



The Supreme Court of South Carolina

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POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

December 12, 2019

Jonathan McKey Milling, Esquire
2910 Devine Street
Columbia SC 29205

Sandra Vriesinga Moser, Esquire
2910 Devine St.
Columbia SC 29205

Re: John Doe v. Mark Keel (SLED)
Appellate Case No. 2019-000691

Dear Counsel:

As you know, the appellant has proceeded using a pseudonym throughout this litigation.

I ask that you please provide this Court with a copy of the order of the circuit court which authorized the appellant to proceed using a pseudonym in this case. This order should be provided within ten (10) days of the date of this letter. If no such order has been issued and appellant desires to continue using a fictitious name before this Court, it will be necessary for you to serve and file a motion seeking permission to do so from this Court. This motion should be made within ten (10) days of the date of this letter. *Cf. Doe v. Howe*, 362 S.C. 212, 607 S.E.2d 354 (Ct. App. 2004) ("The decision to proceed anonymously is committed to the discretion of the trial court. Though there is a presumption of openness of judicial

proceedings, it operates 'only as a presumption and not as an absolute, unreviewable license to deny.' [citation omitted]."); Rule 10(a) of the South Carolina Rules of Civil Procedure ("In the summons and complaint the title of the action shall include the names of all parties . . ."). Otherwise, the filings made in this case will need to be amended to reflect the actual name of the appellant.

Very truly yours,

A handwritten signature in black ink, appearing to be a stylized name, possibly "D. A. A.", with a long horizontal flourish extending to the right.

CLERK

cc: Adam L. Whitsett, Esquire
Paul Thomas Ahearn, III, Esquire