RECEIVED

Dec 01 2020

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

The Honorable Doyet A. Early, III Circuit Court Judge
The Honorable L. Casey Manning, Circuit Court Judge

Appellate Case No. 2020-001383

RUSSELL L. BAUKNIGHT, as Trustee of The James Brown 2000 Irrevocable Trust and the James Brown Legacy Trust, as Personal Representative of the Estate of James Brown, and on behalf of Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B. II; Daryl J. Brown, individually and on behalf of his minor child, Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor child Sydney L. And Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown

And

ALAN WILSON, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B. II; Daryl J. Brown, individually and on behalf of his minor child Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor child Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown, Respondents.

v.

Adele J. Pope, and Robert L. Buchanan, Jr., Defendants,

Of whom Adele J. Pope is Appellant.

REPLY TO RETURN OF ATTORNEY GENERAL TO PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully submits this reply to the Return to Petition for Writ of Certiorari of the Honorable Alan Wilson, Attorney General of South Carolina ("AG" or "Attorney General").

Summary of Reply to the Attorney General's Return

On May 19, 2010 the Attorney General and Tommie Rae Hynie Brown ("Tommie Rae"), who controlled Respondent Legacy Trust, sued Robert Buchanan, Jr. and Petitioner for tens of millions of dollars for the benefit of Tommie Rae, the AG and other Legacy Trust owner-beneficiaries. The private law firm of Sweeny, Wingate & Barrow, P.A. ["SWB"] represented the AG and all other Plaintiffs. The Richland 4900 complaint has never been amended.

The Richland 4900 complaint admits there was a $100 million offer for entertainer James Brown's assets in 2007, but falsely accuses Buchanan and Petitioner of the federal felony of overstating the value of Brown's assets in IRS filing to get a large commission.[1] [R. 186]

In September 2010 Peter Afterman, the Legacy Trust's music manager generated a $4.7 million valuation of James Brown's music empire, less than 1/12 its actual value. [Reply Brief to Respondents at 8]

Governor Henry McMaster, AG when Richland 4900 was filed, did not sign the Wingate Contract and has confirmed under oath that he did not authorize SWB to bring Richland 4900 in the name of the State/AG; did not authorize Russell Bauknight to speak on behalf of the AG in Richland 4900; and did not know he was named as a Richland 4900 Plaintiff until after leaving office 8 months after Richland 4900 was filed. [Appellant's Brief at 16; R. 985; 1055-58]

In January 2011, AG Wilson replaced Governor McMaster as AG. From 2011 until this appeal was filed on September 12, 2017, the AG supported the Richland 4900 actions of Tommie

[1] Buchanan & Pope valued the music empire, Schedule F, at $84 million, $99 million less Brown's TIAA debt of $15 million. [R. 1975-6] The undisputed testimony of AG's and Petitioner's experts confirms that this figure is both correct and conservative. Smith. Op., pp. [R. 2109-10].

Rae and SWB's other private clients, and allowed Bauknight to act on behalf of the State/AG for the primary benefit of Tommie Rae and SWB's private clients.

In 2020, the AG continues State support for the May 29, 2013 announced plan of Tommie Rae and Louis Levenson, Esq., to disregard this Court's decision in *Wilson v. Dallas,* 403 S.C. 411, 743 S.E.2d 746 (2013) and reinstate the AG's 2008 settlement by declining to comply with 2011 FOIA requests for the public Wingate Contract; a claimed $4.7 million valuation of Brown's music empire by Peter Afterman; and a Legacy Trust amendment circulated by the AG to Tommie Rae and others in 2011.

In March 2011 the AG, with others, secured dismissal as premature Buchanan's and Petitioner's claim to the Court of Appeals that the Richland 4900 complaint is unconstitutional. [Order, Ct.App., 3/16/11, R. pp. 74-6]

On July 5, 2012, while the AG, Tommie Rae and Bauknight were making similar claims to the Supreme Court in *Wilson* and in Richland 4900 about the validity of the AG's 2008 settlement; Tommie Rae's spousal claim; the claimed $4.7 million value of Brown's music empire; and Tommie Rae's 50% control of termination rights under the U. S. Copyright Act, the AG and others secured a circuit court order which failed to find the Wingate Contract violated the Due Process and First Amendment rights of Buchanan and Appellant; allowed SWB to continue to be counsel for the AG, Tommie Rae, Terry Brown ("Terry") and other Will/2000 Trust contestants; and declined to enjoin Bauknight from simultaneously acting for Tommie Rae, the AG and other Will/2000 Trust contestants in Richland 4900.[2] [R. 59-60]

