

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DARLINGTON COUNTY  
Court of Common Pleas

Roger E. Henderson, Circuit Court Judge

Case No. 2020-000058

**RECEIVED**  
FEB 21 2020  
SC Court of Appeals

Angel Phillips, .....Appellant

v.

Hartsville Department of Social Services, .....Respondent

RETURN TO MOTION OF JUDICIAL MISCONDUCT

Undersigned counsel for Respondent received a copy of Appellant's Motion of Judicial Misconduct on February 17, 2020. By way of return, Respondent states as follows:

1. The hearing on Respondent's motion to dismiss which is on appeal before this court and was heard by Honorable Roger E. Henderson in Darlington County on the morning of November 14, 2019.

2. On the afternoon of November 14, 2019, at appoximaely 3:12 P.M., undersigned counsel received an e-mail from Judge Henderson instructing him to prepare an order granting the motion to dismiss and instructing undersigned counsel to e-mail appellant a copy of the proposed order when it is e-filed. Appellant was sent a copy of this e-mail.

3. On November 14, 2019, at approximately 3:15 P.M., undersigned counsel received a second e-mail from Judge Henderson instructing him to include in the proposed order that Appellant's motion for discovery is rendered moot by the order dismissing her cause of action. Appellant was sent a copy of this e-mail

4. On November 15, 2019, at approximately 9:11 A.M., undersigned counsel e-mailed a proposed order to Judge Henderson as instructed. A copy of that e-mail was also sent to appellant as instructed.

5. Copies of the referenced e-mails are attached.

6. This method of submitting the proposed order to Judge Henderson complies with Rule 8(c) of the South Carolina Electronic Filing Policies and Guidelines.



JOSEPH P. MCLEAN  
Clarke, Johnson, Peterson & McLean, P.A.  
Post Office Box 1865  
Florence, South Carolina 29503  
(843) 669-2401  
Attorney for Respondent

Florence, South Carolina  
February 20, 2020

Pro se appellant  
Angel D. Phillips  
1012 Queen Street  
Camden, South Carolina 29020

## Joe McLean

---

**From:** Joe McLean  
**Sent:** Friday, November 15, 2019 9:11 AM  
**To:** 'Henderson, Roger E.'  
**Cc:** phillipsangel82@gmail.com  
**Subject:** RE: phillips v dss  
**Attachments:** Order Granting Motion to Dismiss.docx

Judge Henderson

As you instructed, I have prepared a proposed order in the above case. A copy is attached, and by copy of this e-mail I am sending a copy to the plaintiff. This proposed order will also be e-filed this morning with a request that it be sent to you by the clerk of court.

Please let me know if you need anything further from me at this time.

With kind regards,

Joe

### ***Joseph P. McLean***

Clarke, Johnson, Peterson & McLean, P.A.  
P.O. Box 1865  
Florence, S.C. 29503-1865  
Phone (843) 669-2401  
Direct (843) 519-1670  
[jmclean@cjpmlaw.com](mailto:jmclean@cjpmlaw.com)

---

**From:** Henderson, Roger E. <RHendersonJ@sccourts.org>  
**Sent:** Thursday, November 14, 2019 3:15 PM  
**To:** Joe McLean <JMclean@cjpmlaw.com>  
**Cc:** phillipsangel82@gmail.com  
**Subject:** phillips v dss

Mr. McLean, I failed to state in my previous email that in the order you are to prepare please state that Ms. Phillips motion for discovery is rendered moot by the order dismissing her cause of action .

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

## Joe McLean

---

**From:** Henderson, Roger E. <RHendersonJ@sccourts.org>  
**Sent:** Thursday, November 14, 2019 3:12 PM  
**To:** Joe McLean  
**Cc:** phillipsangel82@gmail.com  
**Subject:** phillips v dss

Mr. McLean, Please prepare an order granting your motion to dismiss based on your argument set forth this morning. Please email Ms. Phillips a copy of your proposed order when you e-file it. Thank you, Judge Henderson  
~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

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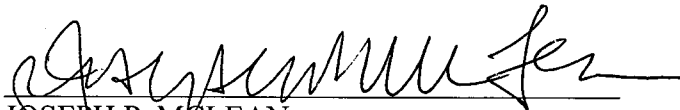
Angel Phillips, .....Appellant

v.

Hartsville Department of Social Services, .....Respondent

PROOF OF SERVICE

I certify that I have served the Return to Motion of Judicial Misconduct on Angel Phillips by depositing a copy of it in the United States Mail, postage prepaid, on February 20, 2020, addressed to 1012 Queen Street, Camden, South Carolina 29020.



JOSEPH P. MCLEAN  
Clarke, Johnson, Peterson & McLean, P.A.  
Post Office Box 1865  
Florence, South Carolina 29503  
(843) 669-2401  
Attorney for Respondent

Florence, South Carolina  
February 20, 2020

LAW OFFICES  
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620 WEST EVANS STREET  
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FINLEY B. CLARKE  
BROWN W. JOHNSON  
JAMES W. PETERSON, JR.  
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TELEPHONE (843) 669-2401  
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E-MAIL [jmclean@cjplaw.com](mailto:jmclean@cjplaw.com)

February 20, 2020

**RECEIVED**  
FEB 21 2020  
SC Court of Appeals

Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Angel D. Phillips v. Hartsville Department of Social Services  
Appellant Case No. 2020-000058  
Our File No. 19-116

Dear Ms. Kitchings:

I enclose for filing in your office the original and six (6) copies of Respondent's Return to Motion of Judicial Misconduct together with Proof of Service attached.

Thank you for your assistance and your attention to this matter.

With kind regards,

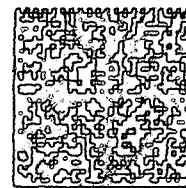
Yours very truly,

  
JOSEPH P. MCLEAN

JPM:ktb

Enclosures

cc: Angel D. Phillips  
1012 Queen Street  
Camden, South Carolina 29020



US POSTAGE

\$02.00<sup>00</sup>

First-Class

Mailed From 29501

02/20/2020

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CLARKE, JOHNSON, PETERSON & McLEAN, P.A.  
620 WEST EVANS STREET (29501)  
POST OFFICE BOX 1865  
FLORENCE, SC 29503

To:  
Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RECEIVED  
FEB 21 2PM  
SC Court of Appeals