



ALAN WILSON
ATTORNEY GENERAL

November 12, 2019

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
HAND DELIVERED

Re: Pope v. Wilson App. Case No. 2016-001708; Common Pleas Docket No. 2010CP4004900

Dear Ms. Kitchings:

I am responding to Mr. Silvernail's letter of November 8, 2019. In it he seeks help in securing remittitur of this case to the Court of Common Pleas and states that the case should proceed to the general nonjury roster for management when the remittitur is handed down because the Honorable Doyet A. Early, III, who heard this case in circuit court, has now retired.

The Attorney General has no objection to the issuance of the remittitur when this Court is ready to do so.

The Attorney General does not agree that this case should proceed to the general nonjury roster. By the Supreme Court's Order of March 24, 2016, Judge Early was "vested with exclusive jurisdiction to hear and dispose of" this case along with Common Pleas case 2012-CP40-00350. Copy attached. Therefore, we believe that Court Administration should determine which Judge should hear this case on remand.

Thank you for your consideration of this matter.

Respectfully submitted,

J. Emory Smith, Jr.
Deputy Solicitor General

cc: Adam T. Silvernail, Esquire
The Honorable Jocelyn Newman, Chief Administrative Judge for Common Pleas
The Honorable DeAndrea G. Benjamin
The Honorable Jeannette McBride, Richland County Clerk of Court

The Supreme Court of South Carolina

Russell Bauknight, et al.

Plaintiffs,

v.

Adele J. Pope, et al.,

Defendants.

Richland County
2010-CP-40-04900

Adele J. Pope,

Plaintiff,

v.

Alan Wilson, et al.,

Defendants.

Richland County
2012-CP-40-00350

ORDER

IT IS ORDERED that the Honorable Doyet A. Early, III be vested with exclusive jurisdiction to hear and dispose of the above cases. Judge Early shall decide all matters pertaining to these cases, and pursuant to this assignment shall retain jurisdiction over these cases regardless of where he may be assigned to hold court and may schedule such hearings as may be necessary at any time without regard as to whether there is a term of court scheduled.

Pursuant to this assignment, he is to have and exercise all powers and duties appertaining to a Circuit Judge of the Fifth Judicial Circuit while presiding over these cases.



Donald W. Beatty
Acting Chief Justice

March 24, 2016
Columbia, South Carolina