[2] Pages 2 and 3 of Appellant's brief confirm that Buchanan and Petitioner sought the disqualification immediately after the AG, Bauknight and Tommie Rae disclosed the Afterman $4.7 million claimed value of Brown's music empire, which had arrived in September 2010. The AG, Tommie Rae and Bauknight agreed not to notify the Supreme Court of the $4.7 million claimed value until after the briefs in *Wilson v. Dallas* were filed and the ROA closed. In May

By March 2013 the AG had actual knowledge that the Bauknight/Afterman $4.7 million value, produced to discredit "Bobadele" had actually caused millions of dollars of damage to Brown's "I Feel Good" charity while damaging Buchanan and Petitioner, and that the effort to make Tommie Rae Brown's spouse and give her a quarter of Brown's charity for half of her termination rights was not good for the charity, but the AG continued Richland 4900 and the FOIA noncompliance. [Email, Medlin, 8/30/09; R. 1983]

On February 27, 2013 the Supreme Court urged that Richland 4900 and the related FOIA matters be considered "in the first instance," and the AG said he expected to conclude these matters promptly. [*Wilson* at n. 29; R. 878-9]

From May 29, 2013, when Tommie Rae and Levenson announced in open court their plan to disregard *Wilson,* the AG and the circuit court orders secured by the AG provided substantial support for the plan. [R. 1079-80; 1044] The AG has supported Bauknight as he defended the AG's 2008 settlement; claimed that Petitioner (and presumably Buchanan) had "raped" James Brown's estate; and allowed Tommie Rae siphon off royalties belonging to Brown's charity.

On October 13, 2015 the AG, Tommie Rae and others secured an order relieving all Respondents from default as to the Richland 4900 counterclaims. [Brief, p. 2; R. pp. 51-53]

On September 21, 2016 the circuit court ordered that the AG could not be deposed, but the AG then gave a deposition in Aiken 1337, a case he was trying to consolidate, and provided valuable testimony. [Ord. 9/21/16, R. pp. 33-38; 846-7; 851-5; 1931-38]

2011 the AG began using the Afterman $4.7 million claimed value, but without disclosing the claimed "appraisal" document, to support the false felony claim against Buchanan and Petitioner in both Richland 4900 and *Wilson v. Dallas*, and to claim (incorrectly) that the AG's 2008 settlement saved taxes. [*See* Motion to Supplement Record, dtd. 5/6/11, *Wilson*]

In 2016 the circuit court dismissed the two FOIA cases and ruled that the Legacy Trust no longer existed. *See Pope v. Wilson*, 427 S.C. 377, 831 S.E.2d 442 (Ct.App. 2019).

In 2017 the circuit court dropped the AG as a Richland 4900 Plaintiff under Rule 21, then granted summary judgment as to the counterclaims to the AG, the Legacy Trust and Tommie Rae. [R., pp. 3-18; 19-24; 1177-1214; 1217-1233].

Since this appeal was filed in September 2017 the AG and SWB have repeatedly moved to strike and exclude testimony and admissions of the Governor, AG, Solicitor General, Bauknight, other Respondents and the AG's own experts, as well as Petitioner's experts and witnesses, which show that the claims in the Richland 4900 complaint are without merit. [Mot. to Strike of AG, dtd. 3/2/18; Return, Mot. Consolidate (FOIA Appeal), dtd. 10/12/18; Brief of AG, p. 5, n. 2, opposing consideration of Opinion of copyright expert containing sworn testimony of AG, Richland 4900 expert and others; R. 2100-2210]

The AG's Return asks the Supreme Court to overlook the AG's 10 ½ years of Due Process violations; 9 years of FOIA violations; and years of First Amendment violations. The AG asks that the Court of Appeals decision which allows SWB and Bauknight to use the prestige and power of the State/AG for Tommie Rae and SWB's private clients for what may be years not be reviewed or reversed. The AG asks the Court to overlook the Richland 4900 complaint, the sworn testimony of the Governor, the AG, the Solicitor General, and the AG's own experts and find that Richland 4900 is a civil enforcement action and the AG, through a private attorney, acted as the "prosecutor."

