, 563 S.E.2d at 102. The Court will only issue a writ of mandamus “to compel a public official to perform a mandatory legal duty.” Id. “The primary purpose of a writ of mandamus is to enforce an established right and a corresponding imperative duty created or imposed by law.” Ex parte Littlefield, 343 S.C. 212, 223, 540 S.E.2d 81, 86 (2000). “When the legal right is doubtful, or the performance of duty rests in discretion, or when there is another adequate remedy, a writ of mandamus cannot rightfully be issued.” In re Lyde, 284 S.C. 419, 421, 327 S.E.2d 70, 71 (1985).

Although the Court questions whether the certification of a candidate as “qualified” to run for the office being sought constitutes a ministerial duty, the plaintiffs had available a specific remedy to challenge Stearns’s qualifications and abandoned their right to appeal after being unsuccessful before the Commission. The Court finds the plaintiffs, therefore, waived their right to bring the present challenge and cannot invoke this Court’s equitable powers because (1) the plaintiffs chose to file their protest with the Commission and it ruled upon the merits; (2) by failing to appeal the Commission’s decision to the State Election Commission, the plaintiffs did not avail

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<sup>3</sup> To the extent the plaintiffs seek a declaratory judgment and an injunction, the Court finds these remedies are also unavailable because an adequate remedy at law existed and the plaintiffs failed to avail themselves of this remedy by following the appellate procedure outlined in the relevant statutes. See, e.g., Smith v. S.C. Ret. Sys., 336 S.C. 505, 527, 520 S.E.2d 339, 351 (Ct. App. 1999) (“[I]t is well settled a court ordinarily will refuse to grant a declaratory judgment where a special statutory remedy has been provided.”); Hampton v. Haley, 403 S.C. 395, 409, 743 S.E.2d 258, 265 (2013) (“Due to its drastic and extraordinary nature, courts should issue injunctions with caution and only where no adequate remedy exists at law.”).

themselves of a known, adequate legal remedy; and (3) the Commission's unappealed decision is the law of the case and the plaintiffs are barred from litigating it again in this Court.

The General Assembly has vested county election commissions with the authority to "decide all cases under protest or contest that arise in their respective counties in the case of county officers and less than county offices, except for primaries and municipal elections." S.C. Code Ann. § 7-17-30 (Supp. 2016) (emphasis added). "Appeals from county election [commissions] are to be made to the South Carolina State Election Commission." In re November 4, 2008 Bluffton Town Council Election, 385 S.C. 632, 638, 686 S.E.2d 683, 686 (2009); see also S.C. Code Ann. § 7-17-60 (1976) ("The decision of the county board may be appealed to the State Board of Canvassers by any candidate adversely affected thereby. Notices of such appeal and the grounds thereof shall be made not later than noon Monday next following such decision by serving such notices on the chairman of the State Board."). "Appeals from decisions of the State [Election Commission] shall be taken directly to the Supreme Court on petition for a writ of certiorari only based on the record of the State [Election Commission] hearing and shall be granted first priority of consideration by the Court." S.C. Code Ann. § 7-17-270 (Supp. 2016).

In this case, the Commission denied the plaintiffs' protest challenging Stearns's qualifications on November 21, 2016. Accordingly, the only means by which the plaintiffs could seek review of that decision was by filing notice of appeal with the State Election Commission prior to noon on Monday, November 28, 2016. See S.C. Code Ann. § 7-17-60. The plaintiffs, however, failed to appeal the Commission's decision. Instead, the plaintiffs filed a Verified Complaint in circuit court, seeking equitable relief from this Court on December 7, 2016.

