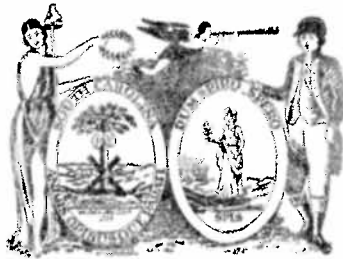


State of South Carolina  
Executive Department

FILED

JUN 17 2014

Mark Hammond  
SECRETARY OF STATE



EXECUTIVE ORDER NO.

Office of the Governor

2014-29

**WHEREAS**, a ten count indictment was filed against James "Jimmy" R. Metts, Sheriff of Lexington County, on June 17, 2014, in the United States District Court for the District of South Carolina, Columbia Division stating charges of one count of Conspiracy to Violate Federal Law and Interfere with Government Function in violation of S.C. Code §§ 8-13-705 and 16-9-220 and 18 U.S.C. §§ 1952(a)(3), 1343, 1346, and 1505; four counts of Use of Interstate Facility to Facilitate Bribery in violation of S.C. Code §§ 8-13-705 and 16-9-220 and 18 U.S.C. §§ 1952(a)(3) and 2; four counts of Use of Interstate Wire to Defraud the Citizens of Lexington County of Their Right to Honest Services in violation of 18 U.S.C. §§ 1343, 1346, and 2; and one count of Conspiracy to Harbor Illegal Aliens in violation of 8 U.S.C. § 1324(a)(1)(A)(iii) and 1324(a)(1)(A)(v)(I); and

**WHEREAS**, James "Jimmy" R. Metts is an officer of a political subdivision of the State and Article VI, Section 8, of the South Carolina Constitution provides that "[a]ny officer of the State or its political subdivisions...who has been indicted by a grand jury for a crime involving moral turpitude...may be suspended by the Governor until he shall have been acquitted;" and

**WHEREAS**, South Carolina law recognizes that "[m]oral turpitude implies something immoral itself..." such as "...an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow man, or to society in general..." and further that "[a]n act in which fraud is an ingredient involves moral turpitude[.]" see *State v. Horton*, 248 S.E.2d 263 (1978), and the above-referenced indictment includes a crime that involves moral turpitude; and

**WHEREAS**, a certified true copy of the indictment against James "Jimmy" R. Metts has been provided to me, and pursuant to this Order, a vacancy will exist in the office of Lexington County Sheriff as a result of the aforementioned suspension; and

**WHEREAS**, the Governor of the State of South Carolina is authorized to appoint a Sheriff in the event of a vacancy pursuant to Section 23-11-40(C) of the South Carolina Code of Laws; and

**WHEREAS**, Alfred "Lewis" McCarty, residing at 173 Belle Chase Drive in Lexington, South Carolina, is a fit and proper person to serve as Lexington County Sheriff.

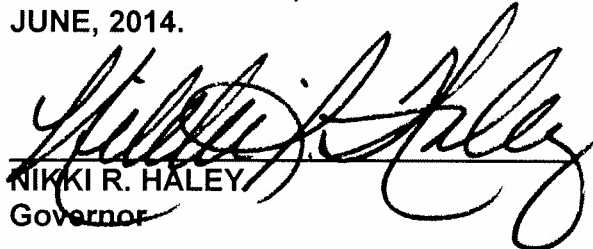
**NOW, THEREFORE**, pursuant to the authority vested in me by the Constitution and Laws of the State of South Carolina, I hereby suspend James "Jimmy" R. Metts from the office of Sheriff of Lexington County until such time as he shall be formally acquitted or convicted, and I hereby appoint Alfred "Lewis" McCarty as Sheriff of Lexington County until the suspended sheriff is acquitted, or the indictment is otherwise disposed of, or until a sheriff is elected and qualifies in the next general election for county sheriffs, whichever event occurs first.

This action in no manner addresses the question of the guilt or innocence of James "Jimmy" R. Metts and should not be construed as an expression of any opinion one way or another on such question.

This order shall take effect immediately.



GIVEN UNDER MY HAND AND THE  
GREAT SEAL OF THE STATE OF  
SOUTH CAROLINA, THIS 17<sup>th</sup> DAY OF  
JUNE, 2014.

  
NIKKI R. HALEY  
Governor

ATTEST:



**MARK HAMMOND**  
Secretary of State