

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

DeAndrea G. Benjamin, Circuit Court Judge

Appellant Case No.: 2019-000088

Edward L. Green, Appellant,

v.

Mark Keel, Director, South Carolina
Law Enforcement Division (SLED)
and the State of South Carolina, Respondents.

FINAL BRIEF OF RESPONDENTS

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SC Court of Appeals

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STATEMENT OF ISSUES ON APPEAL

- I. **The trial court did not err in granting summary judgment to Respondents because the Appellant's sole cause of action, to wit: that he is entitled to equitable relief, is barred by res judicata.**
- II. **The trial court did not err in granting summary judgment to Respondents because no genuine issue of material fact exists and South Carolina law clearly mandates that an expungement does not affect South Carolina Sex Offender Registry Act registration.**

STATEMENT OF THE CASE AND STATEMENT OF THE FACTS

The Appellant was convicted of Criminal Sexual Conduct 3rd Degree in 2005. (Trial Court Order p. 2)(R. p. 4).¹ This is a mandatory registry offense in accordance with the South Carolina Sex Offender Registry Act (SORA). *See* S.C. Code Ann. § 23-3-430(c)(3). All SORA registration in South Carolina is for life. *See* S.C. Code Ann. § 23-3-460 (setting forth SORA's lifetime registration requirement in an unambiguously worded statute – to wit: “for life”). Nevertheless, on or about January 12, 2018, the Appellant filed a summons and complaint initiating this action seeking removal from the registry based solely upon a claim for equitable relief. (Complaint pp. 1, 3)(R. pp. 26, 28). However, this same Appellant had previously filed a civil action seeking equitable relief that was rejected by every court in South Carolina.² In addition, any legal relief that could have been properly requested in this action is nevertheless not available as a matter of law. Accordingly, the Respondents filed an answer and moved for summary judgment. The Honorable DeAndrea G. Benjamin heard the motion on October 1, 2018, and granted Respondents summary judgment in an order filed on December 18, 2018. This appeal follows.

¹ Appellant incorrectly identified Appellant's charge as Lewd Act on a Minor.

² Respondents would crave reference to the previous Circuit Court Order denying equitable relief, the appellate decision affirming the Circuit Court Order, and the Supreme Court's denial of a petition for a writ of certiorari in that matter. (R. pp. 16-22).

STANDARD OF REVIEW

“When reviewing a grant of summary judgment, appellate courts apply the same standard applied by the trial court pursuant to Rule 56(c), SCRCP.” Turner v. Milliman, 392 S.C. 116, 121-22, 708 S.E.2d 766, 769 (2011)(citing Fleming v. Rose, 350 S.C. 488, 493, 567 S.E.2d 857, 860 (2002)).

A motion for summary judgment shall be granted “if the pleadings ... show that there is no *genuine* issue as to any *material* fact and that the moving party is entitled to a judgment as a matter of law.” George v. Fabri, 345 S.C. 440, 452, 548 S.E.2d 868, 874 (2001) (citing Rule 56(c), SCRCP) (emphasis in original).

“The purpose of summary judgment is to expedite disposition of cases which do not require the services of a fact finder.” Bankers Trust of South Carolina v. Benson, 267 S.C. 152, 155, 226 S.E.2d 703, 704 (1976).

When an appeal involves stipulated or undisputed facts, an appellate court is free to review whether the trial court properly applied the law to those facts. WDW Properties v. City of Sumter, 342 S.C. 6, 10, 535 S.E.2d 631, 632 (2000) (citing J.K. Constr., Inc. v. Western Carolina Regional Sewer Authority, 336 S.C. 162, 519 S.E.2d 561 (1999)).