The law of the case doctrine "applies to an order or ruling which finally determines a substantial right." Shirley's Iron Works, Inc. v. City of Union, 403 S.C. 560, 573, 743 S.E.2d 778,

785 (2013) (quoting Weil v. Weil, 299 S.C. 84, 89, 382 S.E.2d 471, 473 (Ct. App. 1989)). It is axiomatic that “[a]n unappealed ruling is the law of the case.” Id. Here, the Commission’s denial of the plaintiffs’ protest constituted a filing ruling on the merits that determined a substantial right. See id. Because the plaintiffs failed to appeal that final ruling to the State Election Commission, it is now the law of the case and they are barred from litigating it again in this Court. See Shirley Iron Works, Inc., 403 S.C. at 573, 743 S.E.2d at 785 (“An unappealed ruling is the law of the case.”); Carolina Renewal, Inc. v. S.C. Dep’t of Transp., 385 S.C. 550, 554, 684 S.E.2d 779, 782 (Ct. App. 2009) (“Collateral estoppel, also known as issue preclusion, prevents a party from relitigating an issue that was decided in a previous action, regardless of whether the claims in the first and subsequent lawsuits are the same.”); Bennett v. S.C. Dep’t of Corr., 305 S.C. 310, 312, 408 S.E.2d 230, 231 (1991) (observing our appellate courts have “repeatedly held that, under the doctrine of . . . collateral estoppel, the decision of an administrative tribunal precludes the relitigation of the issues addressed by that tribunal in a collateral action” (emphasis omitted)).

Having the Court to step into the shoes of the State Election Commission by styling the action as one for equitable relief would not only create an end-run around the statute, but also would go against the longstanding principle that a party may not invoke the Court’s equitable powers when an adequate remedy at law exists. See Key Corporate Capital, Inc. v. Cty. of Beaufort, 373 S.C. 55, 61, 644 S.E.2d 675, 678 (2007) (“While equitable relief is generally available where there is no adequate remedy at law, an adequate legal remedy may be provided by statute.”); Santee Cooper Resort, Inc. v. S.C. Pub. Serv. Comm’n, 298 S.C. 179, 185, 379 S.E.2d 119, 123 (1989) (asserting that a “court’s equitable powers must yield in the face of an unambiguously worded statute”).

The Court finds an adequate remedy at law does exist, and the General Assembly provided

for it in sections 7-17-30, -50, -60, -70, -250, and -270 of the South Carolina Code (1976 & Supp. 2016). Nothing is inadequate about the remedy of appealing the Commission's decision to the State Election Commission. See S.C. Code Ann. § 7-17-60. Indeed, the plaintiffs still could have appealed the State Election Commission's decision to our supreme court. See S.C. Code Ann. § 7-17-270. But the plaintiffs chose to ignore the available legal remedy at their own peril, and they are not permitted to receive another bite at the proverbial apple by attempting to invoke this Court's equitable powers. Because the plaintiffs circumvented the appellate process outlined in sections 7-17-60 and -270, which afforded an adequate remedy at law, the Court declines to invoke its equitable powers and issue a writ of mandamus in this case.<sup>4</sup>

Interestingly, the plaintiffs now take the position that the Commission was not "the appropriate venue to resolve this controversy." Pls.' Br. at 4. The plaintiffs, however, filed the protest in that forum and asked the Commission to rule upon their challenge. It makes little sense for the plaintiffs to criticize the choice of forum when the decision of where to file this action rested solely with the plaintiffs. Further, the plaintiffs' argument to this Court is the exact opposite of the argument they articulated at the hearing before the Commission. In response to Stearns's motion to dismiss, the plaintiffs defended their decision to file the protest with the Commission, arguing the Commission could decide issues of qualifications. According to the plaintiffs,<sup>5</sup> "nothing in the statute . . . says it is limited to voting irregularities. These are the protests of an election and we have an election in which a timely protest was filed [, and] there's nothing that says that [the Commission does not] have the power to look at the qualifications of Mr. Stearns."

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<sup>4</sup> For the reasons set forth in note 3, supra, the Court also declines to issue a declaratory judgment or an injunction in this case.

<sup>5</sup> All plaintiffs in the present lawsuit were represented by counsel at the hearing before the Commission. See Comm'n Transcr. at 5.

Comm'n Transcr. at 17. The Commission agreed with the plaintiffs, denied Stearns's motion to dismiss the protest, and ruled upon the merits of the protest.

