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Aug 23 2021
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Honorable Kristi Lea Harrington, Circuit Court Judge

Appellate Case Number: 2018-001269

THE STATE.....RESPONDENT.

v.

KENNETH LAMONT ROBINSON, JR.....APPELLANT.

**MOTION IN SUPPORT OF VERIFIED APPLICATION OF
KIMBERLY THOMAS, ESQUIRE FOR ADMISSION *PRO HAC VICE***

I, Whitney B. Harrison (“Movant”) hereby move this Honorable Court for an Order pursuant to Rules 240 and 404 of the South Carolina Appellate Court Rules, admitting Kimberly Thomas, Esquire *pro hac vice* to practice before this Court for the sole purpose, in conjunction with the undersigned, of submitting an *Amicus Curiae* Brief on issues contained in the above-captioned appeal.

In support thereof, Movant would show:

1. Kimberly Thomas, Esquire is a member in good standing of the Bar of Michigan and is employed by University of Michigan Law School, 625 State Street, Ann Arbor, MI 48109.
2. Movant is a member of the law firm, McGowan, Hood & Felder, LLC, 1517 Hampton Street Columbia, SC 29201, and is in good standing with the South Carolina Bar (S.C. Bar No.100111), and a resident of South Carolina.

3. Movant has been associated and is simultaneously submitting a motion for leave to file an *Amicus Curiae* Brief, along with conditionally filed copies of same, in conjunction with Ms. Thomas in this appeal.
4. Ms. Thomas agrees to be subject to and abide by the ethical standards governing the practice of law in South Carolina and before this Court, which are incorporated herein by this reference.
5. A Verified Application for Admission Pro Hac Vice in the State of South Carolina for Kimberly Thomas has been completed and filed with the Supreme Court of South Carolina, Office of Bar Admissions, together with the requisite filing fee of \$250.00. The original Verified Application for Admission is attached and incorporated herein by this reference.
6. WHEREFORE, Movant requests Ms. Thomas be admitted to practice pro hac vice before this Court in this appeal.

Signature Page to Follow

Respectfully Submitted,

/s/ Whitney B. Harrison

Whitney B. Harrison
McGowan, Hood & Felder, LLC
1517 Hampton Street
Columbia, SC 29201
(803) 779-0100
wharrison@megowanhood.com

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

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SC Court of Appeals

State 2018-001269 Sout Carolina Court of Appeals
 Plaintiff Case No. Tribunal
 vs. Mailing Address of Tribunal: 1200 Senate St.
Kenneth Robinson Ste 200
 Defendant Columbia, SC 29201

Comes now Kimberly Thomas, applicant herein, and respectfully represents the following:

1. Applicant resides at:
718 S. Seventh St.
 Street Address
Ann Arbor Washtenaw MI 48103
 City County State Zip Code
734-355-2599
 Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)
University of Michigan Law School, Clinical Programs, with offices at
625 S. State St.
 Street Address
Ann Arbor Washtenaw MI 48109
 City County State Zip Code
734-647-4054 734-355-2599 kithomas@umich.edu
 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 _____ 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 _____ of 2004 _____, 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 Michigan 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:
State of Michigan	2004
US District Court for the Eastern District of Michigan	2005
US District Court for the Western District of Michigan	2011

Court:	Date Admitted:
US Court of Appeals for the Sixth Circuit	2008
US Supreme Court	2008
Commonwealth of Pennsylvania	2000

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.)

Pennsylvania (inactive) (moved to Michigan)

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):

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):

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):

9. Local counsel of record associated with applicant in this case is Whitney Harrison of the McGowan, Hood & Felder, LLC law firm, which has offices at:

1517 Hampton St.
Street Address
Columbia SC 29201
City County State Zip Code
803-779-0100 803-787-0759 wharrison@mcgowanhood.com
Primary Telephone Cell Phone Fax Number Email Address
100111
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).

