

IN THE STATE OF SOUTH CAROLINA
In the Supreme Court

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Dec 02 2020

S.C. SUPREME COURT

APPEAL FROM HORRY COUNTY
Court of Common Pleas
Steven H. John, Circuit Court Judge

Case No. 2017-CP-07411
(Appellate Case No. 2020-000092)

Jimmy A. Richardson, II, Solicitor for the 15th Judicial Circuit,
Enforcement on Behalf of the 15th Judicial Circuit Drug Enforcement Unit.....Appellant,

v.

Twenty Thousand Seven Hundred Seventy-One and 00/100 Dollars
(\$20,771.00), U.S. Currency and Travis Green.....Respondents.

MOTION FOR PRO HAC VICE ADMISSION OF JONATHAN FERENCE-BURKE

Pursuant to Rule 404 of the South Carolina Appellate Court Rules, the American Civil Liberties Union Foundation, American Civil Liberties Union of South Carolina Foundation, National Federation of Independent Business, the South Carolina Appleseed Legal Justice Center; South Carolina for Criminal Justice Reform; Root & Rebound; and Project Not A Statistic, who have filed an amici curiae brief in support of Respondents, move for the *pro hac vice* admission of Jonathan Ference-Burke to represent them in this matter.

A *pro hac vice* application with the required fee and certificate of good standing have been submitted to the Office of Bar Admissions by Mr. Ference-Burke. A copy of the application and certificate of good standing are attached to this motion.

The undersigned members of the South Carolina Bar shall remain counsel of record for the moving amici and shall comply with all obligations of Rule 404 (i). The undersigned have mailed a filing fee in the amount of \$50.00.

Counsel for the Appellant and the Respondents have been consulted. They do not oppose this motion.

Date: December 2, 2020

Respectfully submitted,

/s/ Susan K. Dunn
SUSAN K. DUNN*
(S.C. Bar No. 1798)
SHIRENE C. HANSOTIA*
(S.C. Bar No. 100629)
ACLU of South Carolina Foundation
P.O. Box 20998
Charleston, SC 29413
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sdunn@aclusc.org
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shansotia@aclusc.org

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

Jimmy A. Richardson, II, Solicitor
for the 15th Judicial Circuit,
Enforcement on Behalf of the 15th
Judicial Circuit Drug Enforcement
Unit

2017-CP-07411

South Carolina Supreme Court
Tribunal

Plaintiff

Case No.

Tribunal

vs.

Mailing Address of Tribunal:

1231 Gervais Street
Columbia, SC 29201

Twenty Thousand Seven Hundred
Seventy-One and 00/100 Dollars
(\$20,771.00), U.S. Currency and
Travis Green

Defendant

Comes now Jonathan Ference-Burke, applicant herein, and respectfully represents the following:

1. Applicant resides at:

925 21st Street South

Street Address

Arlington

Arlington

VA

22202

City

County

State

Zip Code

(202) 508-4731

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)

Ropes & Gray LLP

, with offices at

2099 Pennsylvania Avenue NW

Street Address

Washington

District of
Columbia

DC

20006

City

County

State

Zip Code

(202) 508-4600

(203) 610-3710

Jonathan.Ference-

Burke@ropesgray.com

Primary Telephone

Cell Phone

Fax Number

Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by

American Civil Liberties Union Foundation, American Civil Liberties
Union of South Carolina Foundation, National Federation of Independent
Business, The South Carolina Appleseed Legal Justice Center, South
Carolina for Criminal Justice Reform, Root & Rebound, and Project Not
A Statistic

to provide legal representation in

connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since 6th of June 2011, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of District of Columbia where applicant regularly practices law. Attached is a certificate of good standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State where applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
U.S. Court of Appeals for the Federal Circuit	06/04/2014
U.S. Supreme Court	03/30/2015
U.S. Court of Appeals for the 5 th Circuit	04/14/2015
U.S. Court of Appeals for the 9 th Circuit	01/14/2016
U.S. Court of Appeals for the District of Columbia	12/15/2015
U.S. Court of Appeals for the 2 nd Circuit	10/13/2015
(See Additional Courts on Supplement Page)	

A applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

California

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court date):

None

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

None

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

None

9. Local counsel of record associated with applicant in this case is Susan K. Dunn of the ACLU of South Carolina Foundation law firm, which has offices at:

P.O. Box 20998

Street Address

Charleston

City

(843) 282-7953

Primary Telephone

Charleston

County

Cell Phone

SC

State

Fax Number

29413

Zip Code

sdunn@aclusc.org

Email Address

1798

South Carolina Bar Number

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

N/A

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for this case only.

DATED this 24 day of September, 2020

Jonathan Ference-Burke

APPLICANT

VERIFICATION

STATE OF Virginia)

COUNTY OF Chesterfield)

I, Jonathan R. Ference-Burke, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

Jonathan Ference-Burke

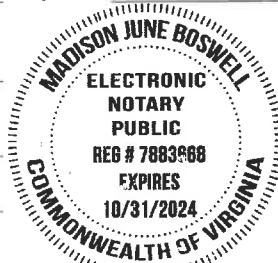
APPLICANT/AFFIANT

Subscribed and sworn to before me this 24 day of September, 20 20

Madison June Boswell

Notary Public for the State of Virginia

My Commission Expires: 10/31/2024



LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 15th day of October, 20 20

[Signature]
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 24 day of September, 20 20 20 day of November 2020

Jonathan Ference-Burke
APPLICANT/AFFIANT

[Signature]
Susan K. Burns

Additional Courts for Jonathan Ference-Burke

Court:	Date Admitted:
U.S. Court of Appeals for the 11th Circuit	09/22/2016
U.S. Court of Appeals for the 6th Circuit	11/14/2016
U.S. Court of Appeals for the 1st Circuit	02/02/2017
U.S. District Court for the District of Columbia	07/18/2013
U.S. District Court for the Northern District of California	08/07/2017
U.S. District Court for the Central District of California	08/07/2017
U.S. District Court for the Central District of Illinois	10/24/2017
U.S. District Court for the Eastern District of California	10/25/2017
U.S. District Court for the Southern District of California	10/16/2017
U.S. Court of Appeals for the 3rd Circuit	11/13/2017
U.S. Court of Appeals for the 10th Circuit	01/12/2018
U.S. District Court for the District of Maryland	03/15/2019
U.S. Court of Appeals for the 7th Circuit	06/26/2020
U.S. Court of Appeals for the 8th Circuit	06/24/2020



On behalf of JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals,
the District of Columbia Bar does hereby certify that

Jonathan Robert Ference-Burke

was duly qualified and admitted on June 6, 2011 as an attorney and counselor entitled to
practice before this Court; and is, on the date indicated below, a(n)
ACTIVE member in good standing of this Bar.

**In Testimony Whereof,
I have hereunto subscribed my
name and affixed the seal of this
Court at the City of
Washington, D.C., on
September 18, 2020.**

A handwritten signature in cursive script that reads "Julio A. Castillo".

**JULIO A. CASTILLO
Clerk of the Court**

Issued By:

A handwritten signature in cursive script, likely representing the District of Columbia Bar Membership.
District of Columbia Bar Membership

For questions or concerns, please contact the D.C. Bar Membership Office at 202-626-3475 or email
memberservices@dcbbar.org.