This pretrial appeal is unique in many ways, including that the Supreme Court now has all necessary facts to show that the AG should not be dropped under Rule 21; the AG's deposition testimony in Richland 4900 is critical and easily attainable; SWB should have been disqualified

and Bauknight enjoined from speaking on behalf of the State/AG in 2012; and to find that the Wingate Contract should have been declared unconstitutional in 2012. These issues are ripe and should be considered by the Supreme Court.

Based on the extraordinary[3], undisputed facts, the Supreme Court should disregard the Return of the AG; grant the petition for certiorari; address the Due Process, FOIA and First Amendment violations the Court of Appeals failed to address; and reverse the opinion of the Court of Appeals and lower court orders.[4]

Response to the Attorney General's Statement of the Issues

The Attorney General's Return fails to express the questions presented in terms and circumstances of the case.

In question 1, the AG admits that the Attorney General was "no longer needed" in 2013, but fails to address why the AG continued to lend support for Tommie Rae and the announced May 2013 plan to disregard *Wilson v. Dallas;* reinstate the AG's 2008 settlement; and blame the damage on Buchanan and Petitioner both in Richland 4900 and by FOIA disruption and noncompliance. [Return at 6-13] The question overlooks the decade of damage to Buchanan and Petitioner by the State/AG's violations of their Due Process, FOIA and First Amendment rights, and the use of the AG's power and prestige to secure circuit court support for disregarding *Wilson v. Dallas* and reinstating the AG's 2008 settlement.

In questions 2, 4 and 5 the Attorney General claims to be a non-party under Rule 21, but also seeks to enforce an immunity defense which the AG did not raise in the Answer or any later

[3] *See* Motion of Respondents for Direction (Pretrial Publicity), dtd. 8/23/12, with selections from100 attached media articles filed by Respondents. [R. 704-761]

[4] Petitioner incorporates herein her Reply to the Return of Respondents to Petition for Certiorari filed herewith.

pleading. [Ord. Jg. Early, 5/31/17, p.5, n. 4, R, p. 23] The AG even asserts that Petitioner has abandoned her objection to the immunity defense which the AG never properly raised. The facts show that the AG's Due Process, First Amendment and FOIA violations for the benefit of Tommie Rae and SWB's other private clients have damaged Buchanan and Petitioner for more than a decade, and SWB and Bauknight should not continue to use the prestige and power of the State/AG as "private prosecutors" in a claimed enforcement action primarily to benefit Tommie Rae and Forlando Brown ("Forlando").

In question 3 the AG's Return overlooks that AG Wilson waived all of the objections to being deposed by submitting to a deposition in Aiken County Case No. 2013-CP-02-1337 ("Aiken 1337"), a case the AG was trying to consolidate. The AG also overlooks that Richland 4900 bears no relation to cases in which the *Morgan* rule applies. [R., pp. 2013 – 2019] The AG's deposition testimony cannot be attained from anyone else; is material and critical to Richland 4900; and can be obtained without disruption of the AG's State duties.

The questions presented by Petitioner were proper. Petitioner has carefully preserved, and not abandoned, any issue, claim or defense.

Response to the Attorney General's Statement of the Case

The errors and omissions of the AG's Statement of the Case are pervasive. The material facts set out in the summary above, as well as those set out in the Petition for Writ of Certiorari herein, and necessary to the Supreme Court's final ruling on the issues on appeal, are not in dispute.

Specifically, the AG's Return overlooks that while claiming he was never a party to Richland 4900, in 2016 and 2017 the AG, with Bauknight and SWB, sought numerous orders to delay Richalnd 4900 discovery and prevent FOIA compliance. [Mot. Prot. Order (McMaster), 8/25/16, R. 943- 945; Mot. Prot. Order (AG) 7/18/16, R. 856- 60 Jg. Early, 6/23/17; Mot. Strike,

2/26/16; Order 3/1/17; Orders, Jg. early, 9/21/16(Daryl & Tonya), R. 39 - 41; 9/21/16 (AG), R. 33- 38]

The AG's Return also overlooks that since September 12, 2017 the AG has joined SWB and Bauknight in numerous efforts to prevent the Court of Appeals from considering, either by supplement or judicial notice, that Tommie Rae is not Brown's spouse and most Respondents knew she was not before they filed Richland 4900; that Afterman had recanted his claimed $4.7 million in public filings to benefit Tommie Rae for whom he works; and that all Legacy Trust successors except Tommie Rae and Forlando have publicly asserted that Tommie Rae is not entitled to any termination rights or part of Brown's estate, and have abandoned their claims to dismember James Brown's estate plan as set out in the Richland 4900 complaint.