ARGUMENT

- I. The trial court did not err in granting summary judgment to Respondents because the Appellant's sole cause of action, to wit: that he is entitled to equitable relief, is barred by res judicata.**

The trial correctly ruled that the Appellant is barred from arguing the sole cause of action alleged in this Complaint, to wit: that he is entitled to equitable relief, in accordance with the doctrine of res judicata. (Trial Court Order p. 11)(R. p. 13). South Carolina courts have consistently and unequivocally held that “[u]nder the doctrine of res judicata, ‘[a] litigant is barred from raising any issues which were adjudicated in the former suit and any issues which might have been raised in the former suit.’” Plum Creek Dev. Co. v. City of Conway, 334 S.C. 30, 34, 512 S.E.2d 106, 109 (1999) (quoting Hilton Head Center of South Carolina, Inc. v. Public Service Comm’n of South Carolina, 294 S.C. 9, 11, 362 S.E.2d 176, 177 (1987)). This same Appellant has been previously denied equitable relief by South Carolina courts. Specifically, in Edward L. Green v. Mark Keel, Chief of the South Carolina Law Enforcement Division, and the State of South Carolina, (C/A No.: 2015-CP-40-00590), this same Plaintiff was denied equitable relief by the Circuit Court. This decision was later affirmed by the South Carolina Court of Appeals (Appellate Case No: 2015-002240) and the South Carolina Supreme Court denied certiorari (Case No.: 2017-001651). (R. pp. 16-22). These orders conclusively bar this present action, which is once again seeking only equitable relief. *See* Plum Creek Dev. Co. v. City of Conway, 334 S.C. 30, 34, 512 S.E.2d 106, 109 (1999) (quoting Hilton Head Center of South Carolina, Inc. v. Public Service Comm’n of South Carolina, 294 S.C. 9, 11, 362 S.E.2d 176, 177 (1987)). Accordingly, the trial court properly ruled that this entire action is barred by the doctrine of res judicata and this decision should be upheld and affirmed in its entirety.

II. The trial court did not err in granting summary judgment to Respondents because no genuine issue of material fact exists and South Carolina law clearly mandates that an expungement does not affect South Carolina Sex Offender Registry Act registration.

STATUTORY AVENUES FOR REMOVAL FROM SORA

The Appellant was convicted of Criminal Sexual Conduct 3rd Degree. (Trial Court Order p. 2)(R. p. 4). Since the earliest inception of South Carolina's Sex Offender Registry Act (SORA) registry, this offense has been a mandatory SORA registry offense. *See* S.C. Code Ann. § 23-3-430(c)(3) (1996 Supp.); 1996 South Carolina Laws Act 444 (S.B. 1286). As such, South Carolina law mandates that Appellant register in accordance with SORA.³ Further, all SORA registration in South Carolina is **for life**. *See* S.C. Code Ann. § 23-3-460 (setting forth SORA's lifetime registration requirement in an unambiguously worded statute – to wit: “for life”) (emphasis added). Accordingly, regardless of the Appellant's expungement, he is required to continue registering in accordance with SORA for life unless he meets one of the statutorily enumerated grounds for removal. *See* S.C. Code Ann. § 23-3-430(E), (F), (G). However, Appellant concedes he does not meet any of the aforementioned avenues of removal. (Trial Court Order p. 2)(R. p. 4).

The plain and unambiguous language of SORA sets forth avenues by which an individual's lifetime registration requirement can be removed. *See* S.C. Code Ann. § 23-3-430(E), (F), (G). As noted by the trial court, these are the **only** lawful avenues under which a lifetime registration requirement can be lifted. *See also Johnson v. Lloyd*, 399 S.C. 470, 476–77, 732 S.E.2d 198, 201 (Ct. App. 2012), *overruled on other grounds by*

³ South Carolina's SORA applies retroactively. *See State v. Walls*, 348 S.C. 26, 31, 558 S.E.2d 524, 526 (2002) (holding South Carolina's registry constitutional and specifically finding that “the Act does not violate the *ex post facto* clauses of the state or federal constitutions.”).

Johnson v. Lloyd, 407 S.C. 610, 757 S.E.2d 705 (2014) (“The General Assembly enacted an unambiguously worded statute that sets forth the legal remedies available to an individual on the [SORA] registry. Because the sex offender registry statute provides an adequate remedy..., it was error for the circuit court to fashion an equitable remedy in this case.”). Pursuant to § 23-3-430(E), “SLED shall remove a person’s name and any other information concerning that person from the sex offender registry immediately upon notification by the Attorney General that the person’s adjudication, conviction, guilty plea, or plea of nolo contendere for an offense listed in subsection (C) was reversed, overturned, or vacated on appeal and a final judgment has been rendered.” S.C. Code Ann. § 23-3-430(E). Pursuant to § 23-3-430(F), an offender who receives a pardon “based on a finding of not guilty specifically stated in the pardon” shall be removed. S.C. Code Ann. § 23-3-430(F). And finally, pursuant to § 23-3-430(G) individuals exonerated subsequent to filing a petition for a writ of habeas corpus or a motion for a new trial are removed. S.C. Code Ann. § 23-3-430(F). However, unfortunately for the Appellant, **none of these avenues apply to him.** (Trial Court Order p. 2)(R. p. 4) Simply put, an expungement is not an enumerated ground for removal of an individual’s lifetime registration requirement recognized in SORA. As such, the trial court’s decision should be affirmed.

