

THE STATE OF SOUTH CAROLINA
In The Supreme Court

IN THE ORIGINAL JURISDICTION

Case No. 2015-001441

South Carolina Public Interest Foundation and
Edward D. Sloan, Jr., individually, and on behalf
of all other similarly situated Petitioners,

v.

James Rozier, as Chairman of the Commission of the
Department of Transportation, James H. "Jay" Lucas,
as Speaker of the S.C. House of Representatives,
Henry D. McMaster, as President of the S.C. Senate, and
the State of South Carolina Respondents.

**RESPONDENT ROZIER'S RETURN TO
PETITION FOR ORIGINAL JURISDICTION**

The Petitioners have filed a petition requesting that this Court authorize pursuant to Rule 245, SCACR, the commencement of this action in the original jurisdiction of the South Carolina Supreme Court. The Respondent James Rozier, as Chairman of the Commission of the Department of Transportation, does not

object to the exercise of original jurisdiction in this case if the Court deems that it is appropriate. However, the Respondent Rozier does reserve all defenses on the merits as well as all defenses related to subject matter jurisdiction, ripeness and other issues of justiciability. The Respondent Rozier believes that this action is prematurely filed and will not be ripe or justiciable unless or until the Petitioners prevail on its claims alleged in the action captioned *South Carolina Public Interest Foundation v. Lucas*, to which the Respondent Rozier is not a party.

Respectfully submitted,

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Columbia, South Carolina

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