



The Supreme Court of South Carolina

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March 27, 2013

Mr. Herman Bolds
Mr. Theodore Miller
Payne RMUE Church
1560 Camp Road
Charleston, SC 29412

RECEIVED

MAR 28 2013

SC Court of Appeals

Dear Mr. Bolds and Mr. Miller:

From the additional information that you have provided, it appears that your letter of February 27, 2013, to Chief Justice Toal is related to *Clark v. Moore*, 2012-CP-27-00291. That case is currently pending on appeal to the South Carolina Court of Appeals. Appellate Case No. 2012-213391.

Please be advised that Chief Justice Toal cannot assist you or consider your *ex parte* communication about this case. I do note that based on the information that the Office of Court Administration has obtained from the clerk of the lower court, it appears that Retired Judge Richard E. Fields was appointed as a special referee in this case. Such appointments are made by the circuit court rather than by the Chief Justice.¹

Sincerely,

Daniel E. Shearouse

Enclosure

cc: Darrell T. Johnson, Jr., Esquire
Eduardo Kelvin Curry, Esquire
The Honorable Jenny Abbott Kitchings

¹ Several of the orders in the above case indicate that Retired Judge Fields is a "Special Circuit Court Judge" or "Special Judge." This is apparently a scrivener's error since the Office of Court Administration can find no order of the Chief Justice appointing Judge Fields as a special circuit court judge which would apply to this case.