It is inarguable that if South Carolina Legislature had intended for an expungement to relieve an individual’s SORA registration requirement, the Legislature would have specifically stated such in statute. However, because the Legislature did not, the canon of statutory construction *expressio unius est exclusion alterius*, which holds that to express or include one thing implies the exclusion of another, is determinative. See Hodges v. Rainey, 341 S.C. 79, 86, 533 S.E.2d 578, 582 (2000); Black’s Law Dictionary 602 (7th ed. 1999).

Moreover, South Carolina courts have noted that this “maxim should be used to accomplish legislative intent [*i.e.* lifetime registration in South Carolina], not defeat it.” S.C. Dep’t of Consumer Affairs v. Rent-A-Ctr., Inc., 345 S.C. 251, 256, 547 S.E.2d 881, 884 (Ct. App. 2001).

In addition, YOA expungements came into existence in 2003. *See* 2003 Act No. 1. Since that time, SORA has been amended seven (7) times, including one amendment to the statutory criteria for removal.⁴ However, despite these numerous opportunities, not once has the Legislature ever included YOA expungements, or any expungement for that matter, in the list of statutory avenues for removal from lifetime SORA registration. *See* S.C Code Ann. § 23-3-430(E), (F), (G). As such, the legislative intent that a YOA expungement does not relieve an individual’s SORA registration requirement is clear and unequivocal. *See Hawkins v. Bruno Yacht Sales, Inc.*, 353 S.C. 31, 39, 577 S.E.2d 202, 207 (2003) (acknowledging that the cardinal rule of statutory construction is to ascertain the intent of the legislature and to accomplish that intent.) Accordingly, the trial court was correct.

Similarly, the South Carolina Supreme Court has also held explicitly that a “court’s equitable powers **must yield** in the face of an unambiguously worded statute.” Santee Cooper Resort, Inc. v. S. Carolina Pub. Serv. Comm’n, 298 S.C. 179, 185, 379 S.E.2d 119, 123 (1989)(emphasis added); *see also* Key Corporate Capital, Inc. v. County of Beaufort, 373 S.C. 55, 644 S.E.2d 675 (2007) (finding error in fashioning an equitable remedy in the face of an unambiguously worded statute). SORA’s lifetime registration requirement is set

⁴ These amendments are: 2004 Act No. 208, § 14; 2005 Act No. 141, § 2; 2008 Act No. 335, § 16, eff June 16, 2008 (amending the criteria for removal set forth in S.C. Code Ann. § 23-3-430(F)); 2010 Act No. 212, § 3, eff June 7, 2010; 2010 Act No. 289, § 8, eff June 11, 2010; 2012 Act No. 255, § 5, eff June 18, 2012; 2015 Act No. 7 (S.196), § 6.D, eff April 2, 2015.

forth in an unambiguously worded statute, *i.e.* “for life”. S.C. Code Ann. § 23-3-460. As such, there is simply no statutory or equitable relief available in this matter, and the trial court’s decision must stand.

Furthermore, for any court to fashion an equitable remedy in the face of an unambiguously worded statute would be a clear violation of the South Carolina Constitution’s mandate for the separation of powers. *See* S.C. Const. art. I, § 8. The South Carolina Constitution specifically provides that “the legislative, executive, and judicial powers of the government shall be forever separate and distinct from each other, and no person or persons exercising the functions of one of said departments shall assume or discharge the duties of any other.” S.C. Const. art. I, § 8. The duration of sex offender registration is a matter of public policy that is solely in the province of the South Carolina Legislature. As such, any attempt by any court to invade the Legislature’s exclusive province is a violation of the separation of powers and is unconstitutional. *Id.* In addition, the South Carolina Supreme Court has specifically held that

