

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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APR 09 2019

APPEAL FROM GREENWOOD COUNTY
Court Of Common Pleas
Frank R. Addy, Circuit Court Judge

S.C. SUPREME COURT

Appellate Case No
2018-002214

Thomas Waller, Larry Jackson, P. Dale Kittles, Claude L. Maus, and
Terry C. Weeks,Appellants

v.

The State of South Carolina, Harvey S. Peeler, Jr. President of the South Carolina
Senate, Jay Lucas, Speaker of the South Carolina House of Representatives, and
Alan Wilson, Attorney General of South Carolina,.....Respondents.

MOTION TO SUBSTITUTE HARVEY PEELER FOR KEVIN BRYANT

Harvey S. Peeler, Jr. President of the South Carolina Senate, moves pursuant to Rule 265(d), SCACR, for his substitution for former Lieutenant Governor and former Senate President, Kevin Bryant. Mr. Bryant was substituted for former Lt. Governor Henry McMaster, as to whom the Amended Complaint herein alleged that he was "Lieutenant Governor . . . and thereby President of the Senate, one of the State's two legislative bodies responsible for making the laws of South Carolina. Pursuant to S.C. Const. art. III, § 37, the Lieutenant Governor is no longer President of the Senate. Under that provision, "[t]he Senate shall, as soon as practicable after the convening of the General Assembly in 2019 and every four years thereafter, elect from among the members thereof a President to preside over the Senate and to perform other duties as provided by law." *See also*, S.C. Senate Rule 17(A) ("At a session designated in accordance

with Article III, Section 37 of the South Carolina Constitution, the Senate shall elect from among the members thereof a President to preside over the Senate and to perform other duties as provided by law and these Rules.”). Pursuant to these provisions, the Senate has elected Harvey Peeler as its President. Accordingly, he should be substituted for former Lieutenant Governor Bryant pursuant to Rule 265(d)(successor in office shall be automatically substituted as a party).

For the foregoing reasons, Harvey Peeler, as President of the Senate, respectfully requests that he be substituted for Kevin Bryant as a party to this case.

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BY: 

Counsel for
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April 9, 2019

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CERTIFICATE OF SERVICE

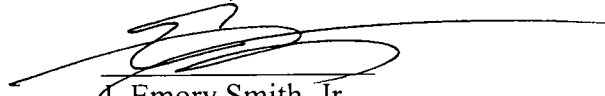
I hereby certify that on April 9, 2019, I served a copy of the Motion To Substitute Harvey
Peeler upon the other parties by depositing copies of it in the U.S. Mail, postage prepaid,
addressed as follows:

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