Response to the Attorney General's Argument

Response to Attorney General's Summary

Like the AG's Statement of the Case, the AG's Summary simply overlooks the undisputed material facts and circumstances of this appeal. The material circumstances of this appeal are:

a. The AG actively pursued Richland 4900 through SWB from 2010 until Sept. 2017.

b. The AG had two 2011 FOIA suits transferred to Richland County for the benefit of the Legacy Trust; consolidated one with Richland 4900; and has not produced the documents under FOIA in nine years, despite 2013 representations to the Supreme Court.

.

c. The Supreme Court voided Bauknight's PR/Trustee appointment in *Wilson.*

d. Bauknight signed the Wingate Contract for the Legacy Trust, and also as PR/Trustee.

e. Governor McMaster did not sign the Wingate Contract, which is public, but it was withheld by SWB and Bauknight in Richland 4900 discovery and under FOIA.

f. The July 5, 2012 circuit court order was based on the AG's claim, with others, that Richland 4900 was constitutional; and that Judge Early's May 26, 2009 order and the AG had correctly determined the heirs and devisees of James Brown, including Tommie Rae, and their termination rights under the Federal Copyright Act.

g. The October 13, 2015 circuit court order was issued based on a December 17, 2012 hearing; the circuit court failed to consider the 2013 *Wilson* decision; and the AG supported the decision which advanced Tommie Rae's spousal claim and the announced May 2013 plan to disregard *Wilson* and reinstate the AG's 2008 settlement.

h. In 2016 the circuit court issued an unspecified denial of Rule 59 motion, without indicating to which order(s) it might have applied.

i. After securing the September 21, 2016 order directing that he could not be deposed in Richland 4900, the AG submitted to a deposition in Aiken 1337, which the AG was trying to consolidate with Richland 4900, and gave critical testimony.

j. In October 2016 Governor McMaster testified under oath that he did not authorize SWB to bring Richland 4900 in the name of the State/AG; did not authorize Bauknight to act on behalf of the AG in Richland 4900; and did not know he was a Richland 4900 Plaintiff until after leaving office as AG.

k. In 2016 and 2017 the AG, with others, was involved in substantial discovery in Richland 4900. [Brief, p. 5; R. pp.839; R. pp. 846-847; R. pp. 1931-1938; R. pp 42-43; R. pp. 943-945; R. pp. 1924-1930; R. pp. 851-853; R. pp. 848-850; R. pp. 1177-1218; R. pp. 25-26; R. pp. 31-32; R. p. 227 (under seal); R. pp. 31-32; R. pp. 956-963; R. pp. 25-26; R. pp. 969-974; R. pp. 1939-1995].

l. After the May 29, 2013 announced plan of Tommie Rae and Levenson to disregard *Wilson* and reinstate the AG's 2008 settlement, the AG, SWB clients and Bauknight obtained numerous circuit court orders supporting Tommie Rae's spousal claims, and preventing release of the Afterman $4.7 million claimed value, the Wingate Contract, Legacy Trust documents, and other public and nonconfidential documents.

m. The undisputed 2016 and 2017 testimony of the Governor, the AG, the Solicitor General, the AG's own experts, and those of Petitioner, as well as the public filings and admissions of Respondents, fully support Buchanan's and Petitioner's counterclaims.

n. In 2016 the AG simultaneously sought dismissal under Rule 21 and summary judgment as to the counterclaims while actively preventing discovery and FOIA compliance.

o. The circuit court dismissed the AG under Rule 21, then granted summary judgment as to the counterclaims to the AG, Tommie Rae, and the Legacy Trust which it had found not to exist.