[i]f a statute’s language is plain, unambiguous, and conveys a clear meaning, the rules of statutory interpretation are not needed and the court has no right to impose another meaning. Buist v. Huggins, 367 S.C. 268, 276, 625 S.E.2d 636, 640 (2006) (internal quotes and citation omitted). Instead, the words of the statute must be given their plain and ordinary meaning without resorting to subtle or forced construction to limit or expand the statute’s operation. *Id.* Moreover, **“it is beyond this Court’s power to effect a change in the statutes enacted by the Legislature.”** State v. Corey D., 339 S.C. 107, 120, 529 S.E.2d 20, 27 (2000); *see also* Keyserling v. Beasley, 322 S.C. 83, 86, 470 S.E.2d 100, 101 (1996) (this Court does **“not sit as a superlegislature to second guess the wisdom or folly of decisions of the General Assembly”**).

Key Corporate Capital, Inc. v. County of Beaufort, 373 S.C. 55, 59, 644 S.E.2d 675 (2007) (emphasis added). This entire action seeks for this Court to impermissibly and unconstitutionally act as a “superlegislature” and to add language to an unambiguously

worded constitutional statute. This is not permitted by South Carolina law. *Id.* As such, the trial court was correct to reject this attempt and should be affirmed.

APPLICATION OF S.C. CODE ANN. § 22-5-920

In addition, Appellant's reliance on S.C. Code Ann. § 22-5-920 is misplaced. An expungement pursuant to this section does not operate as a reversal, overturn, or vacation of the Appellant's conviction on appeal and does not affect the Appellant's overall SORA registration requirement. Moreover, § 22-5-920 deals only with the publication of certain arrest and conviction records - **nothing more** - and certainly not overall SORA registration. *See Id.* It is axiomatic that actual SORA in-person registration and the publication of SORA conviction information on a website are separate and distinct matters governed by separate and distinct statutes. To that end, S.C. Code Ann. § 23-3-450 mandates that offenders "register with the sheriff", and specify that registration entails providing "information as prescribed by SLED." This is SORA registration and is completely unaffected by S.C. Code Ann. § 22-5-920. Separately, S.C. Code Ann. § 23-3-490 speaks to the public accessibility of and the publication of SORA information. To that end, § 23-3-490 states that all "information collected for the offender registry is open to public inspection" and specifically authorizes the use of "computerized or electronic transmission of data or other electronic or similar means" *i.e.* the internet, to accomplish such publication. Accordingly, even assuming *arguendo* that § 22-5-920 could be read to limit the public's access to **all** of the SORA registry information related to the Appellant, which it does not, there is simply no possible way to read § 22-5-920 to authorize the removal of the Appellant's separate and distinct lifetime SORA registration requirement. Rather, the only lawful avenues to remove this mandatory lifetime SORA registration requirement are

set forth in SORA itself. *See* S.C Code Ann. § 23-3-430(E), (F), (G). However, unfortunately for the Appellant, as the trial court correctly found, none of these avenues are available to the Appellant. *See above*. Accordingly, the Appellant's claims must fail.

Moreover, the proper application of § 22-5-920, which speaks only to the publication of certain arrest and conviction records, requires only that Respondent seal from the public view the actual charge of conviction on the Appellant's publically accessible SORA website entry. Respondent has done such. Accordingly, Respondent is informed and believes that it is in full compliance with both § 22-5-920 and with SORA. However, there is simply no reading of § 22-5-920, a statute dealing only with the publication of records, that can evidence a Legislative intent to remove an individual's overall SORA registration requirement. It is also noteworthy that the most recent amendment to § 22-5-920, Act 254 (H.B. 3209) specifically prohibits the expungement of "an offense for which the individual is required to register in accordance with the South Carolina Sex Offender Registry Act." Accordingly, this pronouncement is clear evidence of a legislative intent that expungements should not affect SORA registration. *See Hawkins v. Bruno Yacht Sales, Inc.*, 353 S.C. 31, 39, 577 S.E.2d 202, 207 (2003) (acknowledging that the cardinal rule of statutory construction is to ascertain the intent of the legislature and to accomplish that intent.). Accordingly, the Appellant's argument was correctly rejected by the trial court and the trial court's decision should be affirmed.