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 2nd day of August, 2021



APPLICANT

VERIFICATION

STATE OF Michigan)

COUNTY OF Washtenaw)

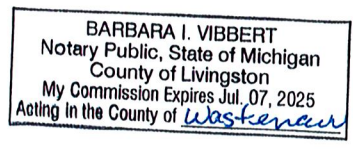
I, Kimberly A. Thomas, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information 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.

Kimberly A. Thomas
APPLICANT/AFFIANT

Subscribed and sworn to before me this 2nd day of August, 2021

Barbara I. Vibbert

Notary Public for the State of Michigan
My Commission Expires: July 7, 2025



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 16th day of August, 2021
Whitney B. Harrison
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 16th day of August, 2021

Kimberly A. Thomas with permission
APPLICANT/AFFIANT
Whitney B. Harrison

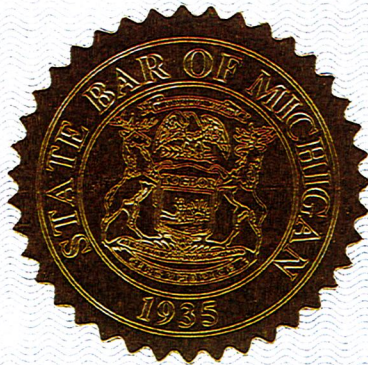
* Whitney Harrison's firm has furnished the check & filed the application for Ms. Thomas

State Bar of Michigan

Certificate of Good Standing

This certifies that Kimberly A. Thomas, P66643 of Ann Arbor, Michigan is an active member of the State Bar of Michigan in good standing.

He/She was admitted to practice in Michigan on February 04, 2004 in Washtenaw County and became a member of the State Bar of Michigan on February 12, 2004.



A handwritten signature in cursive script, reading "Janet K. Welch".

Janet K. Welch, Executive Director
August 02, 2021

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KENNETH LAMONT ROBINSON, JR.....APPELLANT.

PROOF OF SERVICE

The undersigned hereby certifies that the *Motion and Verified Application for Pro Hac Vice of Kimberly Thomas* was served by email on August 23, 2021, as well as by hard copy to the following:

Donald J. Zelenka, DZelenka@scag.gov
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South Carolina Attorney General's Office
P.O. Box 11549
Columbia, S.C. 29211-1549

Susan Barber Hackett, shackett@sccid.sc.gov
Division of Appellate Defense
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Columbia, SC 29211

John H. Blume, Jb94@cornell.edu
Cornell Law School
158 Myron Taylor Hall
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Megan Sara Ehrlich, mehrlich@charlestoncounty.org
Public Defender's Office
OT Wallace Bldg,
101 Meeting Street, 5th Floor
Charleston, SC 29401

Meredith D. McPhail, meredith@adamsbischoff.com
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Adams & Bischoff
171 Church Street, Suite 201
Charleston, SC 29401

Respectfully Submitted,

/s/ Whitney B. Harrison

Whitney B. Harrison
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Jordan C. Calloway
Susan F. Campbell
Deborah Casey (NC)*
Ashley White Creech
Shawn B. Deery
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Eve S. Goodstein



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Jay F. Wright
Joseph G. Wright, III*
*Of Counsel

Writer's Email: wharrison@mcgowanhood.com

August 23, 2021

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

RE: *State v. Robinson*
Case No. 2019-000905

Dear Ms. Kitchings,

Pursuant to Rules 240 and 404, of the South Carolina Appellate Court Rules, please find for filing the enclosed **Motion and Verified Application for Admission *Pro Hac Vice* of Kimberly Thomas**, in the above-captioned matter. A copy of the Verified Application has been filed with the Office of Bar Admissions with a request that the receipt of same be certified forthwith to you. Also enclosed is a check in the amount of \$50.00 for the motion fee. I would appreciate your acknowledging receipt of the motion by file stamping the extra copy and returning it to me via our courier.

If you have any questions or need additional information, please contact me at your convenience.

Respectfully,

s/ Whitney B. Harrison

Whitney B. Harrison

Enclosures