The AG's Purported Immunity does not Make Proper the Circuit Court's Dropping the AG Under Rule 21, and Petitioner has not Abandoned her Argument in Opposition

Contrary to the AG's argument, Petitioner is in no way barred from litigating the AG's purported immunity from the counterclaims in this suit. Petitioner appealed the circuit court order which dropped the AG as a party under Rule 21. The circuit court mentions the AG's purported immunity as a basis for finding that Petitioner's counterclaims "does not preclude his *being dropped as a party* because [the AG] is immune from suit. . ." [R. 23]. As set out in Petitioner's brief in the Court of Appeals, Rule 21 did not provide for the circuit court to remove the AG as a party to this case after 7 years of active litigation. The circuit court's order mentions immunity only in the context of finding that the counterclaims did "not preclude" dropping the AG as a party *under Rule 21*. Petitioner had properly argued the circuit court's error in applying Rule 21 to make a substantive dismissal of the AG from this case. [Final Brief at 18-23]. The AG's brief argued in part that its alleged immunity gave basis to the circuit court's decision, and Petitioner fully responded to the AG's assertion in her Reply Brief. [Reply Brief at 6-10]

As noted in the circuit court's order, the AG did not raise the affirmative defense of immunity in its response to Petitioner's counterclaims, but raised it only in a 2017 memorandum supporting its request to be dropped under Rule 21. [R. 23, n. 4; 2088]. Further, the issue of immunity was never raised by Governor McMaster who was AG when the complaint and response to the counterclaim were filed.

In effect, the AG's argument that it should be dismissed from this suit as a result of its purported immunity is, at best, an additional sustaining ground which was properly dealt with in her Reply Brief below. Petitioner would show, however, that the AG's aggressive attempts to use immunity as a late-pled, substantive basis for dismissal actually *supports* Petitioner's argument

that the circuit court erred in "dropping" the AG under the procedural Rule 21. *See Farmer v. CAGC Ins.*, 424 S.C. 579, 819 S.E.2d 142 (Ct.App. 2018).

Richland 4900 Seeks to Uphold the Legacy Trust and is Not a Civil Enforcement Action

The AG's Return asserts that it was appropriate to drop the AG because Richland 4900 is a civil enforcement action in which the AG is entitled to prosecutorial immunity. The Return asserts incorrectly that Petitioner abandoned any challenge to the AG's prosecutorial immunity. This is not the case.

The Richland 4900 complaint, by which the AG is bound, seeks damages for the Legacy Trust, which no longer exists, and Tommie Rae, Forlando and other private clients of SWB. By final order, Respondent Legacy Trust never existed, and has no charitable purpose.

The AG did not raise prosecutorial immunity in the proposed answer to the counterclaims presented with the motion for relief from default, or in any pleading, and Governor McMaster has confirmed he did not authorize Richland 4900. The first prosecutorial immunity claim was made by AG Wilson after *Wilson v. Dallas.* No funds are sought for the State in the claimed enforcement action. Even the AG's 10% under the Wingate Contract comes only from charitable proceeds, and SWB seeks none. [R. 1243] There is no evidence that AG Wilson had any legal agreement with SWB or Bauknight to take any State action. The prosecutorial immunity claim was first made years after the AG settled with Buchanan and purportedly secured a release from Buchanan's counterclaims with funds from Brown's charity. [Order, Jg. Manning 7/13/12, R. 57-58] Further, the AG's suggestion that he could delegate his prosecutorial duties to SWB and Bauknight, to benefit Tommie Rae and SWB's other private clients, is a clear violation of the Due Process rights of Buchanan and Petitioner.

The undisputed facts before the circuit court and Court of Appeals show that the AG sued Buchanan and Petitioner in a 2010 civil action, using a private lawyer, seeking damages because they were appealing the "prosecutor's" 2008 settlement and protecting James Brown's charity which the prosecutor had a duty to protect. The prosecutor in the May 2010 civil suit accused Buchanan and Petitioner of a federal felony based on a $4.7 million appraisal which was not generated until September 2010. The prosecutor has lodged the false felony claim for more than a decade, severely damaging Buchanan and Petitioner, while the AG, Bauknight and SWB all refuse to release the claimed evidence of the felony in Richland 4900, in 2011 FOIA requests and elsewhere. And the prosecutor has sought and obtained orders from the circuit court which prevent Petitioner from filing a single sworn statement unless it is under seal, and removing an affidavit of Petitioner from the public record with no review, all for the primary benefit of Tommie Rae and other private parties the prosecutor has decided to favor.

These facts are far closer to a case of prosecutorial vindictiveness than prosecutorial immunity.[5] The suggestion that Buchanan and Petitioner have abandoned their right to challenge the AG's belated immunity defense, which was not raised as an affirmative defense in the answer to counterclaims or in any subsequent pleading, is without merit.