SOUTH CAROLINA EXPUNGEMENT LAW

Similarly, a review of the recent expungement law changes in South Carolina is instructive on this issue. In 2014, the South Carolina Legislature amended the expungement laws to require law enforcement entities to maintain expunged records and

authorized such records for use in all ongoing and future law enforcement investigations.

Act 276 (H.B. 4560), which became effective law on June 9, 2014, states:

Section 17-1-40. (A) For purposes of this section, ‘under seal’ means not subject to disclosure other than to a law enforcement or prosecution agency, and attorneys representing a law enforcement or prosecution agency, unless disclosure is allowed by court order.

(B)(1) If a person’s record is expunged pursuant to Article 9, Title 17, Chapter 22, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another provision of law, and the charge was discharged, proceedings against the person were dismissed, or the person was found not guilty of the charge, then the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge or associated bench warrants may be retained by any municipal, county, or state agency. **Provided, however, that:**

(a) **Law enforcement and prosecution agencies shall retain the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations and prosecution of the offense, and to defend the agency and the agency’s employees during litigation proceedings. The information must remain under seal. The information is not a public document and is exempt from disclosure, except by court order....**

SC LEGIS 276 (2014), 2014 South Carolina Laws Act 276 (H.B. 4560)(emphasis added).

In 2016, the Legislature expanded the use of expunged records even further and authorized the use of expunged records for “administrative hearings” as well. Act 132

(S.255), which became effective on February 16, 2016, states:

Section 17-1-40. (A) For purposes of this section, “under seal” means not subject to disclosure other than to a law enforcement or prosecution agency, and attorneys representing a law enforcement or prosecution agency, unless disclosure is allowed by court order.

(B)(1) If a person’s record is expunged pursuant to Article 9, Title 17, Chapter 22, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another

provision of law, and the charge was discharged, proceedings against the person were dismissed, or the person was found not guilty of the charge, then the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge or associated bench warrants may be retained by any municipal, county, or state agency. Provided, however, that:

(a) **Law enforcement and prosecution agencies shall retain the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations and prosecution of the offense, administrative hearings, and to defend the agency and the agency's employees during litigation proceedings. The information must remain under seal. The information is not a public document and is exempt from disclosure, except by court order.**

SC LEGIS 132 (2016), 2016 South Carolina Laws Act 132 (S.255)(emphasis added).

The stated purpose of the SORA registry is “to promote the state’s fundamental right to provide for the public health, welfare, and safety of its citizens...” In addition, the South Carolina Legislature specifically pronounced,

The sex offender registry will provide law enforcement with the tools needed in investigating criminal offenses. Statistics show that sex offenders often pose a high risk of re-offending. **Additionally, law enforcement’s efforts to protect communities, conduct investigations, and apprehend offenders who commit sex offenses are impaired by the lack of information about these convicted offenders who live within the law enforcement agency’s jurisdiction.**

S.C. Code Ann. § 23-3-400 (emphasis added). Accordingly, it is inarguable that the South Carolina Legislature intended for law enforcement to utilize expunged SORA mandated offenses and for those offenders to remain listed on the SORA registry. Therefore, the trial court correctly rejected the Appellant’s argument and should be affirmed.

SORA REGISTRATION IN SOUTH CAROLINA IS NOT PUNISHMENT

In South Carolina, Courts have also consistently and unequivocally held that registration pursuant to SORA is **NOT** punishment. *See* State v. Walls, 348 S.C. 26, 31, 558 S.E.2d 524, 526 (2002); Hendrix v. Taylor, 353 S.C. 542, 552, 579 S.E.2d 320, 325 (2003) (finding that “the length of time one must be listed on the sex offender registry is non-punitive, and it cannot constitute a deprivation of a constitutionally protected liberty interest.”); In re Ronnie A., 355 S.C. 407, 409, 585 S.E.2d 311, 312 (2003) (finding that “sex offender registration, regardless of the length of time, is non-punitive and therefore no liberty interest is implicated.”); In the Interest of Justin B., a Juvenile under the Age of Seventeen, 419 S.C. 575, 799 S.E.2d 675 (2017) (reaffirming the constitutionality of SORA and reaffirming unequivocally that SORA is not punishment).