The plaintiffs chose their path for contesting Stearns's qualifications, and they were required to follow it through to the end. Notably, the Commission reminded the plaintiffs of their right to appeal this matter to the State Election Commission after their protest was denied. Comm'n Transcr. at 49. But the plaintiffs never filed a notice of appeal and now argue the Commission could not decide this case. Because the plaintiffs voluntarily abandoned their known right to appeal the Commission's decision to the State Election Commission, the Court finds they have waived the right to challenge Stearns's qualifications in this Court. See Parker v. Parker, 313 S.C. 482, 487, 443 S.E.2d 388, 391 (1994) ("Waiver is a voluntary and intentional abandonment or relinquishment of a known right."). Simply put, the plaintiffs cannot skip the statutory appellate process and then try to invoke this Court's equitable jurisdiction to raise the same issue.

At the end of the day, the plaintiffs had complete control over the choice of forum, and their failure to avail themselves of a known, adequate legal remedy precludes them from litigating these issues again in this Court. See, e.g., Santee Cooper Resort, Inc., 298 S.C. at 185, 379 S.E.2d at 123 (asserting that a "court's equitable powers must yield in the face of an unambiguously worded statute"); Shirley Iron Works, Inc., 403 S.C. at 573, 743 S.E.2d at 785 ("An unappealed ruling is the law of the case."); Bennett, 305 S.C. at 312, 408 S.E.2d at 231 (observing our appellate courts have "repeatedly held that, under the doctrine of . . . collateral estoppel, the decision of an administrative tribunal precludes the relitigation of the issues addressed by that tribunal in a collateral action"); In re Lyde, 284 S.C. at 421, 327 S.E.2d at 71 (stating that, "when there is another adequate remedy, a writ of mandamus cannot rightfully be issued").

CONCLUSIONS OF LAW

1. The plaintiffs voluntarily and intentionally abandoned a known legal right by failing to appeal the Commission's decision to the State Election Commission and, therefore, waived the right to challenge Stearns's qualifications in this Court.

2. The Commission's decision denying the protest to Stearns's qualifications is now the law of the case.

3. The plaintiffs are collaterally estopped from challenging Stearns's qualifications because the Commission issued a final ruling on that issue and the plaintiffs failed to appeal it to the State Election Commission.

4. The plaintiffs cannot invoke this Court's equitable powers because they had an adequate remedy at law of which they knowingly chose not to avail themselves.

Based upon the foregoing, the Court hereby enters a verdict in favor of the defendants in this matter because the plaintiffs waived their right to contest Stearns's qualifications to serve as sheriff of McCormick County by failing to appeal the Commission's decision to the State Election Commission as provided by statute.

AND IT IS SO ORDERED.

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Honorable R. Lawton McIntosh  
Presiding Judge, Eleventh Judicial Circuit



McCormick Common Pleas

**Case Caption:** J.R. Jones , plaintiff, et al VS South Carolina Republican Party ,  
defendant, et al  
**Case Number:** 2016CP3500134  
**Type:** Order/Other

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Electronically signed on 2017-11-28 10:35:22 page 11 of 11

J. R. Jones, et al

South Carolina Republican Party, et al

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
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**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

**PLAINTIFFS' MOTION PURSUANT TO RULE 59 OF THE SOUTH CAROLINA RULES OF CIVIL PROCEDURE IS DENIED WITHOUT THE NECESSITY OF A FORMAL HEARING OR FORMAL ORDER (UNLESS A FORMAL ORDER IS REQUESTED BY ANY PARTY).**

This order  ends  does not end the case.  
 Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
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**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**ATTORNEY(S) FOR THE PLAINTIFF(S)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**ATTORNEY(S) FOR THE DEFENDANT(S)**

\_\_\_\_\_  
**CLERK OF COURT**

**Court Reporter:**

\_\_\_\_\_

**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**



McCormick Common Pleas

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Electronically signed on 2017-11-28 10:37:30 page 3 of 3