Where the facts are not in dispute, the Court may, and should take its own view of the evidence. "When an appeal involves . . . undisputed facts, an appellate court is free to review

[5] *See Opening the Umbrella: The Expansion of the Prosecutorial Vindictiveness Doctrine in United States v. Jenkins,* 59 Cath. U.L. Rev. 855 (2010). Petitioner is unaware of any South Carolina civil enforcement or criminal case which was begun by a state agency or official primarily for the benefit of private individuals; which was pursued for a state official or entity by a private law firm; in which the prosecutor refuses to release the appraisal on which the false felony claim is based; or in which the chief prosecutor (Governor McMaster) has stated under oath that he did not authorize the enforcement action, but it continues to be pursued by a successor prosecutor with no knowledge of the claim.

whether the trial court properly applied the law to those facts." *WDW Props. v. City of Sumter*, 342 S.C. 6, 10, 535 S.E.2d 631, 632 (2000). "In such cases, the appellate court owes no particular deference to the trial court's legal conclusions." *J.K. Constr., Inc. v. W. Carolina Reg'l Sewer Auth.*, 336 S.C. 162, 166, 519 S.E.2d 561, 563 (1999). In this case the Court should find there can be no prosecutorial immunity because there was no valid enforcement action.

The Attorney General Has Waived Any Objection to a Deposition

Six months before this appeal was filed the AG voluntarily submitted to a deposition in Aiken 1337, a case in which the AG was not a party, but which the AG sought to consolidate with Richland 4900. This rendered moot the *Morgan* claims and arguments made by the AG and adopted by the circuit court. The AG's valuable testimony and documents are necessary to this case; easy to obtain; and cannot be provided by any other witness. The 2016 order should be reversed and the AG's testimony preserved.

The Disqualification Order Should be Considered and Reversed

The AG's Return asserts that the Court's review of the Disqualification Order, which also overlooked a request to declare the Wingate Contract unconstitutional as a violation of the Due Process and First Amendment rights of Buchanan and Petitioner, would be premature. It is not premature. The constitutional issues have been ripe since 2010. At the AG's request, the Due Process challenge was not considered by the Court of Appeals in 2011. The AG was successful in preventing consolidation of this appeal with the Richland 4900 FOIA appeal, and FOIA noncompliance continues. The Court of Appeals' opinion overlooks the AG's serious constitutional violations and allows SWB and Bauknight to continue a decade of State action to damage Buchanan and Petitioner for the benefit of Tommie Rae and SWB's other private clients

despite Tommie Rae's 7 ½ years of open defiance of *Wilson v. Dallas*. This Court should end this unauthorized, unconstitutional State action.

Conclusion

The Attorney General asks the Supreme Court to turn a blind eye to 10 ½ years of retaliation against Buchanan and Pope by the AG and in orders issued at the request of the AG by a circuit court which openly supported the May 29, 2013 announced plan of Tommie Rae and most Respondents to disregard Wilson and reinstate the AG's 2008 settlement. Certiorari should be granted and the appealed orders and decision of the Court of Appeals reversed. This will help end both Richland 4900 and the related FOIA cases which the Attorney General told the Supreme Court in 2013 that he planned to conclude promptly.

[SIGNATURE BLOCK APPEARS ON FOLLOWING PAGE]

Respectfully Submitted,

Charles E. Carpenter, Jr.
Carpenter Appeals & Trial Support, LLC
4825 Portobello Rd.
Columbia, SC 29206
Telephone: (803) 758-2886
charlie@carpenterappeals.com
SC Bar No. 1133

s/Adam T. Silvernail
Adam T. Silvernail
Law Office of Adam T. Silvernail, LLC
Post Office Box 7995
Columbia, South Carolina 29202
Telephone: (803) 779-1770
adam@silvernaillawfirm.com
SC Bar No. 80219

William Jeffrey Smith
1216 Crenshaw Street
Newberry, SC 29108
Telephone: (803) 597-0209
Email: wjstv@mindspring.com
SC Bar No. 0005225

Daryl L. Williams
Gertz & Moore, LLP
1416 Laurel Street (29201)
Post Office Box 456
Columbia, SC 29202
SC Bar No. 6121

Attorneys for the Petitioner

December 1, 2020