

The Supreme Court of South Carolina

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October 28, 2020

The Honorable Julie J. Armstrong
Clerk of Court, Charleston County
100 Broad St Ste 106
Charleston SC 29401-2210

REMITTITUR

Re: Deon Tedder v. Board of Voter Registration (Jeffery Wilder)
Lower Court Case No. 2020CP1002720
Appellate Case No. 2020-001209

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,


DEPUTY CLERK

cc:

Tiffany R. Spann-Wilder, Esquire

Samuel W. Howell, IV, Esquire

James Todd Rutherford, Esquire

Mark Andrew Peper, Sr., Esquire

The Supreme Court of South Carolina

Deon Tedder, Respondent,

v.

Board of Voter Registration and Elections for Charleston
County and Jeffery W. Wilder,

Of Whom Jeffery W. Wilder, is the Appellant.


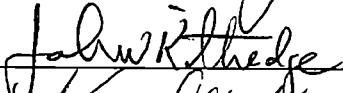



Appellate Case No. 2020-001209

ORDER

Appellant has filed an appeal from the circuit court's order reversing a decision by the Board of Voter Registration and Elections for Charleston County (the Board). The Board found Respondent was not a qualified voter under section 7-5-230 of the South Carolina Code (2019). The circuit court found Respondent was a qualified voter under section 7-5-230 and reversed the Board's decision.

Respondent now moves to dismiss the appeal. Because only the voter may appeal a lower court decision on a voter's registration qualifications or status under section 7-5-230, Appellant, as the challenger to Respondent's voter registration status, does not have standing to appeal the circuit court's order. Accordingly, we grant the motion to dismiss. *See* S.C. Code Ann. § 7-5-230(C) (2019) ("Any person *denied* registration or restoration of his name on the registration books shall have the right of appeal from the decision of the county board of voter registration and elections denying him registration or such restoration to the court of common pleas of the county or any judge thereof and subsequently to the Supreme Court." (emphasis added)); *see also* S.C. Const. art. II, § 9 ("Any person *denied* registration shall have the right to appeal to the court of common pleas, or any judge thereof, and thence to the Supreme Court, to determine his right to vote under the limitations imposed in or authorized by this article, and on such appeal the hearing shall be *de novo*, and the General Assembly shall provide for such appeal." (emphasis added)); S.C. Code Ann. § 7-5-250 (2019) ("From the decision of the court of common

pleas or any judge thereof the *applicant* [for voter registration] may further appeal to the Supreme Court by filing a written notice of his intention to appeal" (emphasis added)). Appellant has filed a motion to consolidate this case with Appellate Case No. 2020-001232. The motion is denied as moot.

	C.J.
	J.
	J.
	J.
	J.

Columbia, South Carolina
October 9, 2020

cc:
Tiffany R. Spann-Wilder, Esquire
Samuel W. Howell, IV, Esquire
James Todd Rutherford, Esquire
Mark Andrew Peper, Sr., Esquire