Rather, the South Carolina Legislature has evidenced a clear intent that SORA is “to promote the state’s fundamental right to provide for the public health, welfare, and safety of its citizens” and to “provide law enforcement with the tools needed in investigating criminal offenses.” S.C. Code Ann. § 23-3-400. In State v. Walls, the South Carolina Supreme Court noted the following:

it is clear the General Assembly did not intend to punish sex offenders, but instead intended to protect the public from those sex offenders who may re-offend and to aid law enforcement in solving sex crimes. Hence, the language indicates the General Assembly’s intention to create a non-punitive act. We find the Act is not so punitive in purpose or effect as to constitute a criminal penalty. Accordingly, the Act does not violate the *ex post facto* clauses of the state or federal constitutions.

348 S.C. 26, 30-31, 558 S.E.2d 524, 525-26 (2002).

The most recent South Carolina Supreme Court opinion in this area, In the Interest of Justin B., a Juvenile under the Age of Seventeen, 419 S.C. 575, 799 S.E.2d 675 (2017),

is instructive and determinative. This case involved a challenge by a juvenile offender to mandatory lifetime public registration. *Id.* In denying every challenge to SORA brought before it, the Court, not only provided a comprehensive review of the history of SORA jurisprudence, but also stated the following:

The requirement that adults and juveniles who commit criminal sexual conduct must register as a sex offender and wear an electronic monitor is not a punitive measure, and the requirement bears a rational relationship to the Legislature's purpose in the Sex Offender Registry Act to protect our citizens—including children—from repeat sex offenders. The requirement, therefore, is not unconstitutional. **If the requirement that juvenile sex offenders must register and must wear an electronic monitor is in need of change, that decision is to be made by the Legislature—not the courts.** The decision of the family court to follow the mandatory, statutory requirement to impose lifetime sex offender registration and electronic monitoring on Justin B. is **AFFIRMED**.

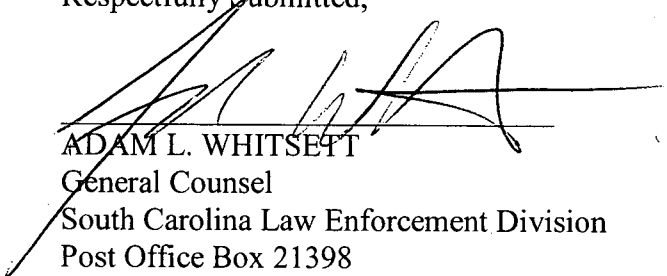
Id. at 586–87, 681 (emphasis added).

Similarly, the Respondent would assert that should South Carolina's SORA laws be in need of amendment to include expungement as an available route for removal from the SORA registry, which Respondent certainly does not concede, that is a decision that can **only** be made by the South Carolina Legislature. *Id.*; S.C. Const. art. I, § 8; Santee Cooper Resort, Inc. v. S. Carolina Pub. Serv. Comm'n, 298 S.C. 179, 379 S.E.2d 119 (1989); Key Corporate Capital, Inc. v. County of Beaufort, 373 S.C. 55, 644 S.E.2d 675 (2007). However, in the absence of such legislative change, there is simply no lawful relief on which the Appellant's claim can be granted. Accordingly, the trial court was correct in denying Appellant's claim, and the trial court's decision should be affirmed and upheld in its entirety.

CONCLUSION

In conclusion, based on the foregoing and the applicable laws of the State of South Carolina, Respondents respectfully request that this Court uphold and AFFIRM the trial court's decision in its entirety.

Respectfully Submitted,



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ATTORNEY FOR RESPONDENT

September 30, 2019

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

DeAndrea G. Benjamin, Circuit Court Judge

Appellant Case No.: 2019-000088

Edward L. Green, Appellant,

v.

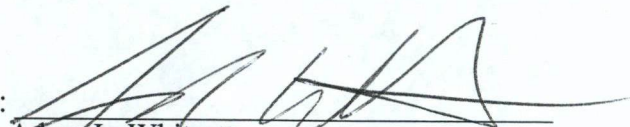
Mark Keel, Director, South Carolina
Law Enforcement Division (SLED)
and the State of South Carolina, Respondents.

RESPONDENTS' Rule 211(b) CERTIFICATION

I hereby certify that the Final Brief of Respondents complies with Rule 211(b), SCACR and the August 13, 2007 Supreme Court Order regarding personal identifiers.

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September 30, 2019